

APPRENTICESHIPS, SKILLS, CHILDREN AND LEARNING ACT 2009

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 9: Children's Services

Co-operation to improve well-being of children

Section 193: Arrangements to promote co-operation

573. Section 10 of the Children Act 2004 ("the 2004 Act") requires each children's services authority to make arrangements to promote co-operation between the authority itself, its relevant partners and such other persons or bodies as it considers appropriate, to improve the well-being of children. These arrangements are commonly known as "Children's Trusts". This section amends section 10 to include new "relevant partners" who must co-operate with the local authority in the making of arrangements under that section. It also allows those bodies more flexibility over how they share resources and pool funds.
574. *Subsection (2)* amends section 10(4) of the 2004 Act to set out the additional "relevant partners". The effect is to provide for an authority's "relevant partners", for the purposes of section 10 arrangements, to include the governing bodies of maintained schools and further education institutions (including sixth form colleges), and proprietors of non-maintained special schools, city technology colleges, city colleges for the technology of arts and Academies. The Government intends, also, to provide for pupil referral units to be "relevant partners" for the purposes of section 10 arrangements, by way of regulations to this effect under Schedule 1 to the Education Act 1996. The inclusion of the Secretary of State's functions under section 2 of the Employment and Training Act 1973 refers to Jobcentre Plus. The objective behind the amendments is to give the new "relevant partners" a stronger voice within the arrangements made under section 10 to improve children's well-being, greater influence over the local strategic direction taken, and better support from other partners.
575. *Subsection (3)* amends section 10 of the 2004 Act to allow a children's services authority and its relevant partners to provide staff and other resources to each other, to another local authority or to the relevant partners of another local authority for the purposes of arrangements made under section 10 (new section 10(5A)(a)).
576. *Subsection (3)* also amends section 10 of the 2004 Act so as to permit children's services authorities and their relevant partners, for the purposes of arrangements under section 10, to pay money into a pooled fund. This fund may be used by any of the contributors in respect of their functions. This will permit multiple local authorities and/or their relevant partners to pool funds for the purposes of section 10 arrangements.
577. *Subsection (4)* repeals subsections (6) and (7) of section 10 of the 2004 Act as these are replaced with new subsection (5A).

*These notes refer to the Apprenticeships, Skills, Children and Learning
Act 2009 (c.22) which received Royal Assent on 12 November 2009*

578. *Subsection (5)* inserts new subsections (10) and (11) into section 10 of the 2004 Act. New subsection (10) will require a children's services authority and the governing body of a further education institution (FEI) which is spread over several sites to have regard to the Secretary of State's guidance when determining of which authority the FEI will be a "relevant partner".
579. New *subsection (11)* defines key terms used in the amendments to section 10 of the 2004 Act.