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Department of
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IMPROVING THE WELL-BEING OF CHILDREN AND YOUNG PEOPLE

Interim Guidance on the Children's Services Co-operation Act (Northern Ireland) 2015

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IMPROVING THE WELL-BEING OF CHILDREN AND YOUNG PEOPLE

Interim Guidance on the Children's Services Co-operation Act (Northern Ireland) 2015

1. Background

- 1.1 The Children's Services Co-operation Act (Northern Ireland) 2015 came into effect in December 2015. The aim of the Act is to improve co-operation between named **Children's Authorities** and between the Children's Authorities and **other children's service providers** who provide a children's service or are engaged in activities which contribute to improving the **well-being** of children and young people.
- 1.2 The Act says that the Office of the First Minister and Deputy First Minister may issue guidance to Children's Authorities on the exercise of functions conferred by the Act. This power was transferred to the Department of Education when the Northern Ireland Departments were restructured in May 2016¹. The Department of Education is also leading on the development of the Northern Ireland Executive's Strategy for Children and Young People.
- 1.3 The Children's Services Co-operation Act defines what is meant by the "well-being" of children and young people for the purposes of the Act. More detail about this is given in section 4 of this guidance. It also defines what it is meant by "children and young persons", "children's authorities", a "children's service" and "other children's service providers" – see Appendix 2 of the guidance.
- 1.4 While this guidance focuses on explaining the content of the Act, the duties it places on Children's Authorities and the actions they are expected to take to implement it, it is important to recognise that the Act forms part of an overarching framework designed to improve the well-being of children and young people, and must therefore be considered in this broad context rather than in isolation. The framework includes the Northern Ireland Executive's draft Programme for Government and the Children and Young People's Strategy, the outcomes they are working to achieve and their associated

¹ Article 3(1)(c) of the Departments (Transfer of Functions) Order (Northern Ireland) 2016
ED1/18/100941

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processes for partnership working, monitoring and reporting. It also links closely with the Community Planning process on which district councils have been leading and with the Outcomes Delivery Plan for the NICS.

- 1.5** The Act takes cognisance of the United Nations Convention on the Rights of the Child (UNCRC). **Section 1(4) of the Act** says that in determining the meaning of well-being for the purposes of the Act, any relevant provision of the UNCRC must be taken into account. The UNCRC is a human rights treaty which was signed by the UK Government in 1990 and ratified in 1991 and sets out the civil, political, economic, social, health and cultural rights of children and young people. Appendix 4 of this guidance indicates the main provisions of the UNCRC, including articles, General Comments and Concluding Observations provided in 2016 by the UN Committee on the Rights of the Child. A document providing more detail, including the full text of the UNCRC articles and Concluding Observations, can be found on the website of the Northern Ireland Commissioner for Children and Young People at <http://www.niccy.org/about-us/our-current-work/programme-for-government-pfg-children-and-young-peoples-strategy-and-csca/children-and-young-peoples-strategy/>.
- 1.6** The Children's Services Co-operation Act (NI) 2015 is available online at <http://www.legislation.gov.uk/2015?title=children%27s%20services%20co-operation%20act> .
- 1.7** This interim guidance has been issued to help Children's Authorities understand the provisions of the Act and the duties it places on them. The guidance will be amended in light of future decisions in respect of the draft Programme for Government and the monitoring and reporting arrangements on the Act.

2. Who is this guidance for?

2.1 This guidance is for the **named Children's Authorities** in the Children's Services Co-operation Act (NI) 2015. **Section 9(1)** of the Act lists the Children's Authorities as follows:

- Northern Ireland Government Departments
- District Councils
- The Health and Social Care Board
- Health and Social Care Trusts
- The Public Health Agency
- The Education Authority
- The Northern Ireland Housing Executive
- The Police Service of Northern Ireland
- The Probation Board for Northern Ireland.

2.2 The guidance also relates to the work of other children's service providers. An **other children's service provider** is defined in **section 9(1)** of the Act as

“any person or body, of whatever nature, who provides a children's service or is engaged in activities which contribute to the well-being of children or young persons (but does not include a children's authority)”.

Children's service providers can comprise a wide group of stakeholders including the voluntary and community sectors, schools and youth groups etc. who provide a service or are engaged in activities across the breadth of the eight outcomes which contribute to the well-being of children and young people.

3. Overview of the Children's Services Co-operation Act (NI) 2015

- 3.1** The Children's Services Co-operation Act (NI) 2015 contains a number of duties; these are placed on either the Children's Authorities or the Northern Ireland Executive and relate to co-operation, development of a children and young people's strategy and reporting on the operation of the Act. In addition, there is a discretionary power relating to sharing of resources and pooling of funds.
- 3.2** **Section 1** sets out the intention of the Act, which is to improve the well-being of children and young persons. It defines what it means by the well-being of children and young persons and says that in determining the meaning of well-being for the purposes of the Act, regard is to be had to any relevant provision of the United Nations Convention on the Rights of the Child.
- 3.3** **Section 2** places a duty on every Children's Authority to co-operate with other Children's Authorities and with other children's service providers in the exercise of its children functions. It places a duty on the Executive to make arrangements to promote such co-operation, and a duty on Children's Authorities to co-operate with the Executive in the making of these arrangements.
- 3.4** **Section 3** places a duty on the Executive to adopt a children and young people's strategy which sets out how it proposes to improve the well-being of children and young people. The Act says the Executive must consult children and young people, parents/guardians and others in the development of the strategy; the Executive must lay the strategy before the Assembly and publish it and may revise or replace the strategy if changes in circumstances justify this; and at the end of the strategy's lifetime, the Executive must adopt a new strategy.
- 3.5** **Section 4** says that a Children's Authority may provide staff, goods, services, accommodation or other resources to another Children's Authority for the purposes of co-operation in accordance with arrangements under Section 2, or make contributions to a fund out of which relevant payments may be made.
- 3.6** **Section 5** places a duty on the Executive to report on the operation of the Act. Children's Authorities must co-operate with the Executive in the preparation of the report and the Executive must lay the report before the Assembly and publish it. The report must include statements on the actions taken by the

