

Statutory Guidance: The Roles and Responsibilities of the Lead Member for Children's Services and the Director of Children's Services

Department for Children, Schools and Families

A response from the National Council for Voluntary Youth Services (NCVYS)

January 2009

Introduction

1. The National Council for Voluntary Youth Services (NCVYS) is the independent voice of the voluntary youth sector in England. A diverse network of over 170 national voluntary youth organisations and regional and local youth networks, NCVYS has been working since 1936 to raise the profile of youth work, share good practice and influence policy that has an impact on young people and the organisations that support them.
2. The NCVYS network reflects the diverse range of voluntary organisations working with young people at community, local, regional and national level. Most of our members offer opportunities to engage in challenging activities or develop creative talents. They also support young people to become active in their communities and offer opportunities for their voice to be heard. Some offer interventions to prevent or tackle specific issues such as homelessness or offending behaviour. Others offer counselling, advice, Guidance and information. All contribute to young people's personal and social development; some also engage with spiritual development.
3. For more information on any element of this paper, please contact NCVYS's Head of Policy and Communications, Faiza Chaudary on 020 7278 1041.

Key comments and recommendations

4. The National Council for Voluntary Youth Services (NCVYS) welcomes the opportunity to comment on the Department for Children, Schools and Families (DCSF) latest *Statutory Guidance: The Roles and Responsibilities of the Lead Member for Children's Services and the Director of Children's Services*¹. The consultation gives the voluntary and community youth sector (VCYS) the opportunity to reiterate the importance of engagement with the sector at a local strategic decision-making level.
5. Key recommendations that emerged through the NCVYS response were:

Recommendation 1: The Department for Children, Schools and Families should provide additional practical guidance demonstrating how the Lead Member should ensure effective partnerships specifically with the third sector e.g. through the use of local infrastructure networks.

Recommendation 2: DCSF should provide additional guidance to ensure effective transition arrangements for young people leaving care.

Recommendation 3: The Guidance should include more emphasis on the need for the Director of Children's Services to ensure that the third sector is well engaged with development of local Children and Young People's Plans.

Recommendation 4: The Guidance should include acknowledgement of the importance of schools being encouraged by Lead Members and Directors of Children's Services to engage with other sectors, including the voluntary and community youth sector, to deliver shared agendas such as the promotion of community cohesion and the extended services agenda which require cross-sector partnership.

Recommendation 5: The Guidance should reference the need for Directors of Children's Services to ensure that local commissioning arrangements and monitoring processes to be negotiated in advance of contract with organisations.

Recommendation 6: Appendix 2 of the Guidance, containing useful resources, should include a link to the NCVYS website (www.ncvys.org.uk) to support those who may seek additional support and information relating to the third sector.

Recommendation 7: Government and the local LM and DCS should utilise and support the development of resources produced by the VCYS in order to engage other partners who are not under a duty to cooperate with Children's Trusts, in particular small VCYS organisations.

Responses to questions posed by DCSF

Does the Guidance clarify the role and responsibilities of the Lead Member for Children's Services? If not, what more is needed?

6. The Guidance makes clear the roles and responsibilities of the Lead Member for Children's Services (LM). The structure of the Guidance here is helpful as it splits this role into key areas covering; political leadership, championing the interests of children and young people within the local authority (LA) including through strategic boards such as the Local Strategic Partnership (LSP), ensuring a focus on safeguarding and wellbeing and exercising political accountability.

¹ The draft Statutory Guidance is available via:
<http://www.dcsf.gov.uk/consultations/index.cfm?action=consultationDetails&consultationId=1583&external=no&menu=1>

7. The importance of the LM's roles and responsibilities in ensuring effective partnerships with public, private and/or third sector agencies is particularly relevant for NCVYS's membership. This is an important function, yet we know that practice is variable across the country in relation to the strength of these partnerships. It would be helpful therefore to include some additional guidance about how this partnership can work well in relation to the third sector in particular. This could be intertwined with the section relating to governance and monitoring frameworks (see 2.12) with a reference stating that: 'LMs will need to be satisfied that there are practical and effective engagement processes in place to engage relevant partner agencies e.g. private, third sector and appropriate public bodies'.

Recommendation 1: DCSF should provide additional practical guidance demonstrating how the LM should ensure effective partnerships specifically with the third sector e.g. through the use of local infrastructure networks.

8. The focus of section 2.15, which relates to the LM's role in ensuring effective transition arrangements are in place for those who will need social care support throughout their lives, is particularly important in bridging the gap between children and adult social care services.
9. In respect of children with learning difficulties and/or disabilities or those who are to become care leavers, this is an area where further clarity would be welcomed. For example, what is the role of the LM when considering statutory and non-statutory organisations and the services they deliver for these vulnerable young people and how will the LM be able to ensure that all services are joined up and fully equipped to meet the needs of these young people.

Recommendation 2: DCSF should provide additional guidance to ensure effective transition arrangements for young people leaving care.

10. The renewed emphasis on political accountability is welcomed in this section and practical routes to this, such as the collection of data, analysis of reports and use of the overview and scrutiny function, demonstrate strongly what this role means in practice for the LM.

Does the Guidance clarify the role and responsibilities of the Director for Children's Services? If not what more is needed?

