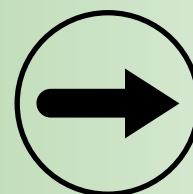


Stronger Partnerships for Better Outcomes

Guidance
Circular



National Assembly for Wales Circular No: 35/2006

Date of Issue: August 2006

Children Act
2004



Guidance on Local Co-operation under the Children Act 2004



PLANT A PHOBL IFANC - GWEITHREDU'R HAWLIAU
CHILDREN AND YOUNG PEOPLE - RIGHTS TO ACTION

Yr Adran Addysg, Dysgu Gydol Oes a Sgiliau
Department for Education, Lifelong Learning and Skills



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Title of Document:	Children and Young People: Rights to Action : Stronger Partnerships for Better Outcomes
Audience:	Chief Executives of County and County Borough Councils in Wales; Lead Directors and Members for Children and Young People's Services and their equivalents in LHB's and NHS Trusts; Chief Executives of Local Health Boards; Chief Executives of NHS Trusts (Wales); Police Authorities and Chief Constables of Welsh police forces; Chief Probation Officers; Youth Offending Teams in Wales Other interested parties: Youth Forums; Framework Co-ordinators; Directors of Public Health; Chief Officers of Community Health Councils CAMHS services; County Voluntary Sector Organisations; Wales Council for Voluntary Action; Voluntary Race Equality Organisations in Wales; Youth Justice Board; Children's Commissioner for Wales; Funky Dragon; NHS Confederation Wales; Welsh Local Government Association; Association of Directors of Social Services in Wales, Association of Directors of Education in Wales; Care Council for Wales; individuals and organisations involved in the delivery of services to children and young people.
Overview:	This document is statutory guidance under sections 25(8), 26(5) and 27(4) of the Children Act 2004, dealing with local co-operation and leadership of change.
Action required:	Local Authorities and other partners to implement sections 25,26 and 27 of the Children Act 2004, in line with this guidance from 1 September 2006.
Further information:	Enquiries about this document should be directed to: David Middleton Tel: 029 2082 5919 Email: cft@wales.gsi.gov.uk
Additional copies:	Can be received from: Jane Hanbury Tel: 029 2082 5101 Email: cft@wales.gsi.gov.uk
Related documents:	Consultation on the Draft Guidance on Local Co-operation under the Children Act 2004, issued in June 2005.

STRONGER PARTNERSHIPS FOR BETTER OUTCOMES

GUIDANCE ON LOCAL CO-OPERATION UNDER THE CHILDREN ACT 2004

Contents

	Page
Summary	ii
1. Introduction	1
2. Principles Underlying Co-operation	4
3. Improving the Effectiveness of Partnership Working	6
4. Joint Commissioning	14
5. Integrating Service Delivery	19
6. Common Assessment and Information Sharing	22
7. Common Outcome Measures to Support Partnership Working	24
8. Protecting Children and Young People	25
9. Leading Change - Roles and Responsibilities	26
Annex 1: Strategic Co-ordination of Key Partnerships	30
Annex 2: Children Act 2004 Sections 25-28	32

SUMMARY

This circular contains statutory guidance under sections 25(8), 26(5), and 27(4) of the Children Act 2004. These provisions place a duty of local co-operation on local authorities in Wales and a range of partners to improve the well being of children and young people in each local authority area. They require local authorities to appoint a lead director and to designate a lead member for children and young people. They require a Local Health Board to identify an executive director and designated non-officer Board Member, and an NHS Trust to designate a lead executive and a non-executive Director, to take overall responsibility for their respective arrangements for co-operation in the partnership planning process.

Section 1 sets out Welsh Assembly Government policy in the context of the UN Convention on the Rights of the Child and describes the statutory provisions.

Section 2 sets out the principles underlying co-operation.

Section 3 deals with improvement in the effectiveness of partnership working.

Sections 4 to 8 give guidance on joint commissioning of services, common assessment and information sharing, setting common outcome measures and information on Local Safeguarding Children Boards.

Section 9 deals with the appointment of lead individuals in local authorities, NHS bodies and other partner organisations.

The new duties come into force on 1 September 2006 and this guidance applies from that date also.

1. INTRODUCTION

1.1 The Welsh Assembly Government has set out its vision for children and young people in three key documents - *Children and Young People: A Framework for Partnership*; *Extending Entitlement: supporting young people in Wales*; and, most recently, *Children and Young People: Rights to Action*. These are based on a number of core themes:

- a foundation of principle in the UN Convention on the Rights of the Child;
- entitlements to services based on the needs of the child or young person;
- listening to and acting on the views of children, young people and families;
- giving the highest priority to those most in need; and
- a commitment to partnership working between different local organisations as the only way in which these aspirations can be achieved.

1.2 The Assembly Government expects local authorities to take the lead in driving forward partnership working that puts in place effective integrated services for children and young people. Local partnerships are a vital mechanism for achieving the aspirations of the Assembly Government to improve quality and quantity of services in Wales, as set out in "*Making the Connections: Delivering better services for Wales*".

1.3 This strategy aims to improve outcomes for children and young people through strengthening co-operation across public services and with their voluntary sector and private sector partners. It places people and communities at the centre, enabling active participation in service planning and delivery. It promotes a focus on outcome, rather than compliance with process. This guidance on strengthening partnerships takes forward a national policy that has been agreed with partners.

1.4 Better outcomes for children and young people can only be achieved and sustained when agencies work together and co-operate in planning and delivering services that are coherent and focus effectively on meeting their needs. Since the publication of the guidance, *Frameworks for Partnership*, in July 2002 considerable energy and commitment has been devoted by local partners to establishing joint working across Wales.

Statutory Provisions

1.5 Part 3 of the Children Act 2004 sets a new statutory basis for partnership working and planning to take forward this vision. Sections 25, 26, 27 and 28 give power to the Assembly to issue guidance on the discharge of the new statutory functions.

1.6 Section 25, which comes into force on 1 September 2006, requires local co-operation between children's services authorities (local authorities) in Wales, key partner agencies ("relevant partners") and other relevant bodies ("other bodies or partners"), including the voluntary and community sectors, in order to improve the well-being of children in the area. It enables specified partners to pool budgets and other non-financial resources in support of these arrangements. Under subsection (8) the Assembly has the power to issue guidance on how these arrangements should work.

1.7 Section 26 enables the Assembly, by regulations, to require local authorities in Wales to prepare and publish a single plan or a framework of plans for services to children and young people. It also requires local authorities to have regard to guidance given to them by the Assembly as to how to discharge their functions under the regulations. Single education plans for 2006-08 are already required by virtue of section 26. Further regulations will be made to require overarching children and young people's plans to be in place from 2008. Consultation will take place later in 2006.

1.8 Section 27 requires a local authority in Wales to appoint from September 2006 a lead director for children and young people's services with responsibility for co-ordinating and over-seeing the arrangements made under sections 25 and 26. This does not affect the existing service delivery responsibilities of the Chief Education Officer and the Director of Social Services. An authority is required to match the lead director's responsibilities with a 'lead member for children and young people's services'.

1.9 NHS trusts and Local Health Boards, the local authorities' most significant statutory partners in providing services for children and young people, are required to appoint lead executive and non-executive directors (in the case of an NHS trust) and a lead officer and member (in the case of a Local Health Board) to deal with the arrangements under section 25.

