

CHILDREN ACT 2004

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2 - Children's Services in England

General

Section 10: Co-operation to improve well-being

60. The purpose of this section is to create a statutory framework for local co-operation between local authorities, key partner agencies ('relevant partners') and other relevant bodies ('other bodies or persons'), including the voluntary and community sector, in order to improve the well-being of children in the area. The duty to make these arrangements is placed on the local authority and a duty to co-operate with the local authority is placed on the relevant partners. As well as underpinning wide co-operation arrangements, these duties and powers will also provide the statutory context within which agencies will be encouraged to integrate commissioning and delivery of children's services, underpinned by pooled budgeting arrangements, in Children's Trusts.
61. *Subsection (1)* imposes a duty on the local authority to make arrangements to promote co-operation between the authority, its relevant partners (listed in *subsection (4)*) and other bodies exercising functions or engaged in activities relating to children in the authority's area. The duty on each partner agency to co-operate is in *subsection (5)*. *Subsection (4)(f)* refers to the Connexions Service.
62. *Subsection (2)* sets out the purposes of such arrangements. They are to be made with a view to improving the well-being of children in the authority's area. This subsection also specifies the aspects of well-being with which such arrangements are concerned. These reflect the five outcomes which children identified as being most important to them.
63. *Subsection (3)* ensures that in making arrangements, children's services authorities must have regard to the importance of the role of parents and carers in improving the well-being of children.
64. *Subsections (6)* and *(7)* give a power for all the specified partners to provide staff, goods, services, accommodation or other resources and to pool budgets in support of these arrangements.
65. *Subsection (8)* requires those subject to the duties to have regard to guidance from the Secretary of State. This guidance will be issued jointly by the relevant government departments to all of the relevant partners. It is likely that the guidance will set out the outcomes expected of these arrangements. These include: effective working together to understand the needs of local children, agreeing the contribution each agency should make to meet those needs, effective sharing of information at a strategic level and about individual children to support multi-agency working, and oversight of arrangements for agencies to work together in integrated planning, commissioning and delivery of

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services as appropriate. The guidance will, in particular, make clear that, for the local authority and Primary Care Trust and other participating services (e.g. Connexions, Youth Offending Teams) these arrangements should include consideration of integrated commissioning in the delivery of children's services. There will also be guidance as to the kinds of other bodies and persons referred to in *subsection (1)(c)* which the local authority may involve in these arrangements.

66. *Subsection (9)* permits arrangements made under this section to include those relating to persons aged 18 and 19 and persons over 19 receiving services as care leavers under the Children Act 1989 and persons under 25 with learning difficulties receiving services under the Learning and Skills Act 2000.