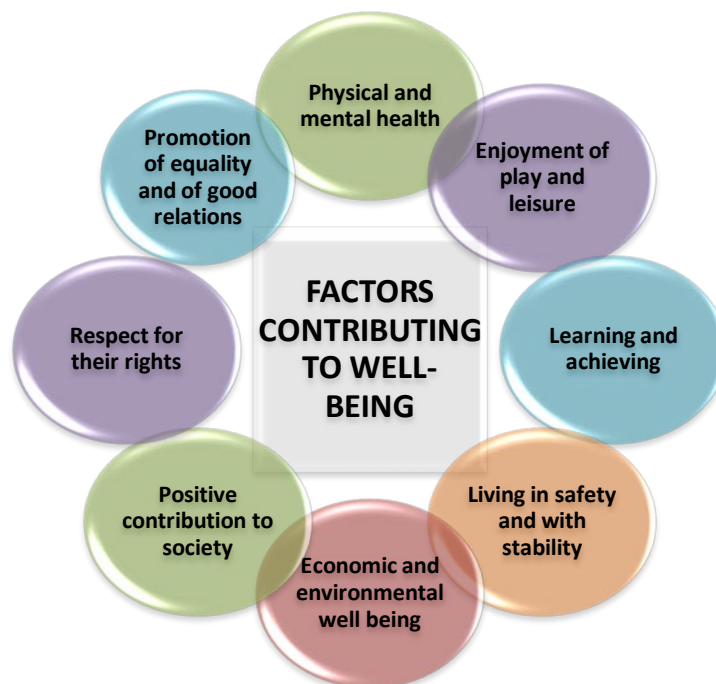
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Executive and Departments to achieve the set outcomes; the progress made towards achieving these outcomes; how Children's Authorities and other children's service providers have co-operated with each other in the provision of children's services; how they have shared resources and pooled funds; and how the well-being of children and young people has improved. The report must also identify any further opportunities for co-operation and any other ways in which well-being could be improved, including any ways the children and young people's strategy might be revised to contribute to those improvements.

- 3.7 **Section 6** says that the Executive must take account of the most recent report on the operation of the Act when preparing a programme for government.
- 3.8 **Section 7** says that the Office of the First Minister and Deputy First Minister may issue guidance to Children's Authorities on the exercise of functions conferred by the Act. This power was transferred to the Department of Education when the Northern Ireland Departments were restructured in May 2016. The Act says that the Children's Authorities must have regard to the guidance issued by the Department.
- 3.9 **Section 8** says that the Department of Finance may make regulations about procedures to be followed in sharing resources or pooling funds.
- 3.10 **Section 9** provides definitions of some of the terms used in the Act.

4. Well-being of Children and Young People

- 4.1 The well-being of children and young people is at the heart of the Children's Services Co-operation Act (NI) 2015, alongside the need for Children's Authorities to work together to improve their well-being. In **Section 1(2)** of the Act '**well-being**' is defined in terms of eight general characteristics to demonstrate or indicate 'well-being'. These are:



- 4.2 **Section 1(4)** of the Act states that in determining the meaning of well-being for the purposes of the Act, regard is to be had to any relevant provision of the United Nations Convention on the Rights of the Child (UNCRC). **Appendix 4** of this guidance sets out the main provisions of the UNCRC and their links to the well-being outcomes. In all the eight characteristics of well-being, the four principles of the UNCRC are relevant and should be given recognition.
- 4.3 In practice, the eight characteristics of well-being are not discrete, but are interconnected and overlapping. Together, all eight express what is meant by children's well-being in total terms. For example, a positive outcome in one area will lead to further positive outcomes, just as a negative outcome in one area may lead to further negative outcomes. A child who feels safe and respected will go out and play more, feel healthier and be happier in school and ready to learn. A child who does not experience economic well-being and lives in poverty will be more likely to have poor health, face barriers to play, can feel isolated and experience educational inequalities and poorer outcomes.

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- 4.4** Issues that impact on children and young people's lives do not always neatly fall to a single department, agency, local district council or area but often cut across many boundaries – organisational, geographic and professional. Most Children's Authorities will have an interest in particular areas of well-being. It is important that Children's Authorities are aware of the connections and interdependencies between their area(s) of work and those of others, and seek opportunities to work collaboratively and co-operatively with other Children's Authorities and other children's service providers to improve well-being through a more joined up approach.
- 4.5** Each Northern Ireland Government Department has a nominated Children's Champion whose role is to act as the senior point of contact for all issues relating to children and young people in their Department, including the Children and Young People's Strategy and related Programme for Government outcomes, and represent their Department at relevant meetings. They will have a key role in ensuring that children and young people's well-being is fostered throughout their Departments and that co-operation is promoted between Departments and other Children's Authorities, and with other children's service providers, overseeing the inclusion of actions relating to their Department in the Children and Young People's Strategy Implementation/Delivery Plan and establishing the monitoring and reporting arrangements for progress against those actions.

