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CHILDREN'S SERVICES PLANNING

This paper outlines the legislative basis for public bodies and authorities in the UK and Ireland to work together to ensure an integrated approach to planning and delivery on Government priorities for children and young people and to the planning and delivery of children's services. It may also be of use to refer to Assembly Research Service papers 51/2008 and 52/2008, which contain complementary information in relation to childcare provision, including statutory duties for local authorities in England and Wales, and the position in Scotland respectively.

Library Research Papers are compiled for the benefit of Members of The Assembly and their personal staff. Authors are available to discuss the contents of these papers with Members and their staff but cannot advise members of the general public.

SUMMARY OF KEY POINTS

- Children's rights have become a primary focus in recent years, with all regions of GB and Ireland producing children's strategies informed by the United Nations Convention on the Rights of the Child.
- The provision of children's services is underpinned by the wider concept of children's rights, with the best interests of the child, and the child's right to be heard in any administrative proceedings, enshrined in law across GB.
- In recent years, the Governments of all UK nations and Ireland have articulated their objectives for all children and young people through national children's strategies.
- Statutory duties to engage in joint planning for children's services operate in England, Scotland and Wales. Furthermore, local authorities in England are under a duty to improve the well-being of children and to reduce inequalities between children in their areas. In addition, local authorities in England and Wales are under several statutory duties in relation to childcare provision, including a duty to provide free childcare for working parents.
- In Northern Ireland, the statutory duty to prepare children's plans extends only to health and social services boards, and then only to children in need. There is a statutory duty to consult with partner agencies, but not to engage in joint planning.
- There is a difference between Northern Ireland and other regions in GB, where national strategies and local plans are directly linked and are produced in respect of all children. In Northern Ireland, the strategy applies across the board, but planning occurs only for children in need.
- In Republic of Ireland, the provision of integrated services has become a strong policy and strategic commitment, but it has not been underpinned by legislation. Joint local planning arrangements are under development, but there are no current plans to legislate for a statutory duty of joint planning.
- Statutory, voluntary and community agencies currently engage in joint planning in Northern Ireland through the area children and young people's committees, but this is on a voluntary basis. The children's services sector is keen to have a statutory duty of joint planning in respect of all children.

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BACKGROUND

1. Children have become an increasing focus of government policy throughout the UK and the Republic of Ireland in recent years. One of the main drivers of this has been the increasing influence of children's rights. The emergence of children's rights, not only as a stand-alone concept but as a useful and powerful framework for children's policy, can be traced back to the United Nations Convention on the Rights of the Child (UNCRC), which was opened for signature at the end of the 1980s. The importance of this document is evidenced by the fact that the United States and Somalia remain the only two states not to have ratified the UNCRC.¹
2. In Northern Ireland, the effect of the political situation on children and young people has been recognised by Government.² Furthermore, it has been suggested that the prevalence of constitutional and security issues over recent decades meant that children's issues were not a high priority.³ However, the development of an Executive strategy for children and young people⁴, and the establishment of the Northern Ireland Commissioner for Children and Young People, has illustrated that children and young people are high on the Executive's agenda.
3. The UNCRC, which was opened for signature on 20 November 1989 and entered into force on 2 September 1990, outlines the principal civil and political and social, economic and cultural rights of children. Under the Convention, the duration of childhood is defined as until a child reaches 18 years of age. As with many international instruments, certain controversial issues were omitted and left for individual states to address, such as the point at which childhood begins and the age of criminal responsibility. However, the states parties that have ratified the UNCRC are bound by its provisions and principles. Furthermore, states are required to submit periodic reports to the UN Committee on the Rights of the Child, detailing the status of children's rights in their respective nations.
4. The growth in the status and influence of children's rights in domestic policy is demonstrated by the establishment of children's commissioners in the UK and the Republic of Ireland since 2000. In addition to providing an avenue for children to have their say in respect of the issues that affect them, the role of children's commissioners as consultative bodies is important in respect of children's planning. Furthermore, the powers of review and investigation held by children's commissioners illustrate that children's rights form a crucial element of governmental policy across the UK and the Republic of Ireland. Furthermore, the development of national children's strategies has been underpinned by UNCRC principles.