1.10 Under subsection 27(4) the Assembly can issue guidance on the functions of lead director and lead member. The intention is that these leadership roles should concentrate on promoting change and enabling joint working, not take responsibility for delivery of particular services. The approach in Wales differs significantly from that in England. There is no intention to form Children's Trusts, or to integrate organisations structures under a single director.

1.11 This document is statutory guidance made under sections 25(8), 26(5), and 27(4), dealing with local co-operation and leadership of change. It applies from 1 September 2006.

1.12 Later this summer we will consult on arrangements to strengthen the duties on local authorities and the health service in respect of placement and review arrangements and health and education provision for looked after children. Building on the broad duties imposed by the Children Act 2004 (sections 25, 26, 27, 28) and Children Act 1989 (section 22 and 27) in respect of local authorities and statutory partners' obligations to co-operate, the Assembly Government will issue statutory guidance under

section 25(8) to specify functions local authorities and Local Health Boards must undertake in discharging their duties to improve the education and health and wellbeing of looked after children.

1.13 Throughout this document, references to families refer to those who take responsibility for bringing up children and young people. This can include mothers and fathers, foster carers, adoptive parents, step-parents, grandparents and in some cases members of the extended family such as aunts and uncles.

2. PRINCIPLES UNDERLYING CO-OPERATION

2.1 The key themes are to:

- **Apply the principles of the UN Convention on the Rights of the Child**

2.1.1 The Assembly Government has adopted the UN Convention as the foundation for all its dealings with children and young people, and local authorities and their relevant partners should have regard to its principles in providing services.

- **Increase the priority given to meeting customer need**

2.1.2 Professionals need to plan to work together to meet jointly agreed needs of individual children and young people, using tools such as the Common Assessment Framework.

- **Ensure that the voices of children, young people and families are heard**

2.1.3 Children and young people must be able to influence the planning and provision of services affecting them. It is also vital, both for the quality and safety of services, that individual children and young people are able to express their views and have complaints heard when things go wrong.

- **Give the highest priority to those in greatest need**

2.1.4 The scope of local co-operation should encompass all children and young people in the age group. But some, such as children in need, including disabled children and young people and those looked after by local authorities, children and young people involved in the criminal justice system, those with additional learning needs or those living in poverty, need a greater degree of attention from a range of professionals if they are to realise their potential. Plans for local co-operation should give them a particular focus.

- **Plan for preventative services**

2.1.5 The earlier an intervention can be made the greater its chances of success. Not only is this better for the individual child, it also reduces the pressure on hard-pressed reactive services for expensive later interventions. Much preventative work has been funded by the Cymorth grant scheme, but the Assembly Government expects local partners to commit their own core budgets to preventative work.

- **Integrate safeguards for children and young people**

2.1.6 Safeguards must be an integral part of all services provided for children and young people. No amount of vetting can substitute for good professional practice in safeguarding, promoting their welfare and listening to children and young people.

- **Inclusion of universal services, particularly education**

2.1.7 A common weakness of joint working is that it concentrates excessively on services funded by Cymorth and does not address priorities for universal services and mainstream funding. Joint working cannot succeed in terms of improved outcomes for all children and young people unless it encompasses universal services and the use of mainstream local authority, NHS and other funding. In addition, joint working should include reference to the National Service Framework for Children, Young People and Maternity Services and the accompanying Self Assessment Audit Tool that provide a basis for shared planning and the review of service improvement.

- **Integrate delivery through joint commissioning and pooled funding**

2.1.8 It is essential that plans for co-operative working cover arrangements for joint commissioning and pooled funding if they are to enable a range of professionals to deliver fully effective child-focused services.

- **Value diversity and promote equality of opportunity**

2.1.9 *Iaith Pawb* sets out the Assembly Government's commitment to Wales becoming a truly bilingual country. By this we mean a country where people can live their lives through English, Welsh or both languages. "Language choice is an important component in the provision of a quality care service" (*Iaith Pawb*, 2002: 47). For specific groups, in particular children and young people, those with learning difficulties or mental health problems, research has shown that it is particularly important that services are delivered in Welsh. The Assembly Government is committed to impressing the importance of being able to deliver services in the service users' language of choice and is working with service delivery organisations to help achieve this aim.

2.1.10 In addition, there is a range of other languages spoken in Wales. Local co-operation will need to take account of these factors, including increasing provision of bilingual services to children and young people of all needs and abilities.

2.1.11 The Assembly Government is committed to promoting gender and race equality and to tackling discrimination. In working together, partners must have due regard to their responsibilities to promote equality of opportunity and eliminate discrimination under equality legislation.

3. IMPROVING THE EFFECTIVENESS OF PARTNERSHIP WORKING

3.1 Section 25 of the Children Act 2004 places a duty on local authorities to take the lead in promoting co-operation with 'relevant' partners and such other bodies as the local authority considers appropriate, with the aim of improving the well-being of children in each local authority's area.

Objectives of Partnership Working

3.2 The Assembly Government has set seven core aims as the basis of all its work for children and young people. They seek to ensure that all children and young people:

- have a flying start in life;
- have a comprehensive range of education and learning opportunities;
- enjoy the best possible health and are free from abuse, victimisation and exploitation;
- have access to play, leisure, sporting and cultural activities;
- are listened to, treated with respect, and have their race and cultural identity recognised;
- have a safe home and a community which supports physical and emotional wellbeing;
- are not disadvantaged by poverty.

3.3 These aims form the basis for decisions on priorities and objectives nationally and should form the basis for decisions on strategy and service provision locally.

Partnerships - Current Arrangements

3.4 Since 2002, Assembly Government guidance (Frameworks for Partnership) has required each local authority to have a Children and Young People's Framework Partnership to bring together all local partners who provide services for children and young people and to be responsible for an overarching framework plan. The guidance provided for two sub-groups, the children's partnership and young people's partnership, responsible for drawing up more detailed plans for Early Entitlement (children aged 0-10) and Extending Entitlement (young people aged 11-25).

3.5 Children's partnerships do not have a statutory basis. They plan and ensure delivery of a coherent range of services for all children aged 0-10 in the area and produce a plan, based on the overarching Framework Plan, which sets out in more detail the vision and priorities for children aged 0-10.

3.6 Young People's Partnerships are required under the Learning and Skills Act 2000. A direction under the Act requires every local authority to have in place arrangements for the provision of youth support services. Statutory guidance under the Act sets this out more fully in terms of a Young People's Partnership to plan and ensure delivery of a coherent range of services for all young people in its area, working in close cooperation with young people. Local authorities are required to ensure that young people are able to:

- participate effectively in education or training;
- take advantage of opportunities for employment;
- participate effectively and responsibly in the life of their communities.

3.7 Young People's Partnerships are required to produce five-year strategic plans and annual delivery plans.

3.8 Early Years Development and Childcare Partnerships are required in each local authority under the School Standards and Framework Act 1998 as amended by the Education Act 2002. Plans for early years education form part of single education plans and childcare planning responsibility is covered in the Cymorth Plan.

Partnerships - New Arrangements

3.9 From 2008 each local authority area will be required to have a children and young people's plan covering all services for those aged 0-25 and maternity services. Strengthened partnership arrangements are necessary for development and delivery of these plans through effective joint working. There is also a commitment in the Assembly Government policy statement *Freedom and Responsibility in Local Government (2002)*, to developing a coherent policy and planning framework for local authorities and to look at the scope for rationalisation of partnerships. More recently the Beecham review has concluded that over-complex partnership requirements can get in the way of effective service planning.