5. Co-operation

5.1 The Children's Services Co-operation Act (NI) 2015 is not the only legislation which requires public bodies to co-operate with each other and with other partners; legislation, including for example the Children (NI) Order 1995 and the provisions of the Local Government Act (NI) 2014 in respect of community planning, places similar duties on named public bodies.

5.2 There is a range of terms that could be used to describe co-operation, which includes collaboration, joined-up government, cross-departmental working, partnership working, interagency working, working together etc. Irrespective of the term used, the objective of the Children's Services Co-operation Act (NI) 2015 is to improve the well-being of children and young people through better co-operation.

5.3 Section 2(1) of the Act requires that

“Every children’s authority must, so far as is consistent with the proper exercise of its children functions, co-operate with other children’s authorities and with other children’s service providers in the exercise of those functions”.

5.4 In practice, Children’s Authorities are required to (i) co-operate with one another and (ii) to co-operate with other children’s service providers, in order to contribute to better outcomes for children and young people in regard to well-being. While there is a statutory requirement for Children’s Authorities to co-operate with each other and other children’s service providers to improve the well-being of children and young people, there is no corresponding duty under the Act on other children’s service providers to co-operate with the Children’s Authorities. It would however be desired that this would not hinder co-operation.

5.5 As defined by the Act, “**children functions**” are any functions which may contribute to the well-being of children and young people. Children’s Authorities must co-operate with one another and other children’s service providers in carrying out their children functions, as long as any joined up working is not inconsistent with those functions.

5.6 It will be for the Children’s Authority or Authorities to determine whether there are any services to co-operate on, or gaps to address, as a consequence of requirements relating to the exercise of its children’s functions. A pre-requisite of identification of opportunities for collaboration and co-operation is

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a shared knowledge and understanding of individual organisational roles, responsibilities and service areas.

- 5.7** Children's Authorities must be proactive in identifying opportunities to co-operate and take the lead in working together to make and promote arrangements for co-operation between themselves and other children's service providers. These arrangements should not be considered in isolation but should be considered as part of, and become embedded within, decision making processes. Co-operation should also not be just about agreeing a set of procedures or be limited to work at a strategic level; it should be about continuous joint working to improve well-being and should involve working together at all levels within organisations, consistent with the exercise of individual children's functions. This must be supported by an evidenced impact evaluation of improvement in children and young people's well-being.
- 5.8** A "one-size fits all approach" to co-operation will not work across all Children's Authorities. Depending on the intended outcome(s), the organisations involved, the policy area, the delivery mechanism, the target group of children and young people etc, it will be necessary to adopt different approaches to co-operation. Therefore this guidance does not seek to be prescriptive about co-operation but instead provides a framework around which individual Children's Authorities can develop their own detailed approach to improved co-operation.
- 5.9** Co-operation already takes place between Children's Authorities and others, and this will continue to take place, but there is still more that can be achieved and improvements to be made. For example, the Community Planning Partnerships, led and facilitated by district councils, can make a valuable contribution to the success of enhanced partnership working, particularly within the remit of services to children and young people. Community plans and associated delivery plans focus extensively on the needs of children and young people and offer an ideal opportunity to use the structures of partnership working, which are already established, to help ensure the successful implementation of the principles set out in this guidance. The Community Planning statutory guidance² requires partnerships to ensure that the needs of children and young people are especially addressed through the use of the Northern Ireland Commissioner for Children and Young People's regional model of engagement.
- 5.10** There are a number of potential benefits that can be achieved by Children's Authorities working together and with other children's service providers in the best interests of children and young people.

² <https://www.communities-ni.gov.uk/publications/circular-ig-2815-%E2%80%93-statutory-guidance-operation-community-planning>

Potential benefits of co-operation

- **Co-operation can ultimately result in better outcomes for children and young people.**
- *Co-operation can create synergies by bringing together different stakeholders who are working in the interest of children and young people.*
- *Co-operation can lead to the creation of better policies when they are jointly developed, informed, owned or implemented by more than one Children's Authority.*
- *Co-operation can result in a more holistic approach to addressing the needs of children and young people.*
- *Co-operation can ensure the seamless provision of services for children and young people and their families.*
- *Co-operation can help overcome barriers to effective government.*
- *Co-operation can prevent, reduce or remove duplication of services or resources.*
- *Co-operation can result in the better use of limited resources.*

5.11 When making decisions relating to services for, or affecting, children and young people, Children's Authorities must ask themselves and others (including children and young people and their parents, guardians and carers) how those decisions can improve the well-being of children and young people. Children's Authorities should identify at the initial stage who their partners will be in helping to achieve the outcome (see table on the next page).

What to consider when making decisions relating to the well-being of children and young people

- *What outcomes are you trying to achieve to improve the well-being of children and young people?*
- *Can/should it be done in isolation?*

(continued over)

What to consider when making decisions relating to the well-being of children and young people (cont.)