¹ The United States and Somalia have both signed the Convention but have yet to ratify it. The UK ratified the Convention on 15 January 1992, with Ireland following suit on 28 October of that year.

² "Children and Young People in Northern Ireland, have for too long, lived in a society under stress." Office of the First Minister and deputy First Minister (2006) Lifetime Opportunities – Government's Anti-Poverty and Social Inclusion Strategy for Northern Ireland, page 33.

³ McTernan and Godfrey (2006) Children's Services Planning in Northern Ireland: Developing a Planning Model to Address Rights and Needs *Child Care in Practice*, Volume 12, No. 3, page 222.

⁴ The Northern Ireland strategy 'Our Children and Young People – Our Pledge' was launched by Maria Eagle MP, then direct rule Minister with responsibility for children and young people, in June 2006.

5. Focusing on the rights of children and young people has led to the development of the “whole child” model, which recognises that the various elements of a child’s existence and development mean that a one-size-fits-all approach will not work. Rather, by placing the child at the centre of the officialdom, services are tailored to a child’s particular needs, as opposed to the child having to work within the structures of various service providers.
6. There are two main overarching and interlinked themes that are common to all models for children’s services planning across the UK and Ireland: children’s rights, underpinned by the UNCRC, and the concept of the “whole child model”.

CHILDREN’S RIGHTS

7. Children’s rights have become an integral part of children’s services planning in recent times, with the UNCRC providing the guiding principles on which UK regions and Ireland have modelled their children’s strategies. The principles of the UNCRC have also been distilled into legislation and policy on children’s services planning. Two particularly relevant provisions of the UNCRC have influenced the development of children’s services planning. Article 3 provides that the best interests of the child shall be a primary consideration in all actions concerning that child. Article 12 binds states to ensure that children who are capable of forming their own views are afforded opportunities to express those views in all matters concerning them, and that those views are given due weight in accordance with the age and maturity of the child. This has often been referred to as the child being an ‘active participant’ in their world.⁵
8. In all actions involving children and young people, safeguarding and promoting the welfare of children, and the principle of “best interest”, are central tenets. In addition, the principle of participation enshrined in Article 12 of the Convention has ensured that children and young people can have a direct input, where appropriate, into actions directed towards them. Furthermore, throughout the text of the UNCRC, the importance of the family and the development and maintenance of family relationships is very high. The status of the family is also given a high priority in child-related legislation in Ireland and in the UK.

WHOLE CHILD MODEL

9. The UNCRC has influenced children’s services policy, with a shift from a needs-basis (what a child needs) to a rights-based approach (how can a child’s rights best be realised). Recognising that children will require different levels of support, the influence of children’s rights has been accompanied by the development the “whole child model” of service provision.
10. The whole child model places the child at the centre of the planning process. Rather than agencies providing services separately, the whole child model ensures that agencies plan their services around the child and work together to the child’s agenda, instead of working in isolation to their own.

⁵ Northern Ireland Area Children and Young People’s Committee (2003) *The Whole Child and Family Support in Northern Ireland Children’s Services Planning*.

11. The definition of the whole child model differs slightly between regions, but can be best explained by two key points and the inter-relationship between them:
 - the different dimensions and relationships to a child's world
 - the role of the child as an active participant in their own lives
12. On a practical level, placing the child and their world at the centre of the planning process means that services are provided according to a child's own needs, with the different elements of the child's world impacting on the types of services that are provided. This approach lends itself to the concept of integrated children's services planning, with the role that integrated planning, centred around the child, can play in maximising better outcomes for children.