Children and Young People's Partnerships

3.10 Children and Young People's Partnerships are a statutory requirement under the Children Act 2004. It is envisaged that these will build on the existing Children and Young People's Framework Partnerships in most cases. The Partnerships will be responsible for services for all children and young people from the ante-natal stage to the age of 18 years, together with those participating in or receiving youth support services (within the meaning of Section 123 of the Learning and Skills Act) up to the age of 25, and care leavers (up to 21 or 25 if in education or training).

3.11 The new statutory partnerships have responsibility for developing and agreeing the Children and Young People's Plan, the key strategic

statement setting out how the well-being of all children and young people in the area will be improved. This is intended to:

- provide strategic vision and state the agreed priorities that will direct the work of all partners;
- describe how requirements of national and local strategies, policies and priorities will be tackled locally;
- set out agreed joint objectives for services that can act as milestones to enable progress in improving outcomes to be measured over the planning timescale;
- identify the contribution made by individual partners towards meeting joint objectives, ensuring that they are consistent and mutually supportive;
- provide a basis for the joint commissioning of services and sharing of available funding, including core budgets of statutory partners and resource or financial contributions from the voluntary sector.

3.12 The Children Act (as amended) describes relevant partners of the local authority as being:

- the police authority and the chief officer of police for the area;
- the local probation board;
- the youth offending team;
- the Local Health Board;
- NHS trusts providing services in the area of the authority;
- the Assembly Government to the extent that it is discharging functions under Part 2 of the Learning and Skills Act 2000.

3.13 The local authority representation should include the Lead Director and Member and representatives from education, social services and the youth service. The NHS representation should normally be the Executive Director and designated non-officer Board Member of the LHB; and Lead Executive and Non-executive Directors of relevant NHS trusts.

3.14 Local authorities need to ensure that all of the relevant services within the authority's area play their part in partnership working and cooperate to improve the well being of children and young people. Accordingly, Children and Young People's Partnerships should in addition include:

- a representative of local schools;
- a representative of the Local Safeguarding Children Board;

- representatives from Welsh medium organisations/groups e.g. mentrau iaith, Urdd, local community groups;
- a representative of the Fire and Rescue Service; and,
- a representative of relevant voluntary organisations, usually the Director of the County Voluntary Council (CVC).

3.15 Voluntary and community organisations are significant providers of services, support involvement of key interests in participation arrangements and develop innovative practice. Local CVCs play a key part in facilitating their involvement in strategic development, service planning and commissioning.

3.16 In some areas there are private and not for profit providers of services for children and young people. Local authorities may need to ensure their involvement in decision-making in addition to the partners described above.

3.17 The Local Safeguarding Children Board (LSCB) is the key statutory mechanism for coordinating the actions of its member organisations to safeguard and promote the welfare of children and young people, with particular focus on ensuring a safe home and community. The LSCB is an important partner in the local arrangements for co-operation.

3.18 Local authorities should also ensure that children, young people and families have an opportunity to make their voices heard by the partnership. Section 52 of the Children Act 2004 extends local authorities' duties to ascertain and give due consideration to the 'wishes and feelings' of children in need when providing services under sections 17 and 20 of the Children Act 1989. Direct attendance at partnership meetings may not, however, be appropriate and other avenues need to be developed or existing mechanisms used to secure the input of children and young people. Parent participation should be secured by inclusion on the partnership of a representative from the local Parent Network. Advisory guidance on networks has been issued by the Assembly Government (July 2006).

Young People's Partnerships

3.19 The Assembly Government remains committed to the statutory requirement for Young People's Partnerships to plan local youth support services. However, it wishes to allow flexibility at local level as to how the statutory requirement is achieved within the overall Children and Young People's Partnership arrangements. Local authorities and their partners can therefore decide whether they wish to retain separate meetings of age-based partnerships (such as the YPP). Whatever their decision, to meet the requirement to have a Young People's Partnership local authorities need to ensure that relevant meetings include a balanced representation from the local authority, other statutory bodies and the voluntary sector, plus:

- A senior representative of Careers Wales
- A representative of CWVYS
- Three representatives of voluntary or independent organisations involved with young people
- Representatives from Welsh medium organisations/groups e.g. mentrau iaith, Urdd, local community groups
- One or more of each of the following groups:
 - local employers
 - local secondary headteachers
 - local FE and training providers.

Others who may need to be included are:

- HE providers
- Corporate managers for community education, leisure services, community safety, economic development, community development, transport
- Health promotion manager
- Probation service
- JobCentre Plus
- Federation of Housing Associations.

Early Years Development and Childcare Partnerships

3.20 Local authorities also have flexibility as to how they meet the statutory requirement to have an Early Years Development and Childcare Partnership (EYDCP) within the Children and Young People's Partnership Framework. However to meet the statutory requirements local authorities should ensure that relevant meetings include representatives of:

- Maintained nursery schools (where the authority has these)
- National Childminding Association (NCMA)
- Wales Pre-school Playgroups Association (WPPA)
- Clybiau Plant Cymru Kid's Clubs (CPCCKC)
- Mudiad Ysgolion Meithrin (MYM)
- Private sector nurseries
- Independent and church schools

- Community Councils for Education and Training
- Local employers
- Jobcentre Plus
- Regional Office of Care Standards Inspectorate for Wales (observer).

Children's Partnerships

3.21 Children's partnerships focusing on services for children aged 0-10 are no longer required, though authorities may choose to retain an age related group if they wish.

Working Groups

3.22 Detailed work cannot be done in full Partnership meetings. In most areas there are a range of joint working groups, organised around themes or local and national priorities and broadly reflecting the Assembly Government's seven core aims for children and young people. These work to deliver the priority objectives set out in local joint plans.

3.23 Such groups provide an ideal basis for a shared focus on the detail of service planning and delivery across the relevant partners responsible for services within each theme. Development of these groups, comprising partners responsible for delivery of universal, targeted and preventative services helps to plan, deliver and measure improvement in shared outcomes for children and young people.

Partnership Governance and Responsibility

3.24 Each partnership is a cooperative arrangement for ensuring the effectiveness of joint working arrangements, including priority setting and establishing agreement to the allocation of lead responsibility for particular aspects of the partnership's plan.

3.25 Each partner retains their existing accountability for the delivery of services for which it is responsible. The partnership does not have a power to direct its partner organisations. Its success in achieving cooperation rests on its ability to reach collective decisions, for which individual partners are responsible to their fellow partners.

3.26 The process of strengthening partnership working will require clear and coherent statements covering the operation of the partnership and expectations of partners. The governance arrangements need to describe:

- effective leadership by the local authority;
- the roles and responsibilities of partners;

- arrangements for full engagement of all key partners, including voluntary and other providers;
- clear accountability and reporting lines to the local authority and the boards of the partners;
- trust, shared vision and a commitment to improving outcomes for children and young people across all partners;
- effective two way communication between each partner organisation and the partnership.

3.27 The Assembly Government will work with its partners to develop model governance, based on current good practice and the requirements of this guidance.

