

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

Consultation Response Form

The closing date for this consultation is: 10
February 2009

Your comments must reach us by that date.

department for
children, schools and families

THIS FORM IS NOT INTERACTIVE. If you wish to respond electronically please use the online or offline response facility available on the Department for Children, Schools and Families e-consultation website (<http://www.dcsf.gov.uk/consultations>).

The information you provide in your response will be subject to the Freedom of Information Act 2000 and Environmental Information Regulations, which allow public access to information held by the Department. This does not necessarily mean that your response can be made available to the public as there are exemptions relating to information provided in confidence and information to which the Data Protection Act 1998 applies. You may request confidentiality by ticking the box provided, but you should note that neither this, nor an automatically-generated e-mail confidentiality statement, will necessarily exclude the public right of access.

Please tick if you want us to keep your response confidential.

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If your enquiry is related to the policy content of the consultation you can contact Prafhula Peshawaria on:

Telephone: 020 7340 7390

e-mail: dcsandlm.consultation@dcsf.gsi.gov.uk

If you have a query relating to the consultation process you can contact the Consultation Unit on:

Telephone: 01928 794888

Fax: 01928 794 311

e-mail: consultation.unit@dcsf.gsi.gov.uk

Please select the category below which best describes you as a respondent:

<input type="checkbox"/> Chief Executive	<input type="checkbox"/> Director of Children's Services	<input type="checkbox"/> Lead Member for Children's Services
<input type="checkbox"/> Councillor	<input type="checkbox"/> Council Leader	<input type="checkbox"/> Local Authority
<input type="checkbox"/> Health Professional	<input type="checkbox"/> National Organisation	<input checked="" type="checkbox"/> Voluntary / Third Sector
<input type="checkbox"/> School	<input type="checkbox"/> Union / Professional Body	<input type="checkbox"/> Other (Please specify)

About NAVCA

NAVCA is the national voice of local third sector infrastructure in England. We aim to ensure communities are well served by the local third sector by supporting our members and their work with over 160,000 local groups and organisations. NAVCA believes that local voluntary and community action is vital for healthy and inclusive communities.

By drawing on the experience of its members, NAVCA contributes to national policy and acts as a voice for the local third sector. It also works closely with other national organisations to ensure a collaborative approach to national policy development.

NAVCA's work is guided by values that include equality of opportunity, participation, co-operation and democratic involvement. In supporting the local third sector, it helps to combat social exclusion and disadvantage, and improve the quality of life for communities, groups and individuals.

NAVCA members support local voluntary and community action in 346 of the 354 district, unitary, London borough and metropolitan authority areas in England. Our members also represent the local third sector and 92% of them are a member of their Local Strategic Partnership (LSP) board. At the last count, 73 NAVCA members were responsible for their local community empowerment network.

Besides member involvement in volunteering development work, the majority deliver the five key infrastructure functions of identifying and filling gaps in the needs of the community, raising the standards of the local third sector, enabling communication and collaboration of local groups, providing a voice for the local sector, and promoting the local sector's strategic engagement in local decision-making.

In a recent survey of NAVCA members 50% reported that they had a significant level of involvement in work with children, young people and families, with many members involved in the strategic arrangements for children's trusts in their local areas.

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

Yes

No

Not Sure

Comments:

The guidance produced by DCSF provides clear guidelines setting out the role and responsibilities of the lead member responsible for children's services. The guidance outlines the key roles of the Lead Member against five distinct areas of work. It is of particular importance that the guidance recognises the need for Lead Members to 'engage and encourage' local communities to contribute to how services for children may be improved, to ensure services are designed by 'listening to the voices of children and young people' and highlights the need to 'improve outcomes and narrow the gap' for vulnerable children and young people.

Many services provided by third sector organisations deliver outcomes against these targets and there is a need to ensure that the guidance reflects the requirement of Lead Members to engage and develop partnerships with third sector organisations.

The guidance also highlights the need to champion the interests of children and young people through the LSP, Children's Trust and with local community organisations, the representation of third sector/community organisations is often coordinated through local infrastructure organisations and the guidance should reflect the requirement for lead members to engage with the mechanisms that exist within local authority areas for representation.

The section on Partnerships at 2.9 should reflect the requirement of Lead Members to engage with the third sector to benefit children and young people and improve range and quality of services provided.

A further aspect to the role of the lead member involves the need to ensure a clear focus on safeguarding and there is a need for the lead member to support the requirement to involve the third sector in this process, ensuring a fair and equitable approach to training, guidance and support in this area.

Section 2.16 of the guidance recommends that the Lead Member receive regular reports from the DCS about how services are being delivered. In the light of the recent cases involving the failures of Local Authority services to protect children it is suggested that this requirement become a reality, with guidance upon the strategy to be implemented to deliver reports, guidance upon the frequency of reports and the specifics of what the reports should include.