LEGISLATIVE SUMMARY

13. In England, Wales and Scotland, legislation exists that places duties on those responsible for children's services planning to undertake integrated inter-agency planning. Children's services plans are drawn up for all children and young people, whereas in Northern Ireland plans relate only to children and young people who are deemed to be in need.
14. In Ireland, there is no statutory duty to undertake integrated planning for children's services, although integrated working is a central part of the strategic and policy direction of children's services. At present, there are no plans to place integrated planning arrangements on a statutory footing.⁶

NORTHERN IRELAND

15. The Children (Northern Ireland) Order 1995 is the main statute governing the care of children in need in Northern Ireland. Under the Order, as amended by regulations, children's services plans are prepared only in respect of children in need, and therefore in receipt of state assistance. Furthermore, the duty to prepare plans rests solely with the health and social services boards. While there is a duty to consult other agencies, there is no requirement for agencies to work together.
16. Part IV of the Order deals with support for children and their families. Under section 17 of the 1995 Order, a child is deemed to be in need if any of the following three criteria apply:
 - (a) The child is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for him of services by an authority;
 - (b) The child's health or development is likely to be significantly impaired, or further impaired, with the provision for him of such services;
 - (c) The child is disabled.
17. Schedule 2 of the 1995 Order outlines the power and duties of authorities (currently, health and social services boards) and describes the range of service provision available to families. Article 18(4) provides the Department of Health, Social Services and Public Safety with a power to amend Schedule

⁶ Pilot initiatives establishing children's services committees are under development in Dublin, Donegal and Limerick. The outcome of these pilot schemes will inform the next steps to be taken.

2 by Order in Council to provide additional powers and duties to health and social services boards.

18. Included in the Schedule are duties on authorities to take reasonable steps to prevent neglect and abuse, to minimise the effect of disability on the lives of disabled children, reasonable steps to reduce the need for care proceedings, and requirements in respect of children living with their families.
19. The legislative requirement on authorities to take reasonable preventative steps is an important element, given the recognition of the importance and value of preventative and early intervention measures in respect of children, which can often reduce the need for further, more intrusive interventions.
20. The importance of maintaining the family unit is given legislative recognition through statutory requirements on authorities to provide assistance to maximise opportunities for children to remain within the family unit. The status of the family, and the level of importance attached to the family unit, forms part of the underpinning values that support the Executive's strategy for children and young people. This is mirrored in the other children and young people's strategies and is also a core element of the UNCRC.
21. The Children (1995 Order) (Amendment) Regulations (Children's Services Planning) Order (Northern Ireland) 1998, which came into operation on 14 September of that year, introduced children's services plans into Northern Ireland.
22. Under the Regulations, health and social services boards are required to prepare and publish plans in respect of services identified in the main 1995 Order. These are: provision for children in need and their families; accommodation of children; accommodation of children in police protection; accommodation and maintenance; and persons qualifying for advice and assistance. This can be contrasted with the statutory provisions applicable to other regions in GB, where the matters to be dealt with in the plan are more wide-ranging and refer to more general strategic concepts. Paragraph 2A(2) of Schedule 2 of the 1995 Order, as amended by the 1998 Order, provides that the plan must be reviewed at least once in each financial year, and that authorities may modify or substitute their plans.⁷
23. Paragraph 2A(3) of Schedule 2 requires a health and social services board to consult a range of bodies on its plan or any modifications to it. The bodies include several named bodies, in addition to anyone whom the Board considers it appropriate to consult, or anyone whom the Department may direct the Board to consult. The named bodies are: relevant health and social services trusts; relevant education and library boards; district councils; certain voluntary organisations; the Northern Ireland Housing Executive; the Chief Constable and the Probation Board for Northern Ireland.
24. The four Northern Ireland area children and young people's committees undertake planning arrangements in respect of children, and partnership working has been established for some time. The committees have highlighted the importance of links across and between Government

⁷ Local authorities in England must review their plans in the years when they are not required to publish a new plan. In Scotland, agencies must provide the Executive with annual updates of integrated children's plans. From 2009, children's and young people's plans will have to be reviewed annually.