Roles of Partner Representatives

3.28 The effectiveness of a partnership depends on the ability of representatives to make appropriate decisions, as far as possible at the time they are discussed, without reference back to their particular agency. Partnership representatives should be of a sufficiently senior level to be able to speak for their parent bodies, make decisions and give commitments, for example on funding, on behalf of their organisations.

Strategic Co-ordination of Key Partnerships

3.29 Across Local Safeguarding Children Boards, Children and Young People's Partnerships and Community Safety Partnerships there is a common core membership of statutory partners (local authorities, the police, and Local Health Boards for example), all of whom have a major contribution to make in the delivery of effective measures to safeguard and promote the welfare of children and young people.

3.30 Given the cross-cutting nature of these bodies there is scope for developing common management structures and lines of accountability. The key agencies are encouraged to develop structures that optimise joint working arrangements, reduce duplication and provide clear lines of accountability. Further details are set out in annex 1 to this guidance.

Partnership Self-assessment

3.31 While partners spend considerable amounts of time in joint planning and review, they do not always spend time assessing the effectiveness of the partnership process. Partnership working can be time-consuming and create tensions. Partners should therefore take time regularly to consider how successful and effective their joint working arrangements are.

3.32 The local authority should lead in reviewing the partnership process and effectiveness of partnership practice with the lead director and lead

member playing a key part in managing the self-assessment process. The Nuffield Self-Assessment tool or an equivalent should be used.

3.33 Full consideration needs to be given by the partnership and individual partners to feedback from this assessment across partnerships, which will allow partners to demonstrate effectiveness and improvement over time. The process should check the health of the partnership, identify effective practice which needs to change and identify training needs to be addressed through the Partnership Development Programme.

Communities First

3.34 Given the key role of the Communities First programme in tackling deprivation and increasing social inclusion, consideration should be given to how local Communities First Partnerships can feed into the work of Children and Young People's Partnerships. This should be done in a manner which is sensitive to the community development approach and builds in time for communities to respond. Each Communities First Partnership is developing an action plan which addresses six themes: jobs and business; education and training; environment; health and wellbeing; active community; and crime and community safety. Communities First Partnerships are consulting local communities on their needs and priorities and their action plans should be particularly helpful to Children and Young People's Partnerships in determining their priorities for action.

4. JOINT COMMISSIONING

4.1 “Commissioning is the process of specifying, securing and monitoring services to meet people’s needs at a strategic level. This applies to all services, whether they are provided by the local authority, NHS, other public agencies or by the private or voluntary sectors.” (Audit Commission, Making Ends Meet. October 2003.)

4.2 No single agency can by itself deliver the outcomes set out in the 7 core aims. Joint commissioning should be considered wherever identified need requires a contribution from more than one partner.

4.3 The work of local partnerships, and particularly the development of the CYPP, will provide a sound basis for the joint commissioning of services. Successful joint commissioning requires:

- Common aims and objectives based on national and local priorities;
- Shared commitment to improving outcomes for children and young people;
- Joint preparation of commissioning strategies for children and young people based on joint assessment of need;
- Identification of, particular client groups such as looked after children and those needing specialist support;
- A balance between prevention and intervention;
- Shared processes including analysis of need, assessment of policy impact, review of progress;
- The participation of children, young people and families;
- Contributions from a range of providers - statutory, voluntary and private sectors;
- Shared responsibility for management of delivery, in a context of clear roles and accountabilities; and,
- The opportunity to share resources, including pooled budgets.

4.4 Levels of joint commissioning can include:

- the strategic, where major resources are allocated for a particular purpose over time;
- operational, where a specific service is being provided; or
- individual, where services are commissioned around an individual child or young person.

4.5 Joint commissioning should be underpinned by the following priorities:

- Improved prevention and early intervention;
- Support in the early years and at transition points;
- Improved coordination and integration of services;
- Common assessment and information sharing;
- Increased participation of children, young people and families in decision-making, including planning and prioritising action;
- Focus on outcomes; and
- Best value and improvement in specialist areas, such as placement of looked after children.

4.6 Joint commissioning and pooled funding can be particularly valuable in providing services for children and young people with complex needs who require packages of care from a number of agencies and partners. Joint commissioning with partners should always be considered where resources are scarce and costs are high, or where there are shared responsibilities across agencies, such as in providing placements for looked after children. Such cross authority arrangements are already being made in Wales.

4.7 The National Service Framework for Children, Young People and Maternity Services sets out national standards to achieve improvement in quality and reduced variation in service delivery for children and young people. Delivery of these standards is best achieved through partnership and collaboration across organisations, enabling service planners and providers to work together effectively at local level. They provide a yardstick against which the quality and equity of services can be measured over time and a reference point for local joint commissioning.

The Cycle of Commissioning

4.8 The Current position - a process of analysis

4.8.1 The first step of any joint planning and commissioning process is to understand local needs. Local partners should start by pulling together key data on children and young people's health, development and well-being to create a profile of need in the local area. This should lead to identification of identifying the current pattern of provision. This process involves understanding trends over time and predicting future demand.

4.8.2 Needs assessment is vital. It must be resourced at a level which allows good quality data to be collected and a high quality analysis to be carried out.

4.8.3 Data is held by a number of partners, primarily the local authority (education, social services, leisure, and housing departments); LHBs and health trusts; schools; the police; youth offending teams; and local voluntary, community and private providers. Additional data can come from the Self-Assessment Audit Tool linked to the National Service Framework for Children, Young People and Maternity Services (SAAT), local service evaluation and review and inspection reports.

4.8.4 Assessment of data should look at particular groups of children and young people, and the outcomes sought for them. Factors such as ethnicity, sexual orientation, refugee status, deprivation and anti-social behaviour need to be taken into account.

4.8.5 The data and qualitative information gathered, together with the views of children young people and their families, local communities and staff delivering services, should form the basis for an overall integrated needs assessment. The active participation of all local stakeholders will help to ensure that locally developed services are locally owned.

4.9 Strategic planning for services, with a focus on prevention and early intervention

4.9.1 Strategic planning involves making the connections between analysis of needs and the pattern of service provision that will be required. Services (and other mechanisms for achieving outcomes) should be mapped to outcomes and to resources to show where there are correlations, overlaps and gaps. This is the backbone to joint commissioning because it shows which services should be commissioned, commissioned differently, or decommissioned.

4.9.2 Partners should agree local priorities and identify the resources available. Priorities are currently set out in the local Children and Young People's Framework. From 2008 these will need to be set out in the Children and Young People's Plan.

4.9.3 Consideration should be given to opportunities to commission multi-agency provision, which models would fit best, and in what settings services can be most accessible for children, young people, families and the community. Some specialist services can be most effectively provided where there is a critical mass of service users and therefore local commissioning should include consideration beyond a single local authority area.

4.9.4 Providers have an important role in developing a local joint commissioning strategy and plan, through consultation, but they cannot be directly involved in commissioning decisions because of potential conflicts of interest. Their views should be sought by commissioning partners in the assessment of need and review of current provision that takes place as strategies are being developed.

4.10 Commissioning services efficiently

4.10.1 A joint commissioning strategy is essential to bring together all the elements of needs assessment, user participation, priorities, service mapping, resource identification, market development and management, workforce strategy, prevention and early intervention.

