

Summary of statutory requirements and Government expectations for local action

This is a summary of statutory requirements and Government expectations arising from the Children Act 2004 and related policy developments. It is not a comprehensive statement of all statutory obligations relating to children and young people.

STATUTORY REQUIREMENT	GOVERNMENT EXPECTATIONS
PARTNERSHIPS	
<p>Set up partnership arrangements to promote co-operation to improve well-being – to assess, plan and commission services that deliver better outcomes for children and young people (Children Act 2004)</p> <p>Take account of statutory guidance (March 2005) on how this duty should be fulfilled.</p> <p>Duty to co-operate commences on 1 April 2005.</p> <p>All Local Authorities must have children’s trust arrangements in place by 2008.</p>	<p>This duty should result in children’s trust arrangements being established to improve outcomes for all children, young people and their families through more integrated services, integrated strategies and processes, including where appropriate commissioning and the pooling of budgets, co-ordinated staff development and capacity building, and more integrated governance arrangements.</p> <p>As well as those covered by the duty to co-operate, partnerships should involve as a minimum other key organisations, including schools, the voluntary and community sectors and culture, sports and play organisations, as well as representatives of parents and young people themselves.</p> <p>Most Local Authorities should have children’s trust arrangements in place by 2006.</p> <p>Build on existing co-ordination arrangements (e.g. CYPSPs) or develop new organisational structures to ensure improved outcomes for all children and young people.</p> <p>Develop joint working protocols between different schools or services networks, including youth justice networks, that are embedded in strategic and operational plans.</p>

INTEGRATING FRONT-LINE DELIVERY	
	<p>Ensure the involvement of a full range of providers in delivering services, including the voluntary and community sector, and where appropriate culture, sports and play organisations.</p> <p>Give children, young people and parents a voice in the design and delivery of services.</p>
	<p>Plan and commission more co-located and accessible services through Sure Start children’s centres and extended schools in line with the ten year strategy for early years and childcare (December 2004), so that by 2010, high quality and affordable childcare is available through every school before and after the school day and during school holidays, with significant progress made by 2008.</p> <p>More information on how to develop extended services will be given in the forthcoming extended schools prospectus (early 2005).</p> <p>Draw on evidence of effective practice to develop children’s centres in response to local demand outside areas of priority government funding.</p>

STATUTORY REQUIREMENT	GOVERNMENT EXPECTATIONS
	<p>Work with partners to plan more effective universal and targeted support for young people in line with the proposals in the Green Paper on youth (January 2005).</p>
	<p>Encourage integrated working by all those who work with children and young people, drawing on guidance on lead professionals and multi-agency working (April 2005) and supporting the adoption of the Common Core of Skills and Knowledge for all those working with children and young people set out in a prospectus (January 2005).</p> <p>Draw on the Government's Pay and Workforce Strategy (February 2005), related toolkits and web-based examples of good practice to rethink local provision, including in workforce planning and development.</p> <p>Use the support available from the Children's Workforce Development Council to support workforce planning and development.</p>

INTEGRATING PROCESSES	
	<p>Standard 1: Support integrated processes across services and across localities by adopting the Common Assessment Framework (March 2005) as the national standard for more effective, shared early assessment of children with additional needs.</p> <p>Develop practice and use of the Common Assessment Framework (non-statutory guidance March 2005).</p>
	<p>Standard 2: Ensure that effective information sharing arrangements are in place in their organisation and with other organisations, drawing on the statutory guidance on the Children Act 2004 duties to co-operate (March 2005) and to safeguard and promote welfare (May 2005).</p>
	<p>Standard 3: Have systematic arrangements in place (by December 2005) for identifying children missing from education so that provision can be made for them, drawing on the non-statutory guidance "<i>Identifying and maintaining contact with children missing, or at risk of going missing, from education</i>" (July 2004).</p>
	<p>Standard 4: Introduce up-to-date directories of services for children in each local area to enable practitioners to make informed referrals and to help children and families access services, having regard to the guidance published in July 2003.</p>

