

Children's Services Co-operation Bill

[AS INTRODUCED]

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TO

Require Northern Ireland departments to discharge their functions and co-operate with one another in order to contribute to the achievement of certain specified outcomes relating to the well-being of children and young people, and to amend the Children (Northern Ireland) Order 1995.

BE IT ENACTED by being passed by the Northern Ireland Assembly and assented to by Her Majesty as follows:

General duty

1.—(1) The Northern Ireland departments must ensure that, so far as is consistent with the proper exercise of their functions—

(a) those functions are discharged; and

5 (b) any person discharging those functions on their behalf does so;

in such a way as to further the achievement of specified outcomes listed in subsection (3) in relation to the well-being of children and young people.

(2) Each Northern Ireland department must co-operate with the other Northern Ireland departments so as to further the achievement of the specified outcomes.

10 (3) The specified outcomes are—

(a) being healthy;

(b) enjoying learning and achieving;

(c) living in safety and with stability;

(d) experiencing economic and environmental well-being;

15 (e) contributing positively to community and society; and

(f) living in a society which respects their rights.

(4) The Office may by order make such modifications to the specified outcomes listed in subsection (3) as it thinks appropriate.

20 (5) An order which does so must not be made unless a draft of the order has been laid before and approved by a resolution of the Assembly.

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Co-operation report

2.—(1) Not more than three years after the passing of this Act and thereafter at intervals of not more than three years, the Office must prepare and publish a report on—

- 5 (a) how each Northern Ireland department has—
- (i) discharged its functions; and
 - (ii) co-operated with the other Northern Ireland departments; so as to further the achievement of the specified outcomes listed in section 1(3);
- 10 (b) any increased efficiency or effectiveness which has resulted from the co-operation described in paragraph (a)(ii);
- (c) any further opportunities for co-operation between the Northern Ireland departments which could help to achieve the specified outcomes; and
- (d) any other ways in which the specified outcomes could be better achieved.

15 (2) The Northern Ireland departments must co-operate with the Office in relation to the preparation and publication of the report referred to in subsection (1).

(3) The Office shall lay the report referred to in subsection (1) before the Assembly as soon as is practicable after its publication.

Sharing resources and pooling funds

20 3.—(1) For the purposes of fulfilling their duty under section 1 the Northern Ireland departments may—

- (a) provide staff, goods, services, accommodation or other resources; and
- (b) establish and maintain a pooled fund.

25 (2) For the purposes of subsection (1)(b) a pooled fund is a fund—

- (a) which is made up of contributions by the Northern Ireland departments; and
- (b) out of which payments may be made towards expenditure incurred, or to be incurred, in the discharge of their functions under this Act.

Amendment of the Children (Northern Ireland) Order 1995

4. In Schedule 2 to the Children (Northern Ireland) Order 1995 (provision of services for families: specific powers and duties) for paragraph 2A substitute—

“Children’s and young people’s services plans

35 2A.—(1) The Regional Board shall, within one year of this paragraph coming into operation—

- (a) review the services provided under Articles 18, 21, 23, 27, 34C to 34E, 35A and 35B; and
- (b) having regard to that review and the most recent reviews under Article 20, prepare and publish a plan, to be known as the children’s and young people’s services plan, for the provision of services under Part 4.

40 (2) The children’s and young people’s services plan shall include a description and explanation as to—

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- (a) how children's services will be planned, commissioned and delivered by the relevant public bodies;
- (b) how the relevant public bodies are to co-operate with the Regional Board and one another in planning, commissioning and delivering children's services and in what circumstances they must do so;
- (c) any key actions, programmes and services which the Regional Board considers are to be taken or commissioned by the relevant public bodies on a shared basis; and
- (d) the targets to be used by the Regional Board in assessing the effectiveness of the actions taken under heads (a), (b) and (c);
- in order to achieve the specified outcomes.

(3) The Regional Board—

- (a) shall keep under review the plan prepared by it under sub-paragraph (1)(b) (as modified or last substituted under this sub-paragraph); and
- (b) shall, having regard to that review and to the most recent reviews under Article 20, at intervals of not more than 3 years, prepare and publish—
- (i) modifications (or, as the case may be, further modifications) to the plan reviewed; or
- (ii) a plan in substitution for that plan.