- *Is there an opportunity to work in partnership with other Children's Authorities regarding these outcomes?*
- *Are there advantages of including other Children's Authorities or other children's service providers in the early stages of your organisation's planning of children and young people services?*
- *Is there an opportunity to work in partnership with other Children's Authorities when assessing the needs of the children and young people?*
- *Will collaboration with other Children's Authorities achieve a better, improved or more holistic outcome for children and young people?*
- *Does evidence support better outcomes for children and young people if a collaborative approach is taken?*
- *Who will the partners be?*
- *Is there an opportunity to share resources or pool funding?*

5.12 In developing, designing, commissioning or delivering services for children and young people, Children's Authorities and the other children's service providers they work with should be guided by the following principles.

Guiding principles

- *The needs of children and young people should be central to decisions about, or impacting on, their well-being.*
- *Children and young people should be involved in the development of services, programmes and policies that impact on them.*
- *Children's Authorities should actively seek opportunities to work in partnership with other Children's Authorities or other children's service providers when considering issues related to the well-being of children and young people. This will involve taking a holistic approach to issues.*

(continued over)

Guiding principles (cont.)

- *Children's Authorities should actively seek opportunities to develop new relationships, processes and structures that could lead to improvements in the well-being of children and young people.*
- *There should be a focus on outcomes rather than inputs or processes.*
- *There should be a focus on early intervention and preventative actions, and on children and young people who need our help most.*
- *A child rights based approach should be adopted.*
- *An evidence informed approach should be adopted.*

5.13 Children's Authorities should fully engage with all groups in society and ensure they meet their commitments in relation to consultation as set out in their Equality Schemes (under S.75 of the Northern Ireland Act 1998) and Article 12 of the UNCRC.

Co-operation – Changing the Culture

5.14 The findings of a report commissioned by the Northern Ireland Commissioner for Children and Young People '*Reporting on Best Practice in Cross-Departmental Working Practices for Children and Young People*' (July 2015)³ suggests that while there may be a formal agreement to co-operate or basis for collaboration within organisations, this is not sufficient unless accompanied by cultural change.

5.15 It highlights that in developing a culture of co-operating across Children's Authorities to reach the goal of improving well-being for all our children and young people, it will be important to ensure there is:

- A clear mandate and leadership;

³ The full report is available at <http://www.niccy.org/publications/2015/september/30/joined-up-working-report/>.

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- A shared vision and shared ownership among all involved;
- Systematic and shared training on the duties in the Act;
- Guidance to accompany the Act;
- Clear and effective communication structures;
- Clarity on data collection;
- A common means of information sharing;
- A concise reporting template;
- Clearly defined monitoring and accountability lines; and
- Outcomes based monitoring and ongoing evidence-based impact evaluation.

A clear mandate and leadership

- 5.16** The Act provides a clear mandate to ensure that all Children's Authorities must work together and with other children's service providers to identify and remove obstacles to collaboration and encourage working in partnership. Those with a leadership role within Children's Authorities and other children's service providers should provide strong leadership and actively identify opportunities for collaboration and co-operation that could improve the well-being of children and young people.
- 5.17** In providing effective leadership within the key stakeholder organisations, good internal communication processes will be crucial to identification and successful implementation of practical collaborative opportunities.

A shared vision and shared ownership among all involved

- 5.18** The Children and Young People's Strategy provides a shared vision and the desired outcomes for children and young people; and the Executive, NI Departments and Agencies are jointly tasked with delivery. Within each organisation, those with a leadership role should provide a shared vision and a sense of ownership.

The development of systematic and shared training

- 5.19** Mechanisms should be put in place to publicise the requirements of the Act, and those with a leadership role should work within their organisations to create a culture where the implementation of co-operative activities is promoted, proactive and timely. The need for shared training or formal awareness sessions should also be considered.

Guidance to accompany the Act

- 5.20** This document seeks to provide general guidance to Children's Authorities setting out the requirements of the Act.

Clear and effective communication structures

- 5.21** Communication with stakeholders has been central to the development of the Children and Young People's Strategy, and continued engagement with, and feedback from, stakeholders will be crucial to measuring the success of the Strategy. Children's Authorities should build upon existing communication structures and networks to facilitate more effective co-operation. The structures to be put in place will support the monitoring, reporting and delivery of the Strategy. The Department of Education will be taking forward work on participation to support departments and facilitate ongoing engagement with children and young people.

Clarity on data collection

- 5.22** Valuable statistical information on outcomes for children is readily available for Children's Authorities and other children's service providers to access. New or required statistical information on outcomes for children should be agreed and collected if required by Children's Authorities and other children's service providers. The Children and Young People's Strategy structures will support key research and information interests.

A common means of information sharing

- 5.23** In line with all legislative requirements Children's Authorities should share information and, where appropriate, access information held by other Children's Authorities if/when it will enhance the effectiveness of service delivery.
- 5.24** Sharing of information must be appropriately managed in terms of authorisations, for example by making it clear in Children's Authorities' privacy notices that user data will need to be shared with other Children's Authorities and with other children's service providers.

A concise reporting template

- 5.25** A consistent and concise reporting template will be developed to support the gathering of information on each of the eight outcomes and on delivery of obligations under the Act.

Clearly defined monitoring and accountability lines

- 5.26** Accountability structures and monitoring arrangements are being developed as part of the work on the Children and Young People's Strategy.