STATUTORY REQUIREMENT	GOVERNMENT EXPECTATIONS
INTEGRATING STRATEGIES	
<p>Record in a single statutory Children and Young People's Plan how services should be provided locally according to need (Children Act 2004) from April 2006.</p> <p>Take account of regulations & guidance (April 2005) on the planning process, taking account of the views of children, young people and parents.</p>	<p>Conduct a needs analysis to inform development of a Children and Young People's Plan.</p>
	<p>Local Authorities participate in priorities conversations with strategic advisers and GOs to agree a set of priorities based on their internal self-evaluation and planning work.</p>
	<p>Develop integrated commissioning arrangements as appropriate based on audits of local needs, joint strategic planning and assessment of workforce capacity and pooled resources. The Government will draw on the experience of pathfinder children's trusts and joint commissioning in other contexts and make this learning available by April 2005.</p>
	<p>As an early input into the above, agree three year plans by 31 December 2004 for mainstreaming the Children's Fund into joint commissioning arrangements. Plan approval is subject to compliance with the Children's Fund grant terms and conditions.</p>

GOVERNANCE AND ACCOUNTABILITY	
<p>Appoint Director of Children's Services (DCS) to be accountable for (as a minimum) the delivery of education, social services and delegated health services for children as well as driving wider partnership working (Children Act 2004).</p> <p>All Local Authorities must appoint a DCS by 2008.</p>	<p>Consider what organisational arrangements are needed to support the Director best.</p> <p>Most Local Authorities to appoint a DCS by 2006.</p>
<p>Have regard to statutory guidance (March 2005) on the way the Director's role should be constituted.</p>	
<p>Designate a Lead Member (LM) for Children's Services to be accountable at political level for the same range of children's services as the DCS (Children Act 2004).</p> <p>All Local Authorities must designate a LM by 2008.</p>	<p>Most Local Authorities to designate a LM by 2006.</p>
<p>Have regard to statutory guidance (March 2005) on the focus for the Lead Member, including safeguarding children.</p>	
	<p>Establish structure and governance for children's trust arrangements that support the delivery of better integrated services to children, young people, parents and carers, drawing on the lessons of the pathfinder children's trusts evaluation (December 2004) and actively learning from the experience of other areas.</p>

STATUTORY REQUIREMENT	GOVERNMENT EXPECTATIONS
<p>Authorities and partners to prepare for annual assessment and periodic Joint Area Reviews (JARs) (<i>Framework for Inspection of Children's Services</i> published May 2005) of the way in which services are working together locally to improve outcomes (Children Act 2004). These will feed into the Comprehensive Performance Assessments for Local Authorities.</p> <p>JARs commence September 2005.</p>	<p>Respond to findings of Joint Area Reviews as a means of continuously seeking to improve outcomes.</p>

SUPPORTING VULNERABLE CHILDREN AND YOUNG PEOPLE	
<p>Individual services to ensure that they discharge their functions with regard to the need to safeguard and promote the welfare of children and young people (guidance available from May 2005).</p> <p>Duty to safeguard and promote the welfare of children and young people commences 1 October 2005.</p> <p>Equivalent duty on schools in Section 175 Education Act (2002) already in force.</p>	<p>Align with equivalent duty on schools and Further Education through the Education Act (statutory guidance – Safeguarding Children in Education, Sept 2004).</p>
<p>Local Authorities to establish Local Safeguarding Children Boards to strengthen local arrangements for safeguarding and promoting the welfare of children and young people (Children Act 2004). Authorities and partners to take account of regulations and statutory guidance (December 2005).</p> <p>All Local Authorities establish LSCBs by April 2006.</p>	
<p>Local Authorities to make arrangements for the implementation from 1 July 2005 of the Children Act 2004 measures on private fostering (including the new regulations that will be made under the new powers introduced by means of the Act into Section 67 of the 1989 Children Act) and the National Minimum Standards.</p>	<p>Have regard to the revised Children Act guidance on private fostering (April 2005), also to come into force with effect from 1 July 2005.</p>
<p>Authorities to review support for looked after children in light of new duty to promote their educational achievement (statutory guidance May 2005) as well as safeguarding and promoting their welfare (Children Act 2004) from 1 June 2005.</p>	<p>Review and strengthen services in the light of the Government's new PSA target on improving stability.</p>
	<p>Work with stakeholders and Government to review payment systems for foster carers in order to increase transparency and consistency across the country and to ensure that payments to foster carers meet the minimum cost of caring for a looked after child.</p>
<p>Comply with the Special Educational Needs (SEN) statutory framework.</p>	<p>Review policies and support for SEN to ensure: effective delegation of resources to support early intervention and inclusion; reduced reliance on statements; ensure appropriate provision; improve specialist advice and support to schools and information to parents; and reduce bureaucracy.</p> <p>Consider how best to work with other Local Authorities and SEN Regional Partners to share ideas and plan support.</p> <p>Consider how to promote effective support for SEN in early years.</p>