4.10.2 Section 25(6) of the Act enables a local authority and its statutory partners to provide staff, goods, services, accommodation or other resources and to pool budgets to improve the well being of children and young people. Pooling budgets and other resources can be a key feature in supporting the development of joint commissioning arrangements. It provides an important lever for bringing together commissioning strategies and joint decision-making.

4.10.3 Local partners can make arrangements to promote co-operation and to pool budgets to improve the well being of children and young people. Local partners will be able to make the best use of contributions from statutory, voluntary and private sectors through a whole systems approach to the delivery of services. Voluntary sector organisations can contribute and engage effectively by provision of offices for the co-location of staff or by contributing staff to work as part of a multi-agency team.

4.10.4 We expect local partners and health boards to work together to set up shared budgets which go wider than the current arrangements under the Health Act 1999 and demonstrate evidence of successful co-operation to make best use of resources. The most important factor in effective pooling of funding is clarity of scope of the funding and the outcome to be achieved.

4.10.5 Local authorities and their partners need to consider which funds they wish to pool in order to develop joint provision. Cymorth and Flying Start funding are particularly appropriate as contributions to pooled budgets for preventative interventions that meet their main themes and are delivered in the appropriate locations.

4.10.6 Youth Offending Teams can enter into joint commissioning and pooled budget arrangements with other partners in order to meet the needs of children and young people at risk of offending or involved in the youth justice system. Decisions on commissioning and pooling will rest with the Youth Offending Team Head of Service or Manager.

4.11 Monitoring and review of services and process

4.11.1 Integrated monitoring and review arrangements across partners promote shared understanding of the effectiveness of services and provide valuable evidence to will determine changes that are needed. All partners need to adopt a common review system for all services so as to monitor progress in delivery against strategic priorities.

4.11.2 Internal and external processes such as self monitoring, annual performance assessments, use of the NSF SAAT and inspection reports help build a picture of progress in delivering outcomes and whether joint planning and commissioning processes are working effectively. The results identify which services are working well, whether earlier needs assessment was accurate, and how well the Plan is being implemented.

5. INTEGRATING SERVICE DELIVERY

5.1 Joint commissioning arrangements are of little value unless they result in an approach based on the assessed needs of children and young people being met by multi-disciplinary working to provide an integrated service. Integration occurs when partners work together to ensure outcome-focused, front-line delivery to meet priority needs that have been jointly agreed. This requires an approach in which needs can be identified in the context of both national and local priorities.

5.2 Multi-agency working has a valuable part to play in improving outcomes for children and young people. Collaboration across universal, targeted and specialist services puts partnership working into action, enabling shared priorities to be addressed and, strengthening inter-professional relationships. These are essential components of early intervention and preventative work.

Examples of Integrated Working

5.3 There are already examples of integrated service arrangements such as:

- Organising teams of staff to work from the same office base;
- Multi-disciplinary child protection teams providing linked services to looked after children;
- Multi-disciplinary teams providing services to those with mental health problems and to youth offenders.

5.4 The Sure Start programme within Cymorth has seen the creation of much high quality work across agencies, bringing together, for example, social services and health visiting input for families in disadvantaged areas. This approach has been developed in light of international evidence that children and young people receive the greatest benefit from interventions that address need in a holistic way.

5.5 Working together in a team does not require homogeneity. Different professions bring valuable and varied insights and can question each other's assumptions. What is important is that they develop common language and objectives. To do this professionals working in teams need continuing professional development, appropriate supervision and management with clear lines of accountability. Collaboration in use of training resources across partners can meet jointly identified training needs.

Location of Integrated Working

5.6 Partnerships should plan to increase the extent to which services are delivered by multi-disciplinary teams in easily accessible places. Co-location can address access needs and the high level of demand for services in certain communities.

Community Focused Schools

5.7 Schools are well placed to play a central role in community life and provide a base for locally delivered childcare, play, family and child support, health services, youth services and adult education. The community focused schools initiative is exploring new ways of enabling schools to develop as community resources. Schools can also act as a location for delivery of services to those with specialised needs. This role is particularly important in deprived areas where alternative facilities often do not exist and where local people may be unlikely to take up opportunities outside their immediate areas. As a result in some areas one multi-agency team may need to serve a cluster of schools.

5.8 The role of schools is reinforced by the findings of *Narrowing the Gap in the Performance of Schools* report (October 2002) which emphasised need for schools in some instances to work as agents for change in their local community. Provisions in the Education Act 2002 make it easier for governing bodies to serve pupils, their families and the local community by entering into agreements with other partners to provide services on school premises and to charge for some services. The Education and Inspection Bill 2006 will require governing bodies to have regard to the local Children and Young People's Plan.

Integrated Centres

5.9 Schools are not the only suitable locations for multi-agency teams. Integrated centres provide another focal point - they can be used as a base to establish networks of service provision, including family support, early years' education, play, childcare and community training, and health visiting.

Other Locations

5.11 Other neighbourhood facilities centres such as libraries or health centres might be appropriate. However, it is the networking between individuals and not the physical base that is the important element.

Use of lead professionals

5.12 The minority of children and young people who have support needs that require input from several specialist professionals or agencies may benefit from the involvement of a 'lead professional' or 'key worker'. Parents of disabled children and young people have told us that this is what they want. The key worker would provide to those with complex needs and their families a single point of contact for arranging support from a range of providers so as to ensure that services are accessed and used effectively. Such involvement aims to reduce overlap and inconsistency of response from provider agencies.

Workforce Development

5.13 The workforce is critical to successful integrated working. Planning for workforce development should be undertaken through a local workforce strategy covering service and role re-design, and joint working to support delivery. Further guidance on workforce planning will be issued as part of the guidance on Children and Young People's Plans.

6. COMMON ASSESSMENT AND INFORMATION SHARING

6.1 Earlier identification of need, leading to improved outcomes for children and young people is a key objective of the Assembly Government. The Common Assessment Framework (CAF) is intended to support this objective. It will enhance multi-agency working and provide a common structure to facilitate improved sharing of information between agencies. It is also intended to eliminate repeated assessments for children, young people and their families.

6.2 An electronic CAF (e CAF) is being developed and will be piloted in four areas in early 2007. It will provide a standard and consistent approach for assessing children and young people's needs. It is intended for use with children and young people who have additional needs and those at risk of poor outcomes. Additional need is a broad term but includes any child who may be at risk of not achieving the seven core aims - for example, persistent truants, excluded pupils or young runaways.

6.3 The e CAF will allow practitioners in all agencies to identify needs and provide appropriate support and interventions at an earlier stage. It will be developed in a format that will offer practitioners from all agencies working with children and families the potential to complete, send and receive a common assessment electronically. It will assist communication through development of a common language and means of understanding and describing children's needs, thereby supporting more effective working together by practitioners from different agencies.

6.4 As part of the wider programme to improve multi-agency working and the delivery of more integrated services, it will reduce the duplication of activity and assessment which is currently experienced by some children, young people and their families.

6.5 It is expected that, with appropriate training, practitioners from any agency will be capable of undertaking a common assessment. Where this assessment indicates that the child has urgent or more complex needs that require specialist intervention, the information that has been gathered will then be used to inform the specialist assessment process.

6.6 Ensuring that personal information is shared legally and intelligently between partners lies at the heart of effective and efficient services to children, young people and their families. Professionals from different disciplines and different agencies need to be able to share personal information so that appropriate decisions are taken and the best possible outcomes achieved. Meeting the legal standards on information sharing and confidentiality is an essential part of this process.