11. The Guidance makes clear the roles and responsibilities of the Director of Children's Services (DCS). The structure of the Guidance here is again helpful as it splits this role into the key areas of leadership, championing the interests of children and young people within the local area including through strategic boards such as the LSP, ensuring a focus on safeguarding and wellbeing and management of the LA's children's services with professional accountability for their effectiveness.
12. Again, NCVYS is particularly interested in the DCS's capacity to strengthen local partnership arrangements in a way that engages the VCYS. The importance of engaging with the third sector in a more general sense is well put in section 3.18 of the Guidance.
13. However, the importance of engaging with the third sector in the development of Children and Young People's Plans (CYPPs) could be made clearer. NCVYS would like to see a stronger emphasis here on the need for the DCS to ensure that all local delivery partners, including the third sector, are well engaged in consultation on local CYPPs in order to inform their development and therefore shared local priorities that are reflective of the entire children and young people's sector locally – both statutory and non-statutory.
14. Practice in meaningful consultation with the third sector on the development of local CYPPs varies across LA areas, therefore it would be good to include consultation with delivery partners as well as service users as an important element in developing local CYPPs, particularly if the Plans are to act as partnership documents setting out the shared priorities of all providers of children and young people's services in the local area.

Recommendation 3: The Guidance should include more emphasis on the need for the DCS to ensure that the third sector is well engaged with the local CYPP.

15. In reference to section 3.22 the importance of the DCS in facilitating engagement with schools is clear. The areas where it is perceived that schools can exert most influence, e.g. community cohesion and the 14-19 agenda are relevant, however, NCVYS would like to see acknowledgement of other sectors that are important in delivering these shared agendas. For example, it would be useful to include a reference that: ‘the DCS will need to encourage local partnership arrangements to help facilitate joint working between schools and other local providers (e.g. voluntary and community organisations) where these can help meet shared agendas (e.g. promote community cohesion and extended services models)’.

Recommendation 4: The Guidance should include acknowledgement of the importance of schools being encouraged by the LM and DCS to engage with other sectors, including the VCYS, to deliver shared agendas such as the promotion of community cohesion and the extended services agenda which require cross-sector partnership.

16. Sections 3.25–3.30 look at the role of the DCS in relation to the commissioning and contracting out of services and functions. This section of the Guidance is clear and in particular NCVYS supports the acknowledgement that contracts should be supported by clear review mechanisms and accountability structures to ensure effective monitoring and assessment of service quality.
17. However, NCVYS would also like this section to reference the need for local commissioning arrangements and monitoring processes to be negotiated in advance of contracts with organisations. Many third sector organisations are contracted by LAs to deliver services to children and young people and the need for commissioning arrangements which are clear and take account of their individual context e.g. resource limitations, sensible monitoring targets etc, has been frequently raised by NCVYS. NCVYS would like to see a reference here that requires commissioners acting on behalf of DCSs to take account of these local circumstances when contracting organisations to deliver services.

Recommendation 5: The Guidance should reference the need for local commissioning arrangements and monitoring processes to be negotiated in advance of contract with organisations.

Does the Guidance adequately explain the relationship between the LM and the DCS?

18. Yes.

Does the Guidance enable the LM and DCS to work effectively together?

19. Yes, the guidance does provide an overview of how these two important roles should be exercised and the functions they will cover, however, these are challenging roles and we hope that DCSF will be able to use the suggestions above to further clarify some of these challenges and highlight the steps that should be taken to address them as stated in the recommendations listed.

Is there anything else the Guidance should cover?

20. This guidance could be made clearer through a further exploration of how other agencies should link with the Director of Children Service and Lead Member to ensure effective delivery of children’s services. Additional areas related to development of safeguarding procedures will need to be linked to this guidance, following the outcome of Lord Laming’s current review.

Appendix 2 will contain a list of other Guidance and documents (with links) – can you recommend any publication you have found particularly useful?

21. NCVYS suggests including a link to its website: www.ncvys.org.uk for voluntary sector partners looking at the Guidance who may seek additional support and information relating to the third sector and its relationship with the DCS and LM.

Recommendation 6: Appendix 2 of the Guidance, containing useful resources, should include a link to the NCVYS website (www.ncvys.org.uk) to support those who may seek additional support and information relating to the third sector.

Additional comments

22. As highlighted in NCVYS's previous responses to Statutory Guidance and Children's Trusts consultations², NCVYS recognises that the VCYS has a responsibility to proactively engage with LAs and Children's Trusts. To this end the Community Sector Partnership for Children and Young People (2006) produced two documents³. The first, *talking trusts*, is aimed at statutory agencies and sets out straightforward recommendations encouraging Children's Trusts to do more to engage with voluntary and community sector partners, especially small organisations who are doing critical work with children or young people on the ground. The second, *Community Involvement in Children's Trusts – Unlock your potential*, is a counterpart document offering guidance for community and voluntary organisations delivering services to children or young people on how to engage effectively with children's trusts.

23. Such resources need to be recognised and supported by Government in order develop communication and understanding between sectors. Resources produced by the VCYS might also be more likely than government publications to reach small voluntary organisations who are vital service deliverers and able to represent often the most hard to reach young people.

Recommendation 7: Government and the local LM and DCS should utilise and support the development of resources produced by the VCYS in order to engage other partners who are not under a duty to cooperate with Children's Trusts, in particular small VCYS organisations.

² NCVYS's policy consultation responses and briefing papers, including responses to DCSF's *Strengthening Children's Trusts: Legislative options* and *Statutory guidance on inter-agency cooperation to improve well-being of children, young people and families*, are available via: <http://www.ncvys.org.uk/index.php?page=265>

³ The *talking trusts* documents are available via: <http://www.ncvys.org.uk/index.php?page=368#trusts>