Departments. Integration at Executive level, through regional structures to local areas was also one recommendation emanating from the Department of Health, Social Services and Public Safety review into 'Children First', the Northern Ireland childcare strategy.⁸

ENGLAND

25. Section 10 of the Children Act 2004 places a duty on children's services authorities⁹ in England to make arrangements to promote co-operation between the authority, its partners and any other appropriate persons or bodies. An authority's partners include local police authorities, probation boards and youth offending teams, strategic health authorities and primary care trusts, those involved in providing education and training, and the Learning and Skills Council for England.
26. Section 10(2) states that the arrangements for co-operation are to be made with a view to improving the well-being of children in the 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 to them by society
 - (e) Social and economic well-being
27. These five elements directly correlate to the overarching themes of the national strategy *Every Child Matters*, in addition to being compatible with the UNCRC. In addition, section 10(3) provides that authorities are to have regard to the importance of parents and other carers in improving the well-being of children — again, a central tenet running through the UNCRC.
28. Section 10(2)(e) places a duty on authorities to co-operate to improve the outcomes for children in respect of their social and economic well-being. Although this duty relates to the wider issue of child poverty, it does not place any statutory duty on authorities other than to co-operate with partner agencies.
29. Section 17 of the 2004 Act provides for the preparation and publication of children and young people's plans, which must specify:
- "the authority's strategy for discharging their functions in relation to children and relevant young persons."*
30. The section 17 duty is augmented by the Children and Young People's Plan (England) Regulations 2005, which place a duty on all children's services authorities to prepare, publish, consult on and review children's and young people's plans.¹⁰ The matters to be dealt with in the plan mirror the areas of

⁸ Dr Janice Thompson (March 2008) Childcare in the UK and Republic of Ireland, Assembly Research Service, page 6. (Reference: Research Paper 51/2008)

⁹Section 65(1) of the Children Act 2004 defines a children's services authority as a county, borough, metropolitan district or non-metropolitan district council.

¹⁰ Regulation 3 of the 2005 Regulations state that all authorities must produce a children's plan. However, an exception is made for local authorities that are categorised as "four-star" authorities. Under section 99 of the Local Government Act 2003, the Secretary of State may, by order, categorise local authorities pursuant to Audit Commission reports on local authorities' discharging of their functions.

co-operation mentioned in section 10(2)(a) to (e) of the Children Act 2004, as outlined above.

31. Regulation 4(2)¹¹ provides that certain elements must be included in the children and young people's plans:
- (a)
 - (i) a statement referring to the integration of services provided by the authority and its partners to improve the well-being of children and relevant young people;
 - (ii) a statement referring to the arrangements made by the authority and its partners with regard to the discharging of functions to safeguard and promote the well-being of children;
 - (iii) a statement referring to the arrangements for early intervention and preventative action.
 - (b) a statement as to how the authority will achieve the improvement in the five areas outlined above;
 - (c) a needs assessment against the five outcomes detailed above;
 - (d) key actions designed to achieve improvements to the five outcomes;
 - (e) a statement on how the authority's budget will be used to contribute to the improvements;
 - (f) a statement concerning performance management and review of services.
32. While Regulation 4(2)(f) requires a statement on performance management to be included in a children's services plan, the duties on a local authority and its relevant partners relate to the preparation and publication of a plan, rather than assigning a statutory duty to attain particular targets or outcomes. In relation to childcare provision, however, local authorities in England and Wales are legislatively bound to secure improvements in the well-being of children, under section 1 of Childcare Act 2006.
33. The 2006 Act places a range of duties on local authorities in respect of early-years provision for young children.¹² The principal duty is contained in section 1 of the Act where a local authority must 'improve the well-being of young children in their area'.
34. In addition, section 1 also places local authorities under a statutory duty to reduce inequalities between young children in their areas in several areas related to the overarching outcomes of the Every Child Matters strategy, including social and economic well-being.
35. The 2006 Act also places proactive duties on local authorities in respect of early-childhood services. Section 3 requires local authorities in England to make arrangements to secure integrated early-childhood services that will facilitate access to such services and to maximise their benefit to parents, prospective parents and young children.