Outcome based monitoring and ongoing evidence-based impact evaluation

- 5.27** The Strategy follows the Outcomes Based Accountability model adopted by the Executive in its new approach to the Programme for Government⁴ and the Strategy's reporting and monitoring arrangements will follow this approach. Data should be collected regularly which can be analysed and used to inform delivery plans. The data will be used to create a suite of proposed indicators which will provide a framework against which to review progress and assess the impact of actions.
- 5.28** In developing reporting arrangements, consideration will be given as to how reporting on the Children and Young People's Strategy outcomes can be aligned with Programme for Government and Community Planning reporting, and effective steps taken as a result of the reporting.
- 5.29** It is also vital that there is a mechanism for reviewing how co-operation is working. The Act requires regular reporting on its operation, including the identification of further opportunities for co-operation.

⁴ <https://www.northernireland.gov.uk/consultations/programme-government-consultation>

6. Development of a Children and Young People's Strategy

THIS SECTION IS SUBJECT TO REVISION

6.1 Section 3(1) of the Act requires that the Executive must adopt a Strategy setting out how it proposes to improve the well-being of children and young people. The Act requires that the Strategy must set out:

- (a) what **outcomes** the Executive intends should be achieved with regard to improving the well-being of children and young people;
- (b) what **actions** will be taken by NI Departments (among others) for the purposes of achieving those outcomes; and
- (c) how it will be determined whether and to what extent the outcomes have been **achieved**.

6.2 The Department of Education is leading on the development of the Children and Young People's Strategy on behalf of the Executive. The draft Strategy has been developed in conjunction with stakeholders and informed by discussions with groups of children and young people and parents/guardians/carers. The draft Strategy reinforces the requirements of the Act in respect of co-operation and outlines the initial arrangements to be made by the Executive to promote co-operation across all relevant bodies. This includes adhering to key principles of co-operation; establishing effective structures; and proactively identifying opportunities to co-operate.

Outcomes

6.3 For each of the eight well-being characteristics set out in paragraph 3.1, the draft Strategy considers:

- What is the outcome we want for children and young people?
- Why this outcome matters.
- What are the current issues facing children and young people within this area?
- Where is the greatest effort required?
- What does the outcome look like?
- What needs to be done?

Actions

- 6.4** The draft Strategy must be adopted by the NI Executive and laid in the NI Assembly. The Department of Education is also developing a Children and Young People's Strategy implementation/delivery plan which will draw from the Programme for Government delivery plans and be supplemented with additional relevant actions. NI Government Departments will be asked to contribute to the implementation/delivery plan by identifying what actions – that is, policies, services or programmes – they propose to deliver to address the areas of greatest need identified in each of the eight outcomes. This will include identifying the partners with whom they will be co-operating in planning and delivering those services or programmes.

Achievement

- 6.5** Government Departments will be required to measure and report on how they have performed against each of their actions and to what extent they have achieved the outcomes. They will be asked to report on the following:
- Baseline data
 - How much did you do?
 - How well did you do it?
 - Is any child/young person better off?

7. Reporting on the operation of the Act

THIS SECTION IS SUBJECT TO REVISION

7.1 Section 5(1) of the Act requires that the Executive must prepare a report on the operation of the Act and Section 5(7) that Children’s Authorities must co-operate with the Executive in the preparation of the report. The first report must be prepared within 18 months of the Strategy being adopted by the Executive with further reports at intervals of not more than 3 years.

7.2 Section 5(3) of the Act requires the following to be included in the report:

- (a) what actions have been taken by the Executive, and Northern Ireland departments, for the purpose of achieving the outcomes set out in the children and young people’s strategy;
- (b) what progress has been made towards achieving those outcomes, or the extent to which they have been achieved;
- (c) how children’s authorities and other children’s service providers have co-operated with each other in the provision of children’s services;
- (d) how children’s authorities have shared resources and pooled funds in the provision of children’s services;
- (e) how the well-being of children and young people has improved.

Section 5(4) of the Act says the report must also identify:

- (f) any further opportunities for co-operation between children’s authorities and other children’s service providers that could help to achieve the outcomes set out in the strategy;
- (g) any other ways in which the well-being of children and young people could be improved; and
- (h) any ways in which the children and young people’s strategy might be revised in order to contribute to those improvements.

7.3 The Department of Education is responsible for preparing the report on the operation of the Act and individual Children’s Authorities will be asked to contribute to the report by providing evidence setting out how they co-operated with other Children’s Authorities and other children’s service providers to improve the well-being of children and young people. Arm’s Length Bodies will contribute to the report via their parent Department.