Action to Date

6.7 As a first step, in 2005 the Welsh Assembly Government published non-statutory guidance and advice entitled: 'Confidentiality: A Code of Practice for Health and Social Care Services in Wales'. This explains the concept of confidentiality, describes how a confidential service should operate, provides an outline of the legal requirements and gives examples of appropriate ways to respond to requests for information. Details can be found at: <http://www.wales.gov.uk/subisocialpolicysocialservices/content/guidance/confidentiality-code-e.pdf>.

6.8 Senior managers in partner agencies are responsible for ensuring that information sharing is properly addressed in their organisations and that over time it becomes an integral part of joint working. Partners will need to indicate that their arrangements comply with the requirements of the codes of practice within their fields of expertise and take into account relevant legislation and guidelines.

6.9 To simplify the process and ensure common standards are set, the Assembly Government has developed the *Wales Accord for the Sharing of Personal Information* (WASPI).

6.10 Local arrangements for sharing information between agencies are already being developed as part of Extending Entitlement, which requires Young People's Partnerships to develop information-sharing protocols.

7. COMMON OUTCOME MEASURES TO SUPPORT PARTNERSHIP WORKING

7.1 Performance measurement is important in supporting improvement by measuring progress and judging success. The Assembly Government is working with its partners in local government, the health service and the voluntary sector to develop an outcomes framework to measure improvement in outcomes for children and young people and progress in implementing children's rights.

7.2 Consultation has already taken place on performance indicators to provide a more balanced picture of performance in 25 key service and policy areas including education, social care-children's services, leisure culture and sport, transport and democratic engagement.

7.3 To enable partnership arrangements to work effectively, the systems that operate across agencies - planning, needs analysis, regulation and inspection, performance measurement, monitoring and evaluation - need to be appropriate to the new tasks and effective in supporting joint working. Measures need to be relevant and meaningful to partner agencies, acting to drive shared working to achieve common priority outcomes.

7.4 A Children and Young People's Reference Group has been established with the initial task of agreeing priority outcomes that underpin the Seven Core Aims and a selection of current indicators to measure them. The work of the Group is likely to continue in helping to develop shared outcome measures and advising on the need for changes to current indicators that will effectively support partnership working and a rights-based approach to monitoring outcomes.

7.5 The model for demonstrating impact in Extending Entitlement and 14-19 Learning Pathways is being overseen by a Steering Group consisting of the range of partners involved in delivery. This model links outcome orientated targets through performance indicators at a local partnership or network and organisational levels through to the outcomes achieved for young people. This can be used to measure the development of key aspects of emotional intelligence as well more formal outcomes such as qualification and accreditation. A range of tools/methods that can be used based on worker, peer and self assessment methods will also be developed and piloted prior to wider dissemination and implementation. This will provide a standard framework for measuring outcomes that can be used across all services for children and young people.

8. PROTECTING CHILDREN AND YOUNG PEOPLE

8.1 Section 28 of the Children Act 2004 places a duty on key people and bodies to safeguard and promote the welfare of children and young people. Under Section 31(1) of the Act, every local authority in Wales must establish a Local Safeguarding Children Board (LSCB) for their area. These new responsibilities should help agencies to create and maintain an organisational culture and ethos that reflects the importance of safeguarding and promoting the welfare of children and young people.

8.2 Guidance under Section 28 of the Act is included in *Safeguarding Children: Working Together under the Children Act 2004* (Chapter 2), guidance for Local Safeguarding Children Boards and for those who work with or provide services to children and families in Wales. It sets out the arrangements for membership, functions, organisation and governance, financing and monitoring and inspection of LSCBs.

9. LEADING CHANGE - ROLES AND RESPONSIBILITIES

Local Authorities

9.1 The Act places a duty on every local authority in Wales to:

- appoint a lead director for children and young people's services (section 27(1)(a)); and
- designate a lead member for children and young people's services (section 27(1) (b)).

9.2 Lead Directors are responsible for action that the local authority takes to strengthen partnership working in respect of the following functions of the authority under the Act:

- Section 25 - the duty to make and sustain arrangements to promote co-operation between the authority and its partner organisations to improve the well being of children and young people in the authority's area; and
- Section 26 - the duty to prepare and publish a Children and Young People's Plan (CYPP) to set out the authority's strategy for discharging their functions in relation to children and young people.

9.3 The role of the Lead Director in Wales does not change arrangements for executive authority or accountability for services. Lead Directors for Children and Young People's Services have three key roles. The first is responsibility for promoting partnership working, both corporately across departments of the local authority and between the authority and its partners. This responsibility is independent of any operational responsibility a lead director may have for a particular service or group of services. It centres on enabling co-operative joint working to take place.

9.4 The Act does not remove the existing duties on a local authority to appoint a Director of Social Services and a Chief Education Officer. There is nothing in the legislation that prevents one or both of these statutory posts and the role of Lead Director being carried out by the same individual. However, local authorities need clear managerial arrangements and strong professional leadership for social services and education services and need to ensure that standards of provision are improved, particularly where they concern the safeguarding and protection of vulnerable children and young people.

9.5 Accountability for both decision-making and scrutiny must be maintained. In his reports, the Chief Social Services Inspector for Wales has consistently emphasised the core responsibilities of the Director of Social Services.

9.6 Secondly, Lead Directors provide the leadership needed to ensure that partnership planning is given a high profile within the local authority and promotes strategic change for children and young people in the area. This includes promoting the sharing of necessary planning information and a constructive and collaborative atmosphere for decision making. They should act as a point of contact for partners to enable them to raise any concerns they may have over inclusion of their views in decision making and to ensure that issues raised receive a response.

9.7 The Lead Director needs to ensure that partnerships have clear governance arrangements, a focus on outcome measures in their planning and regular assessment of their performance in order to measure their effectiveness. Lead Directors are responsible for making sure that the arrangements for partnership governance are agreed and reviewed at least every two years using the Nuffield Partnership Self-Assessment tool or its equivalent. They are also responsible for regular completion of the NSF for Children Young People and Maternity Services SAAT that measures improvement in service standards.

9.8 Thirdly, Lead Directors are responsible for ensuring that attention is given to implementation of the UN Convention on the Rights of the Child. This responsibility will include ensuring that children and young people, and their families, participate in the preparation and review of the Children and Young People's Plan, that their views are effectively represented and that matters raised by them receive a response.

9.9 The Lead Director is accountable to his Chief Executive for carrying out the tasks set out above, and to the Members of the authority's executive, overview and scrutiny committees.

9.10 The Lead Director must be a senior officer capable of exercising the authority necessary to lead a change process that will have an impact on the understanding and approach of their peers to partnership working. These aspects have added importance given the lead position of local authorities in promoting partnership. Accordingly the Lead Director should be a member of the authority's corporate team and accountable to the Chief Executive - unless the Chief Executive is appointed as the Lead Director.

9.11 The Lead Member's role mirrors the Lead Director's role at the political level. The Lead Member is responsible within the political process for promoting the authority's lead role in enabling partnership working and ensuring that decision-making processes give due weight to the need for co-operation across partners. The Lead Member should champion effective collaboration and share with the Lead Director responsibility for ensuring that due priority is given to the needs of children and young people.