¹¹ Regulation 4(2)(a) was amended by the Children and Young People's Plan (England) (Amendment) Regulations 2007.

¹² Under section 19 of the 2006 Act, a 'young child' is defined from birth until 1 September after their fifth birthday.

36. The importance of working parents in seeking to reduce and eliminate child poverty has been recognised by Government, through initiatives such as Sure Start and the Working Families Tax Credit. The Childcare Act 2006 further underlines the importance of adequate services for working parents by placing a duty on local authorities to secure, as far as is reasonably practicable, sufficient childcare provision that will allow parents to take up or remain in employment or to undertake education or training to assist them to enter the workforce. This duty extends to childcare provision for children up to the age of 14.¹³ In addition, local authorities in England are under a duty to secure early-years provision that is available free of charge.
37. The statutory duties in respect of early-years and childcare provision place more onerous obligations on local authorities than the duty to produce children's services plans, in that the former attach a requirement that improvements in child well-being be made. In respect of child poverty, it could be argued that these duties provide a more robust and outcomes-focused mechanism to work towards the Government targets for reducing and eliminating child poverty.

SCOTLAND

38. Section 19 of the Children (Scotland) Act 1995 places a duty on local authorities to prepare and publish plans in respect of children's services in their respective areas. In preparing plans, local authorities must consult with a variety of bodies, including NHS trusts, relevant voluntary organisations, the principal reporter to, and chairperson of, the local children's panel and housing bodies.¹⁴
39. In addition to plans for children's services, local authorities are also under a duty to engage in community planning in respect of public services under section 15 of the Local Government in Scotland Act 2003.¹⁵ Several named bodies are required to participate in community planning, including health boards and police and fire services. Where appropriate, local authorities are permitted to jointly plan services across their respective areas.
40. In 2004, the Scottish Executive published guidance¹⁶ for integrated children's services plans, the aim of which was to combine various plans, ranging from children's services plans, local health plans and youth justice strategies into one plan.
41. The legislative duties outlined above have led to the development of integrated children's services planning, where relevant bodies determine the local priorities for all children and young people in the local authority area. Planning is undertaken within the context of the eight outcomes envisaged for

¹³ Section 6(5) does not apply the age limit of 14 in respect of disabled children.

¹⁴ To implement the Scottish Executive's childcare strategy, 'Meeting the Childcare Challenge: A Childcare Strategy for Scotland', childcare partnerships were established in each of the 32 Scottish local authorities, comprising representatives from the public, voluntary and private sectors, including employers, NHS bodies, childminders and parents. For further information, please see Dr Janice Thompson (March 2008) Childcare Provision in the UK and Republic of Ireland.

¹⁵ This is a slightly different arrangement to England and Wales, where community strategies are provided for through the Local Government Act 2000, which states that local authorities are required to prepare community strategies to promote or improve the economic, social and environmental well-being of their area, and to contribute to the achievement of sustainable development in the UK.

¹⁶ Scottish Executive (November 2004) Guidance for Integrated Children's Services Plans, available online from <http://www.scotland.gov.uk/Resource/Doc/1181/0009990.doc>

all children and young people contained in the ministerial vision for Scotland's children.