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- 7.4** It is the Department of Education's intention that the reporting on the operation of the Act will be combined with the reporting mechanisms being developed for the Children and Young People's Strategy, which will help to reduce or prevent duplication in reporting.
- 7.5** Similarly, in developing the reporting arrangements for the purposes of the Act, the Department of Education will work with other Government Departments to align, as far as is consistent with the requirements of the Act, its reporting arrangements with those in place for other purposes including Programme for Government, Child Poverty, children's service planning in relation to *The Children (Northern Ireland) Order 1995* and Community Planning reporting against Programme for Government outcomes and indicators.
- 7.6** In contributing to the report, Children's Authorities will be asked to respond to the following questions:
- *What outcome(s)* as set out in the Children and Young People's Strategy *is your organisation either directly or indirectly contributing to and what action(s) your organisation will take/has taken* to improve the well-being of children and young people?
 - *What progress will be made/has been made* towards achieving the well-being outcomes in the Strategy, or the extent to which they have been achieved?
 - *How will / how has your organisation co-operated* with other Children's Authorities and other children's service providers in the provision of children's services?
 - *Will/has your organisation shared its resources or pooled funds with another Children's Authority or Authorities* to improve the well-being of children and young people?
 - *How will/has the well-being of children and young people improved* as a result of your actions or co-operation?
 - Can you suggest *any further opportunities for co-operation, or other ways in which the well-being of children could be improved? Can you suggest any ways in which the children and young people's strategy might be revised* in order to contribute to those improvements?

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- 7.7** Arrangements are being put in place to monitor population accountability which will capture information on the high level indicators in the Children and Young People's Strategy but Children's Authorities are likely to need additional performance measurement and data to evidence how they are meeting the requirement of the Act.
- 7.8** If your organisation does not currently collect the data to evidence the co-operation or the improvement of well-being, consideration should be given to what data is needed and how it will be collected. The type of information it is proposed will be collected to inform the reporting on the Act is set out in Appendix 1.

8. Sharing of resources and pooling of funds

- 8.1 Section 4(2) of the Act empowers** Children's Authorities to provide staff, goods, services, accommodation or other resources to another Children's Authority and to make contributions to a fund out of which expenditure is incurred relevant to the co-operation involved. Specific guidance on this should be sought from the relevant funding authority. For Northern Ireland departments and their arm's length bodies, any funding arrangements must comply with the public expenditure guidance issued by the Department of Finance including, where relevant, guidance on public procurement.
- 8.2** The Department of Finance's website provides a range of general accountability and financial management guidance and in-year monitoring guidelines⁵; however it is recommended that Children's Authorities should seek guidance about from the relevant Departmental Finance Branch/ Directorate in the first instance.

⁵ <https://www.finance-ni.gov.uk/topics/finance/accountability-and-financial-management>
<https://www.finance-ni.gov.uk/topics/finance/public-expenditure-guidance>
<https://www.finance-ni.gov.uk/topics/procurement/procurement-policy-and-guidance>

9. In support of the Programme for Government

THIS SECTION IS SUBJECT TO REVISION

- 9.1** The draft Programme for Government issued for consultation in October 2016 outlines a number of high level outcomes, which are expressed as succinct high-level statements of the societal impacts the Executive wants to make. Below the outcomes are specific indicators which set out the changes the Executive wants to make, reporting on which will give an indication if the changes are succeeding.
- 9.2** The Children and Young People’s Strategy follows a similar approach – eight high level outcomes with specific headline indicators which will be used to monitor progress.
- 9.3** The approach taken in the draft Programme for Government provides a blueprint for cross-cutting and collaborative working – and not just within central government. It provides a pathway for joint working with delivery partners in other sectors – in local government, in the community and voluntary sectors and with the private sector.
- 9.4** The Executive’s Children and Young People’s Strategy is directly linked to and will be a key delivery mechanism for the Programme for Government. More information will be provided about the links between the Strategy and the Programme for Government when the position regarding the Programme for Government is clarified.
- 9.5** The eight characteristics of well-being outlined in the Act can be directly linked to all outcomes in the draft Programme for Government. The clearest link is to the outcome “We give our children and young people the best start in life” but improvements in the well-being of children and young people can support the delivery of all the outcomes in the draft Programme for Government – see Annex 3.
- 9.6** **Section 6(1)** of the Children’s Services Co-operation Act requires that in preparing a programme for government, the Executive must take account of the most recent report published under section 5 of the Act.

10. Further information

- 10.1** For further information on any aspect of the Children's Services Co-operation Act please contact:

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Balloo Road
Bangor
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Appendix 1

PROPOSED INFORMATION TO BE COLLECTED FROM CHILDREN'S AUTHORITIES FOR REPORTING ON THE CHILDREN'S SERVICES CO-OPERATION ACT AND THE CHILDREN AND YOUNG PEOPLE'S STRATEGY

THIS SECTION IS SUBJECT TO REVISION

<p>Outcomes (Children's Authorities)</p>	<p>What are the outcomes your Children's Authority intends to achieve for children and young people?</p>
<p>Actions (NI Departments only)</p>	<p>What actions have been taken by the Executive and NI departments to achieve the well-being outcomes set out in the children and young people's strategy?</p>
<p>Progress (NI Departments only)</p>	<p>What progress has been made towards achieving the well-being outcomes, or the extent to which they have been achieved?</p>
<p>Co-operation (Children's Authorities)</p>	<p>How has your Children's Authority, within the eight well-being characteristics described in the Act, co-operated with other Children's Authorities and other children's service providers in the provision of children's services? What has been the evidenced impact evaluation of this co-operation to improve the well-being of children and young people?</p>
<p>Sharing of resources and pooling of funds (Children's Authorities)</p>	<p>How has your Children's Authority provided funding, staff, goods, services, accommodation or other resources to another Children's Authority to improve the well-being of children and young people? What has been the evidenced impact evaluation of this sharing of resources to improve the well-being of children and young people?</p>
<p>Improvement in well-being (Children's Authorities)</p>	<p>How has the well-being of children and young people improved?</p>

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Identify further opportunities for co-operation (Children's Authorities)	Are there any further opportunities for co-operation with other Children's Authorities and/or children's service providers that could help to achieve the outcomes set out in the strategy?
Identify ways for further improvements to well-being (Children's Authorities)	Are there any other ways in which the well-being of children and young people could be improved?
Identify ways to revise the strategy (Children's Authorities)	Are there any ways in which the Children and Young People's Strategy might be revised in order to contribute to those improvements?