9.12 The Lead Member provides leadership through engagement with partners. As an elected member of the council, the Lead Member must support the development of a strategic direction for local authority services and encourage leaders of partner organisations to develop and sustain a shared vision.

9.13 The Lead Member should be a member of the authority's executive. The functions for which the Lead Member will exercise political responsibility must, as a minimum, be those functions for which the Lead Director has responsibility. As a member of the local authority executive, the Lead Member will be in a position to highlight the accountability of chief officers to the chief executive and elected members for contribution of their services to improving outcomes for children and young people, and from 2008 to meeting their responsibilities under the Children and Young People's Plan.

9.14 The Lead Member is also well placed to ensure that children and young people are able to make a real contribution to the development of services. This should be achieved by seeking their views on priorities and the effectiveness of services. It is important that they receive a response in return.

9.15 Communication within partnerships and between individual partner agencies must provide effective information on the background to and reasons for decisions. This is a particular responsibility of both Lead Directors and Lead Members in their roles of promoting co-operation. Each must ensure that decision-making within the executive and council of the authority is effectively informed about relevant partnership decisions.

9.16 The Lead Director and Lead Member need to work closely together so that they can fulfil their responsibilities effectively. The Lead Director should be able to access directly all members of the authority, including executive and scrutiny committee members.

9.17 The introduction of these lead responsibilities may necessitate changes to the roles of Coordinators/Partnership Managers who, given their current tasks, are ideally placed to support the Lead Director.

National Health Service

9.18 Section 27(2) of the Children Act requires a Local Health Board to identify an Executive Director and designated non-officer Board Member, and an NHS Trust to designate a Lead Executive and Non-executive Director, to take overall responsibility for their respective arrangements for co-operation in the partnership planning process. Their responsibilities mirror those of the Lead Director and Lead Member in Local Authorities.

9.19 Firstly, they are responsible for promoting partnership working across health services, making sure that effective co-operation in partnership decision-making is effected by NHS Trusts and LHBs. As in local authorities, this responsibility is independent of and additional to any operational responsibility for a particular service or group of services, but is intended to ensure that co-operative joint working takes place.

9.20 Secondly, they provide the leadership needed to ensure that partnership in planning for children and young people is given a high profile within health services. This includes promoting the sharing of necessary planning information and a constructive and collaborative atmosphere for decision making. They must make sure that partnerships have clear governance arrangements and a focus on outcome measures in their planning, and regular assessment of their performance, so as to measure their effectiveness. They must make sure that health services engage fully in arrangements for partnership governance and contribute to completion of the NSF for Children Young People and Maternity Services Self-Assessment Audit Tool.

9.21 They are responsible for ensuring that due consideration is given to implementing the rights of children and young people and that the requirements of the UN Convention on the Rights of the Child are met. This responsibility includes ensuring that the views of children and young people, and families are effectively represented in health service decision-making and that matters raised by them receive responses.

9.22 In addition, the Lead Executive Directors should exercise the role recommended in the Kennedy Report (into the management of care of children receiving complex heart surgery at Bristol Royal Infirmary) of being the single officers in the organisation with overall responsibility for children's services.

Leadership Responsibility of Other Partners

9.23 Leadership roles are implicit in other partner representation. Each partner representative has an equivalent responsibility to take a lead in their own agency for the promotion of partnership working and the understanding of the implications of decisions jointly taken in Partnerships.

Annex 1: Strategic Co-ordination of Key Partnerships

1. Across Local Safeguarding Children Boards, Children and Young People's Partnerships and Community Safety Partnerships there is a common core membership of statutory partners:

- local authorities;
- the police; and
- Local Health Boards.

All of these have a major contribution to make in the delivery of effective measures to safeguard and promote welfare. Consideration also needs to be given to where, within any planning co-ordination structure, other statutory and non-statutory "partnership" bodies will sit.

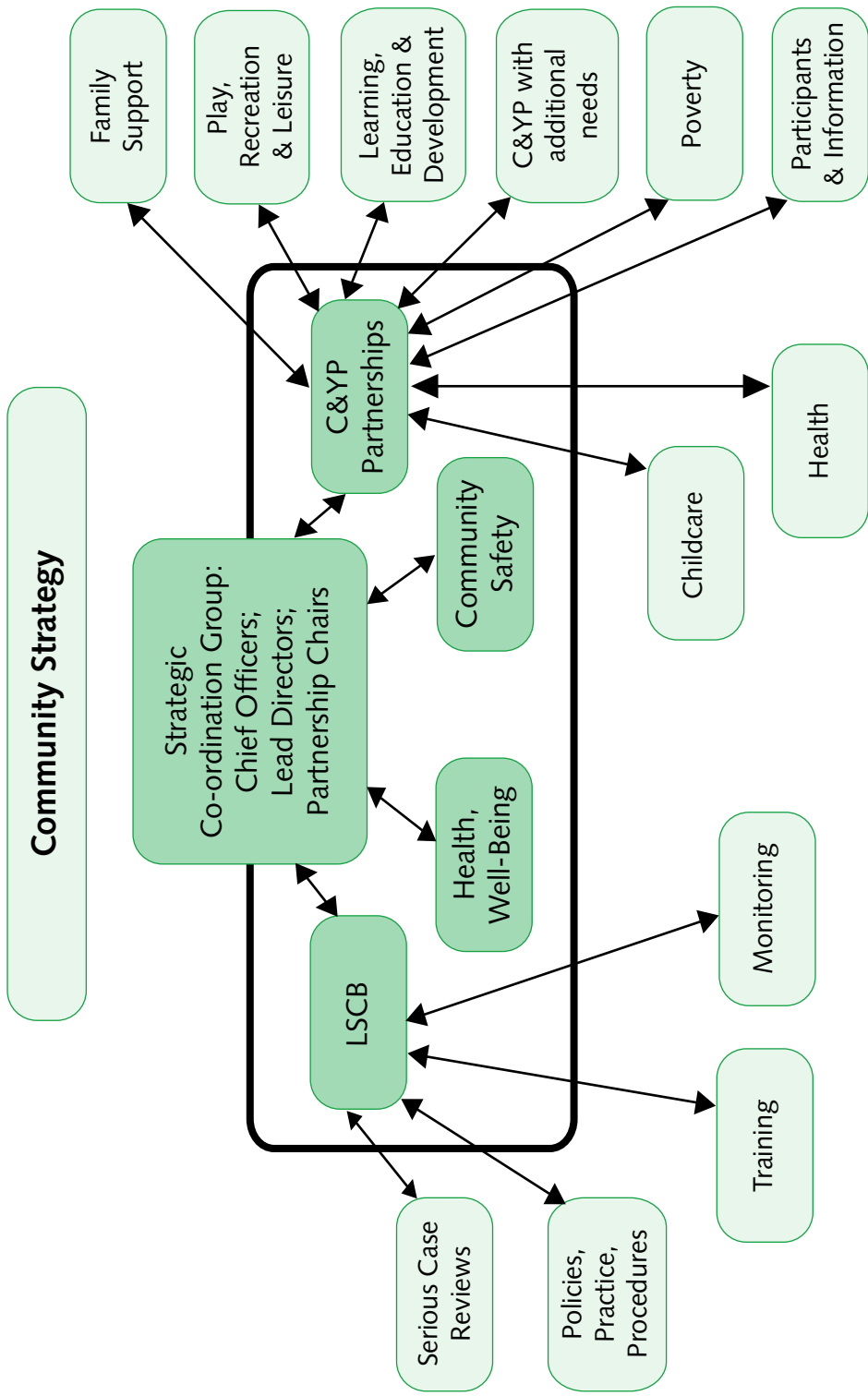
2. Given the cross-cutting nature of these bodies there is clearly some scope for developing common management structures and lines of accountability.