42. Under the previous Labour-Liberal Democrat coalition Government, the Children's Services (Scotland) Bill was drafted and issued for consultation. However, the Scottish elections in May 2007 resulted in a change in Administration, and the Bill has been removed from the legislative timetable while the Government reflects on the options offered by existing legislation.
43. The object of the Bill was to implement the aims of *Getting It Right for Every Child*. The Bill was intended to introduce overarching provisions in respect of the well-being of children, to update statutory duties on agencies that provide children's service, to amend provisions of the Children (Scotland) Act 1995, and to reform the Children's Hearings system.
44. Clause 3 enshrined the principle of considering of the views of the child, with a duty placed on relevant agencies¹⁷ to secure an effective means of ascertaining the view of children and other relevant persons, including parents or those with parental responsibilities. Article 12 of the UNCRC was also contained in the Bill, with relevant agencies required to take into account the age, maturity and capacity of the child. Clause 3(4) provided that a child of age 12 or older is deemed to be capable of forming views.
45. Clause 4 of the Bill placed a duty on relevant agencies to co-operate and engage in collaborative working. Clause (5) outlined the forms of co-operation envisaged, including consulting, exchanging information, providing advice, and other forms of collaboration such as sharing responsibility for action and joint funding of activities.
46. Where relevant agencies collaborate together, clause 5 of the Bill required the agencies to produce a joint plan and to designate a person to take responsibility for the plan's implementation. However, responsibility for implementing a joint plan did not absolve an agency of their responsibilities to children.

WALES

47. The arrangements for Wales have the same legislative basis as in England in the Children's Act 2004, with different sections of the Act applying to Wales and to England. Section 25 of the 2004 Act places a duty on children's services authorities to make arrangements for co-operation with relevant partners and other appropriate bodies.
48. The Children and Young People's Plan (Wales) Regulations 2007 came into force on 1 September 2007, and place duties on children's services authorities in Wales to prepare, publish, consult on and review children's and young people's plans. The Regulations do not prescribe the content of plans, which are drafted by authorities themselves, with regard to guidance from Welsh Ministers.

¹⁷ For the purposes of the Bill, clause 7 defined "relevant agencies" as local authorities, whether in reference to their functions as providers of social-work services or education or housing authorities, health boards, NHS trusts, police forces and other public bodies.

49. The Childcare Act 2006, as discussed above, also applies to Wales, although the duties are not as numerous or onerous in comparison to England. Section 22 of the Act requires local authorities in Wales to secure sufficient childcare provision in order to allow parents to obtain or remain in work or to allow them to undertake education or training with a view to obtaining work.

REPUBLIC OF IRELAND

50. The development of children's rights in the Republic has followed a similar path to that of the UK, with the establishment of a national strategy for children and the establishment of a children's commissioner. Furthermore, a proposed amendment to enshrine children's rights in the Irish Constitution will be put to a referendum during 2008.
51. At present, there is no legislative obligation on agencies to engage in integrated working or to develop multi-agency approaches to children's services. The Health Service Executive (HSE), as the principal provider of health and social services in Ireland, is under a statutory duty to submit annual service plans to the Department of Health and Children. Under section 31 of the Health Act 2004, the HSE must publish an annual service plan detailing, amongst other things, the type and volume of health and personal social services, and how the service plan will implement ministerial and Government policy.
52. In respect of child and family services, section 7 of the Child Care Act 1991 provides that health boards must establish child care advisory committees, comprising individuals with a particular interest or expertise in child care matters, including representatives from voluntary bodies that provide child care services in the area. The advisory committees must also report on the child care and family services in their area and advise the local health board on their performance. Section 8 of the Act provides that health boards must submit an annual report on the adequacy of child care and family support services in the local area.
53. Although not implemented by statute, the Office of the Minister for Children has introduced the concept of the whole child approach to children's services and the provision of integrated services through published 'The Agenda for Children's Services: A Policy Handbook'. Published in December 2007, the aim of the handbook is to provide a framework for the policy and strategic direction of children's services. Following on from the National Children's Strategy, Agenda for Children's Services seeks to place integration at the heart of planning for children's services:

*Its aim is to assist policy-makers, managers and front-line practitioners to engage in reflective practice and effective delivery, to be informed by best Irish and international evidence, and to identify their own role within the national policy framework.*¹⁸

54. In conjunction with the National Children's Strategy, 'The Agenda for Children's Services' aims to distil the process of integration at policy-making, senior management and front-line levels of the HSE, which is the main provider of support to children and their families.