KEY DEFINITIONS

Definition of a child and young person/people

As outlined in the Children's Service Co-operation Act (NI) 2015 for the purpose of the Children and Young People Strategy the definition of a child and young person means persons who are—

- (i) *under the age of 18, or*
- (ii) *aged 18 or over and fall within the following;*
 - a) *where services are provided to or in respect of the person by, or on behalf of, or under arrangements made with, the Regional Health and Social Care Board or a Health and Social Care trust by virtue of –*
 - (a) *Article 21(5), 34D, 35, 35A or 35B of the Children (Northern Ireland) Order 1995 (which provide for the continuing duties of those bodies towards young person's), or*
 - (b) *regulations made under Article 34E of that Order (which may provide for the appointment of personal advisers for certain young persons).*
 - b) *the person is under the age of 21 years, and is a disabled person within the meaning of the Disability Discrimination Act 1995.*

“Children's Authorities” means any of the following:

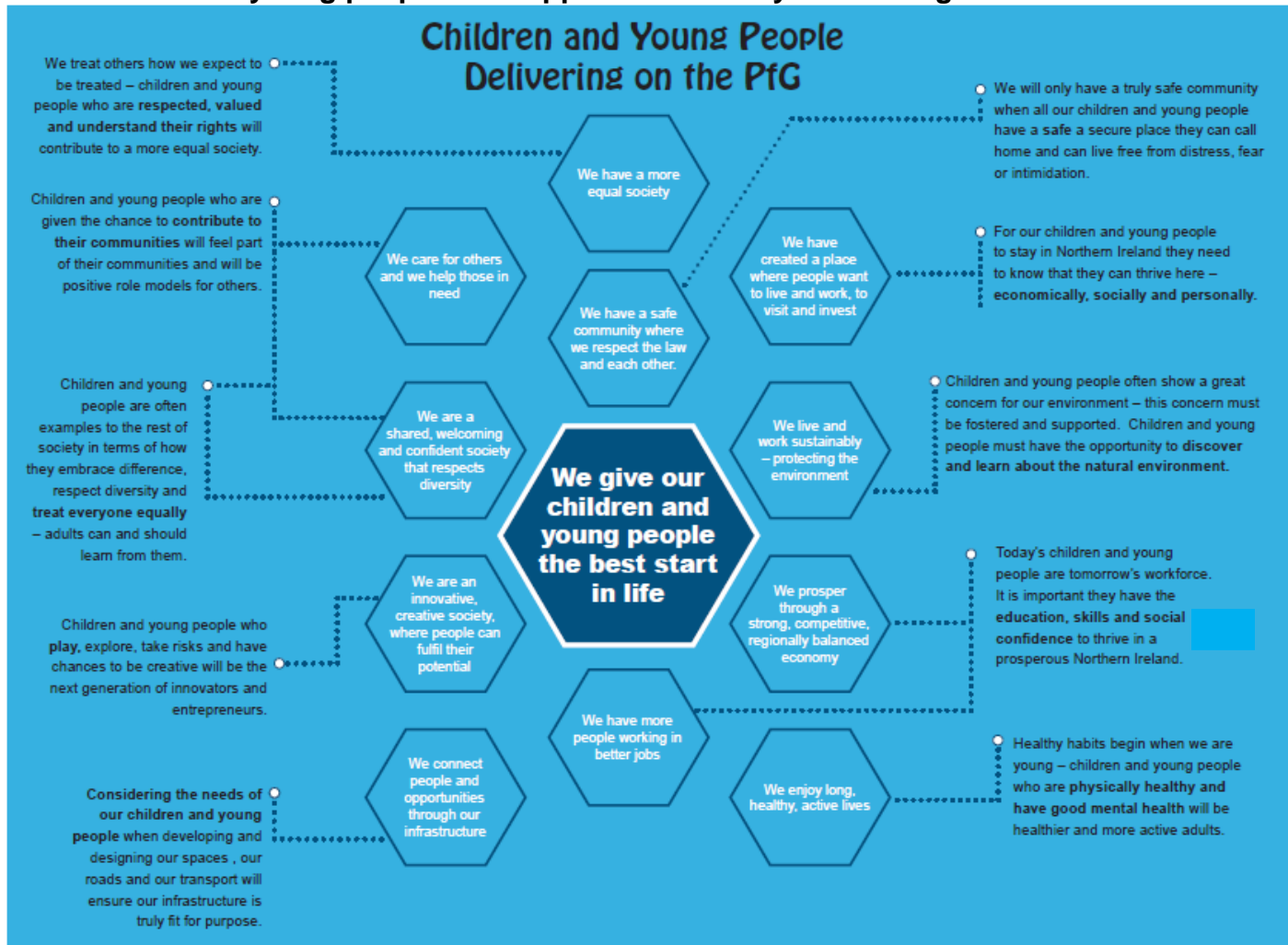
- i. *a Northern Ireland department,*
- ii. *a district council,*
- iii. *a Health and Social Care trust,*
- iv. *the Regional Health and Social Care Board,*
- v. *the Regional Agency for Public Health and Social Well-being,*
- vi. *the Education Authority,*
- vii. *the Northern Ireland Housing Executive,*
- viii. *the Police Service of Northern Ireland, or*
- ix. *the Probation Board for Northern Ireland;*

“Children's service” means any service which is provided (whether by a children's authority or by any other person or body) wholly or mainly to or for the benefit of—

- (a) *children and young persons generally, or*
- (b) *children and young persons of a particular description or with particular needs.*

“Other children's service provider” means any person or body, of whatever nature, who provides a children's service or is engaged in activities which contribute to the well-being of children or young persons (but does not include a children's authority).