NAVCA recommends that the guidance should further emphasise the need to engage with the third sector through local infrastructure networks and provide guidelines as to how this can be implemented, monitoring arrangements should be put in place to measure the level and quality of this engagement.

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

Yes

No

Not Sure

Comments:

The guidance sets out the role and responsibilities of the Director for Children's services and provides details of the legislative framework and highlights the flexibility that exists for Local Authorities to add additional functions to the role. In the light of recent incidents and with increasing pressure upon children's services to improve outcomes for children and young people we would question whether the guidance should allow this flexibility through for example allowing a DCS to encompass other functional responsibility.

The role of the DCS at 2.17 highlights the need to work with partner agencies to strengthen Children's Trust and engage with LSPs. Section 3.18 further strengthens this requirement and states engagement 'where appropriate with private and third sector organisations' this requirement is further strengthened with the requirement for the DCS to ensure that the private and the third sector partners are able to play a real and effective role at the strategic level of planning and commissioning and providing children's services. This requirement should enable the involvement of the third sector to be the norm not the exception in the formulation of children and young people's plans, commissioning strategies and other strategic plans and programmes.

NAVCA recommends that the guidance should strengthen the requirement of the DCS and Lead Members to ensure that the local third sector is able to participate fully in the development and review of children and young people's plans for local areas. The role of LIOs in facilitating and coordinating this engagement should be included in the guidance.

3 Does the guidance adequately explain the relationship between the Lead Member for Children's Services and the Director for Children's services?

Yes

No

Not Sure

Comments:

The guidance provides an explanation of the relationship between the Lead Member and the DCS, in that the DCS reports directly to the Leader of the Council, the Lead Member for children's services, other members of the council's executive and the overview and scrutiny committee. In the light of recent cases in local authorities where failures in systems have led to the tragic deaths of children's it is suggested that this guidance be strengthened with further guidelines upon the reporting mechanisms that should be in place to ensure there is clear line of communication.

4 Does the guidance enable the LM and DCS to work effectively together?

Yes

No

Not Sure

Comments:

Whilst the guidance sets out the framework (4.1) to which the LM and DCS should work to on its own it does not guarantee that the LM and DCS will work effectively together.

To enable effective working partnerships and joint working, trust and cooperation need to be established with clear lines of accountability.

Both roles require first class leadership skills, the DCS in an operational way and the LM in the political arena. Both have a role to champion children and build effective partnerships with all sectors of the community, including the third sector to enable effective and efficient services are delivered.

5 Is there anything else the guidance should cover?

Comments:

The guidance should cover the links to the statutory guidance around the establishment of Children's Trusts and the duty to cooperate and provide details of the requirement to produce and publish children and young people's plans.

The guidance provides clear guidelines as to how the LM and DCS should engage with partners to plan and deliver services and this guidance is welcomed and could be further strengthened by use of routine assessments carried out by DCSF inspectors.

NAVCA recommends the guidance should include details of the monitoring arrangements that exist to ensure this guidance is implemented in local authority areas.

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

Comments:

Documents that NAVCA would guide its members to include:

<http://www.dcsf.gov.uk/qualityprotects/pdfs/childsumm.pdf>

http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/@dh/@en/documents/digitalasset/dh_4060424.pdf

<http://www.dcsf.gov.uk/educationprotects//upload/ACF3725.pdf>

<http://www.thewhocarestrust.org.uk/>

<http://www.scie.org.uk/publications/misc/transformationbriefing.pdf>

<http://www.dcsf.gov.uk/rsgateway/DB/SFR/s000727/index.shtml>

Additionally NAVCA have a website with a section dedicated to children and young people's services, providing members with useful resources and websites, with a good practice section under development. To link to this site view <http://www.navca.org.uk/stratwork/children/>

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

Please acknowledge this reply

Here at the Department for Children, Schools and Families we carry out our research on many different topics and consultations. As your views are valuable to us, would it be alright if we were to contact you again from time to time either for research or to send through consultation documents?

xYes No

All DCSF public consultations are required to conform to the following criteria within the Government Code of Practice on Consultation:

Criterion 1: Formal consultation should take place at a stage when there is scope to influence the policy outcome.

Criterion 2: Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.

Criterion 3: Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.

Criterion 4: Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.

Criterion 5: Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.

Criterion 6: Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.

Criterion 7: Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

If you have any comments on how DCSF consultations are conducted, please contact Phil Turner, DCSF Consultation Co-ordinator, tel: 01928 794304 / email: phil.turner@dcsf.gsi.gov.uk.

Thank you for taking time to respond to this consultation.

Completed questionnaires and other responses should be sent to the address shown below by 10 February 2009

Send by post to: Local Area Policy Unit, Ground Floor, Department for Children, Schools and Families, Sanctuary Buildings, Great Smith Street, Westminster, London, SW1P 3BT

Send by e-mail to: dcsandlm.consultation@dcsf.gsi.gov.uk