3. The Welsh Assembly Government is not prescribing how agencies should manage this cross-cutting agenda but the key agencies are encouraged to develop structures to optimise joint working arrangements, reduce duplication and provide clear lines of accountability.

4. The model below illustrates an approach agencies may wish to consider in developing joint working relationships. This brings together executive officers from the key agencies - the local authority, the police and the local health board - who have the ultimate responsibility for the allocation of finance and resources in their respective agencies. Membership also includes the lead directors for children and young people's services, the executive director of the LHB and the chairs of the four key partnerships where they are not already represented by those listed.

5. The Group would take responsibility for co-ordinating and guiding the strategic direction of the key partnership bodies shown, including the exercise of partnership functions in respect of children and young people. It would review progress of each partnership in meeting its responsibilities as set out in strategic 0-3 year plans and would be likely to meet 2-3 times annually.

6. This would be an executive body with responsibility for directing the work of these key partnerships. The day to day business of each agency would remain with each, as would specific policy and functional operations.



Annex 2: Children Act 2004: Sections 25, 26, 27 and 28

25 Co-operation to improve well-being: Wales

(1) Each children's services authority in Wales 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 children's services authority in Wales 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 the relevant partner of a children's services authority in Wales:

- (a) the police authority and the chief officer of police for a police area any part of which falls within the area of the children's services authority;
- (b) a local probation board for an area any part of which falls within the area of the authority;
- (c) a youth offending team for an area any part of which falls within the area of the authority;
- (d) a Local Health Board for an area any part of which falls within the area of the authority;
- (e) an NHS trust providing services in the area of the authority;
- (f) the Assembly to the extent that it is discharging functions under Part 2 of the Learning and Skills Act 2000.

- (5) The relevant partners of a children's services authority in Wales must co-operate with the authority in the making of arrangements under this section.
- (6) A children's services authority in Wales and any of their relevant partners may for the purposes of arrangements under this section:
- (a) provide staff, goods, services, accommodation or other resources;
 - (b) establish and maintain a pooled fund.
- (7) For the purposes of subsection (6) a pooled fund is a fund:
- (a) which is made up of contributions by the authority and the relevant partner or partners concerned; and
 - (b) out of which payments may be made towards expenditure incurred in the discharge of functions of the authority and functions of the relevant partner or partners.
- (8) A children's services authority in Wales 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 Assembly.
- (9) The Assembly must obtain the consent of the Secretary of State before giving guidance under subsection (8) at any time after the coming into force of any of paragraphs (a) to (c) of subsection (4).
- (10) 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:
 - (i) services under sections 23C to 24D of the Children Act 1989 (c. 41); or
 - (ii) youth support services (within the meaning of section 123 of the Learning and Skills Act 2000 (c. 21)).

26 Children and young people's plans: Wales

- (1) The Assembly may by regulations require a children's services authority in Wales from time to time to prepare and publish a plan setting out the authority's strategy for discharging their functions in relation to children and relevant young persons.
- (2) Regulations under this section may in particular make provision as to:
- (a) the matters to be dealt with in a plan under this section;
 - (b) the period to which a plan under this section is to relate;
 - (c) when and how a plan under this section must be published;

- (d) keeping a plan under this section under review;
 - (e) consultation to be carried out before a plan under this section is published;
 - (f) implementation of a plan under this section.
- (3) The matters for which provision may be made under subsection (2)(a) include in particular:
- (a) the arrangements made or to be made under section 25 by a children's services authority in Wales;
 - (b) the strategy or proposals in relation to children and relevant young persons of any person or body with whom a children's services authority in Wales makes or proposes to make such arrangements.
- (4) Regulations under this section may require a children's services authority in Wales to obtain the Assembly's approval before publishing a plan under this section; and may provide that the Assembly may modify a plan before approving it.
- (5) A children's services authority in Wales must have regard to any guidance given to them by the Assembly in relation to how they are to discharge their functions under regulations under this section.
- (6) In this section "relevant young persons" means the persons, in addition to children, in relation to whom arrangements under section 25 may be made.

27 Responsibility for functions under sections 25 and 26

- (1) A children's services authority in Wales must:
- (a) appoint an officer, to be known as the "lead director for children and young people's services", for the purposes of co-ordinating and overseeing arrangements made under sections 25 and 26; and
 - (b) designate one of their members, to be known as the "lead member for children and young people's services", to have as his special care the discharge of the authority's functions under those sections.
- (2) A Local Health Board must:
- (a) appoint an officer, to be known as the Board's "lead officer for children and young people's services", for the purposes of the Board's functions under section 25; and
 - (b) designate one of the Board's members who is not an officer as its "lead member for children and young people's services" to have the discharge of those functions as his special care.

- (3) An NHS trust to which section 25 applies must:
- (a) appoint an executive director, to be known as the trust's "lead executive director for children and young people's services", for the purposes of the trust's functions under that section; and
 - (b) designate one of the trust's non-executive directors as its "lead non-executive director for children and young people's services" to have the discharge of those functions as his special care.
- (4) Each children's services authority in Wales, Local Health Board and NHS trust to which section 25 applies must have regard to any guidance given to them by the Assembly in relation to:
- (a) their functions under this section;
 - (b) the responsibilities of the persons appointed or designated by them under this section

28 Arrangements to safeguard and promote welfare: Wales

- (1) This section applies to each of the following:
- (a) a children's services authority in Wales;
 - (b) a Local Health Board;
 - (c) an NHS trust all or most of whose hospitals, establishments and facilities are situated in Wales;
 - (d) the police authority and chief officer of police for a police area in Wales;
 - (e) the British Transport Police Authority, so far as exercising functions in relation to Wales;
 - (f) a local probation board for an area in Wales;
 - (g) a youth offending team for an area in Wales;
 - (h) the governor of a prison or secure training centre in Wales (or, in the case of a contracted out prison or secure training centre, its director);
 - (i) any person to the extent that he is providing services pursuant to arrangements made by a children's services authority in Wales under section 123(1)(b) of the Learning and Skills Act 2000 (c. 21) (youth support services).
- (2) Each person and body to whom this section applies must make arrangements for ensuring that:
- (a) their functions are discharged having regard to the need to safeguard and promote the welfare of children; and

(b) any services provided by another person pursuant to arrangements made by the person or body in the discharge of their functions are provided having regard to that need.

(3) In the case of a children's services authority in Wales, the reference in subsection (2) to functions of the authority does not include functions to which section 175 of the Education Act 2002 (c. 32) applies.

(4) The persons and bodies referred to in subsection (1)(a) to (c) and (i) must in discharging their duty under this section have regard to any guidance given to them for the purpose by the Assembly.

(5) The persons and bodies referred to in subsection (1)(d) to (h) must in discharging their duty under this section have regard to any guidance given to them for the purpose by the Secretary of State after consultation with the Assembly.