(4) In carrying out any review under this paragraph and in preparing any plan or modification to a plan, the Regional Board shall consult the relevant public bodies and take account of any views they express.

(5) If as a result of consultation under sub-paragraph (4) it appears to the Regional Board appropriate to change the whole, or any part of, the children's and young people's services plan it must carry out such further consultation with respect to the changes as it considers appropriate.

(6) It is immaterial for the purposes of this paragraph whether the consultation is carried out before or after the commencement of this paragraph.

(7) The relevant public bodies are—

- (a) every Health and Social Care trust;
- (b) the Education Authority;
- (c) every district council;
- (d) such voluntary organisations as appear to the Regional Board to provide services which, were they to be provided by the Regional Board, might be categorised as services provided under Part 4;
- (e) the Northern Ireland Housing Executive;
- (f) the Police Service of Northern Ireland;
- (g) the Probation Board for Northern Ireland;
- (h) the Council for Catholic Maintained Schools;
- (i) the Department for Social Development;
- (j) the Department of Justice; and
- (k) the Regional Agency for Public Health and Social Well-being.

(8) So far as is consistent with the proper exercise of their functions, the relevant public bodies must co-operate with the Regional Board and with one another in relation to the preparation, review and implementation of, and reporting on, the children's and young people's services plan and must provide to the Regional Board such information as it may request.

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(9) The Regional Board shall implement that part of the children's and young people's services plan that falls within its responsibilities.

(10) The Regional Board shall monitor the implementation of the children's and young people's services plan by the relevant public bodies.

5 (11) The Regional Board shall within 28 days of receiving a written request from the Department, submit to it a copy of—

(a) the plan prepared by the Regional Board under sub-paragraph (1)(b); or

10 (b) where that plan has been modified or substituted, the plan as modified or last substituted.

(12) The Regional Board shall within 28 days of receiving a written request provide such information as it has in its possession regarding the implementation of the children's and young people's services plan by the relevant public bodies.

15 (13) Not more than two years after the publication of a plan under sub-paragraph (1)(b) or any revised or substituted plan under sub-paragraph (3)(b), the Regional Board must prepare a report on its implementation and send a copy of the report to the Department.

(14) The report referred to in sub-paragraph (13) must—

20 (a) set out the extent to which the relevant public bodies have—

(i) discharged their functions in the manner described in the plan pursuant to sub-paragraph (2)(a) and (c);

(ii) co-operated with the Regional Board and one another as described in the plan pursuant to sub-paragraph (2)(b); and

25 (iii) met the targets described in sub-paragraph (2)(d); and

(b) identify—

(i) any increased efficiency or effectiveness in achieving the specified outcomes which has resulted from the co-operation described in head (a)(ii);

30 (ii) any further opportunities for co-operation as described in head (a)(ii) which could help to achieve the specified outcomes; and

(iii) any other ways in which the specified outcomes could be better met.

35 (15) The Department shall lay the report prepared by the Regional Board under sub-paragraph (13) before the Assembly as soon as is practicable after its preparation.

40 (16) The Department may by order make such modifications to the list of bodies listed in sub-paragraph (7) as it thinks appropriate. An order which does so may not be made unless a draft of the order has been laid before and approved by a resolution of the Assembly.

(17) In this paragraph—

“children's services” means services provided under Part 4 or services which, were they to be provided by the Regional Board, might be categorised as services provided under Part 4;

45 “the specified outcomes” has the same meaning as in section 1(3) of the Children's Services Co-operation Act (Northern Ireland) 2015.”.

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Interpretation

5. In this Act—

“children” or “young people” shall have the same meaning as in the
Commissioner for Children and Young People (Northern Ireland) Order
5 2003;

“the Office” means the Office of the First Minister and deputy First Minister.

Short title

6. This Act may be cited as the Children's Services Co-operation Act (Northern
Ireland) 2015.