How children and young people can support the delivery of the Programme for Government



The Children’s Services Co-operation Act (Northern Ireland) 2015 outcomes and relevant provisions of the UNCRC

Eight outcomes are set out in Section 1 of the Children’s Services Co-operation Act which define the well-being of children and young people and, in determining the meaning of well-being for the purposes of the Act, regard is to be had to any relevant provision of the UNCRC.

In all of the outcome areas, the four principles of the UNCRC are relevant and should be given recognition. The principles of the Convention are: Article 2, children should not be discriminated against on any ground; Article 3, the best interests of the child should be the paramount consideration; Article 6, the child’s right to life and to survive and develop to his/her maximum potential; Article 12, the right of the child to have their view heard and taken into account in decisions which impact on their lives.

The following table indicates the main provisions of the UNCRC, including articles, General Comments and Concluding Observations provides in 2016 by the UN Committee on the Rights of the Child. A document providing more detail, including the full text of the UNCRC articles and Concluding Observations can be found at <http://www.niccy.org/about-us/our-current-work/programme-for-government-pfg-children-and-young-peoples-strategy-and-csca/children-and-young-peoples-strategy/>.

Wellbeing Outcome	UNCRC Articles	General Comments	Concluding Observations 2016
Outcome 1: Physical and mental health	23, 24, 25, 33 (UNCRPD Art 25)	GC 15: a child’s right to health GC 4: adolescent health and development GC 9: the rights of children with disabilities	58: Health and Health Services 60, 62: Mental Health 64: Adolescent Health 66: Nutrition 56: Children with Disabilities

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Wellbeing Outcome	UNCRC Articles	General Comments	Concluding Observations 2016
<p>Outcome 2: The enjoyment of play and leisure</p>	<p>31</p>	<p>GC 17: the right of the child to rest, leisure, lay, recreational activities, cultural life and the arts.</p>	<p>73, 74: Rest, leisure, recreation and cultural and artistic activities</p>
<p>Outcome 3: Learning and achievement</p>	<p>28, 29</p>	<p>GC 1: the aims of education</p>	<p>12: Allocation of resources 17. International cooperation 30: Respect for views of the child 48(a): Freedom of the child from all forms of violence 52(f): Family environment and alternative care 56: Disability, basic health and welfare 64(b): Adolescent health 72: Education, leisure and cultural activities</p>
<p>Outcome 4: Living in safety and with stability</p>	<p>6, 9, 18, 19, 20, 21, 22, 23, 25, 34, 35, 36, 37, 39, 40</p>	<p>GC 6: treatment of unaccompanied and separated children outside their country of origin GC 8: the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment GC10: children’s rights in juvenile</p>	<p>26: Best interests of the child 28: Right to life, survival and development 36: Measures used to deal with anti-social behaviour 39: Torture and other cruel or degrading treatment or punishment 40: corporal punishment 42: Violence, abuse and neglect</p>

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Wellbeing Outcome	UNCRC Articles	General Comments	Concluding Observations 2016
		justice GC13: right of the child to protection from all forms of violence GC 18: joint recommendation with CEDAW on harmful practice	44: Sexual exploitation and abuse 46: Harmful practices 48: Freedom of the child from all forms of violence 50: Family environment 51: Children deprived of a family environment 54: Children of incarcerated parents 60: Child and adolescent health services 76: Asylum seeking, refugee and migrant children 78: Administration of juvenile justice 82: Child Victims and witnesses of crimes
Outcome 5: Economic and environmental wellbeing	4, 26, 27, 29		67, 68: Environmental health 69, 70: Standard of living
Outcome 6: Making a positive contribution to society	12, 13.	GC 12: right of the child to be heard	30: respect for the views of the child 32: Voting 36: freedom of association and peaceful assembly

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Wellbeing Outcome	UNCRC Articles	General Comments	Concluding Observations 2016
<p>Outcome 7: Living in a society which respects their rights</p>	<p>4, 42, 44</p>	<p>GC 5: general measures of implementation of the Convention on the Rights of the Child</p>	<p>7: Legislation 8: Comprehensive policy and strategy 9: Child Rights Impact Assessment 10: Coordination 11-12: Allocation of resources 13: Data collection 14-15: Independent monitoring 16-17: International cooperation 18: children’s rights and the business sector</p>
<p>Outcome 8: Equality of Opportunity and Good Relations</p>	<p>2, 12, 17, 23, 28, 29</p>		<p>12: Allocation of resources 21-22: Non-discrimination 28: Right to life, survival and development 30: Respect for the views of the child</p>