¹⁸ Office of the Minister for Children/Department of Health and Children (December 2007) The Agenda for Children's Services: A Policy Handbook, page 2.

55. Nationally, an implementation group for the National Children's Strategy will be established at departmental level. Chaired by the Office of the Minister for Children, the implementation group will comprise relevant Government Departments, the HSE, local authority and education sector representatives and other key agencies.
56. Local arrangements will be co-ordinated by multi-agency children's services committees, which will be established in every city and county council area. The Health Service Executive will have a lead role in these committees, which will aim to provide co-ordinated and integrated services. Pilot schemes for joint local planning arrangements are under development in Donegal, Dublin and Limerick.

NORTHERN IRELAND IN DEPTH: REGIONAL STRUCTURES

57. Integrated planning in England and Wales and Scotland is facilitated by the fact that social services are provided by local authorities. Taking health and education as two of the prime areas affecting children, especially children who are looked after by the state, structures in Northern Ireland differ significantly. Northern Ireland is unique in that health and social care services are provided together by the Department of Health, Social Services and Public Safety. Furthermore, education services are provided by different bodies, overseen by the Department of Education.
58. With responsibility for health and social care and education resting with separate Departments, and in the absence of a statutory requirement of multi-agency working, impetus for integrated planning would have to emanate from departmental level down to individual agencies. The Northern Ireland area children and young people's committees have noted a lack of co-ordinated planning at Government level.¹⁹
59. Under current legislative provision, only health and social services boards are under a duty to prepare and publish plans. However, the plans relate only to particular functions of health and social services boards, and there is no requirement to engage in inter-agency planning. However, boards are required to issue their plans for consultation, including Government Departments and relevant education and library boards.
60. Proposals under the Review of Public Administration for the assimilation of education and library boards into the Education and Skills Authority and for the health and social services boards to be abolished and replaced by a regional health and social care board may help to facilitate multi-agency working and integrated planning.²⁰

¹⁹ Extracted from Implementing 'Our Children and Young People – Our Pledge': A Joint Planning and Commissioning Framework to Improve Outcomes for Children and Young People, paper presented to the All Party Assembly Group on Children and Young People by the Northern Ireland Area Children and Young People's Committees, 4 March 2008, page 4.

²⁰ The Education and Skills Authority is scheduled to become operational in April 2009, although an implementation team has been in place since 2006. Originally, RPA proposals under direct rule envisaged the four health and social services boards being merged into a regional health and social care authority comprising around 2,000 staff. On 4 February 2008, the Minister for Health, Social Services and Public Safety announced to the Assembly that the four health and social services boards will be replaced by a regional health and social care board, which will have a staff of around 400 people and is scheduled for establishment around April 2009.

61. 'Lifetime Opportunities', the anti-poverty and social inclusion policy document published under direct rule, stated that directors of children's services will be appointed to the Education and Skills Authority and the proposed health and social care board and intimated that they would work closely to ensure that the provision of children's services are integrated.²¹
62. A statutory duty for departments and agencies to produce joint plans could help to ensure clear lines of responsibility and accountability, given the extent to which services and provision for children are a cross-cutting issue. Transfer of lead responsibility has previously occurred, with the transfer in 2006 of responsibility for early-years provision for children from the Department of Health, Social Services and Public Safety to the Department of Education.
63. Although co-operation and collaboration is already well established through the Northern Ireland area children and young people's committees, they have highlighted the lack of a statutory requirement of joint planning. In their presentation to the ministerial subcommittee, the Northern Ireland area children and young people's committees articulated their strong desire to have a statutory duty of joint planning:

*there should be a legal requirement for a regional Children and Young People's Plan — with legal requirements on all participating agencies to plan together the services needed to achieve jointly agreed outcomes for children, and for the plans of individual agencies to reflect that Plan. This would radically improve on current arrangements.*²²

CONCLUSION

64. The development of children's strategies in UK regions and Ireland in recent years has ensured that services are focused on the child and seek to create the best scenario in which children's rights can be realised. The outcomes frameworks attached to national children's strategies apply to all children.
65. The statutory duty to prepare children's plans in Northern Ireland incumbent on health and social services boards extends only to children in need, and then only to certain functions. Although consultation with other relevant partners and agencies is required by statute, the children's services sector is keen for a wider statutory duty of joint planning to be replicated to Northern Ireland to augment the inter-agency planning already undertaken by the area children and young people's committees.²³
66. The situation in England, Wales and Scotland is different, where planning for all children is underpinned by statutory duties of collaboration and co-operation. Furthermore, the link between Government objectives articulated

²¹ Office of the First Minister and deputy First Minister (2006) Lifetime Opportunities – Government's Anti-Poverty and Social Inclusion Strategy for Northern Ireland, page 34.

²² From Implementing 'Our Children and Young People – Our Pledge': A Joint Planning and Commissioning Framework to Improve Outcomes for Children and Young People, paper presented to the All Party Assembly Group on Children and Young People by the Northern Ireland Area Children and Young People's Committees, 4 March 2008, page 15.

²³ From Implementing 'Our Children and Young People – Our Pledge': A Joint Planning and Commissioning Framework to Improve Outcomes for Children and Young People, paper presented to the All Party Assembly Group on Children and Young People by the Northern Ireland Area Children and Young People's Committees, 4 March 2008, page 10.

in children's strategies in the rest of UK and joint planning arrangements for the delivery of children's services are clearly established, with strategies and plans applying to all children. Commentators have asserted that universal outcomes can play a role in preventing or reducing the need for more intrusive actions at a later stage.²⁴

67. The discrepancy in Northern Ireland, where the strategy applies to all children but the statutory duty of planning does not, is something that practitioners would like removed. The need for universal services for children in Northern Ireland to be planned alongside services designed for children with additional needs has been highlighted:

*"It is our view that there needs to be strong linkage between the planning and delivery of universal services and targeted services. The advantage of an emphasis on universal services is that they can be delivered without stigmatising any children. If the principle of integrated universal services can be established, this will also establish the planning context for children who need additional services."*²⁵

68. That said, partnership working has been established within and between the Northern Ireland area children and young people's committees for some time. Introducing a statutory duty of joint planning may not radically alter current arrangements, but could give certainty and clarity. In addition, the committees have been working closely with the Children and Young People's Unit of the Office of the First Minister and deputy First Minister.

69. Linking joint planning arrangements for children with the aims and objectives contained within the Northern Ireland children's strategy could also contribute to effective monitoring of the outcomes framework that underpins the Executive's overall vision for children. With services in Northern Ireland provided at regional level, as opposed to local authority level in the rest of GB, the area children and young people's committee's have asserted that co-ordination needs to be at a higher level than at present: "the co-ordination of planning and commissioning needs to be carried out at the level at which major decisions about budgets are made."²⁶

²⁴ McTernan and Godfrey (July 2006) Children's Services Planning in Northern Ireland: Developing a Planning Model to Address Rights and Needs *Child Care in Practice* Volume 12, Number 3, page 234.

²⁵ McTernan and Godfrey (July 2006) Children's Services Planning in Northern Ireland: Developing a Planning Model to Address Rights and Needs *Child Care in Practice* Volume 12, Number 3, page 236.

²⁶ From Implementing 'Our Children and Young People – Our Pledge': A Joint Planning and Commissioning Framework to Improve Outcomes for Children and Young People, paper presented to the All Party Assembly Group on Children and Young People by the Northern Ireland Area Children and Young People's Committees, 4 March 2008, page 12.