



Northern Ireland
Assembly

Committee for the Office of the First Minister
and deputy First Minister

OFFICIAL REPORT (Hansard)

Children's Services Co-operation Bill:
Office of the First Minister and
deputy First Minister

17 June 2015

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Mike Nesbitt (Chairperson)
Mr Chris Lyttle (Deputy Chairperson)
Mr Alex Attwood
Ms Megan Fearon
Mrs Brenda Hale
Ms Bronwyn McGahan
Mr David McIlveen
Mr Stephen Moutray
Mr Jimmy Spratt

Witnesses:

Mr Peter Hutchinson	Office of the First Minister and deputy First Minister
Ms Margaret Rose McNaughton	Office of the First Minister and deputy First Minister
Mrs June Wilkinson	Office of the First Minister and deputy First Minister

The Chairperson (Mr Nesbitt): I welcome Peter Hutchinson, June Wilkinson and Margaret Rose McNaughton from the Office of the First Minister and deputy First Minister.

We have a revised draft of the Bill that is significantly different from the one introduced by Mr Agnew. Margaret Rose, as we go through the revised draft, will you highlight for us where there are significant changes, and can we do that clause by clause? We will take clause 1 and then have some discussion.

Ms Margaret Rose McNaughton (Office of the First Minister and deputy First Minister): Thank you very much, Chair, and thank you again for the opportunity to brief Committee members on the Bill.

You have recognised that we have made significant changes to the Bill originally put forward by Mr Agnew. Although it is a significant departure from the original Bill, the intention is still the same. It is our belief that amending the Bill in that way will make it more likely that it can be effective legislation.

The amendments are not our final amendments. There is still a bit more work to be done, particularly on clause 4 around planning and the statutory partnership. We want to have further discussions with the Department of Education and the Department of Health, Social Services and Public Safety, so we do not have the final amendments at this point.

If you turn to the revised Bill that we provided, I can provide the rationale for all different elements of each clause. Is that OK?

The Chairperson (Mr Nesbitt): Yes.

Ms McNaughton: I will deal first with the long title. That in itself is not legislation, so that just relates to it being:

"A Bill to require co-operation among certain public authorities".

The words "public authorities" are in there, but we are really talking about children's authorities, as defined in clause 7, but some of those things can be changed. The long title, as I said, is not actually the legislation.

Clause 1 deals with the purpose of the Bill, explaining that it is intended to support the improvement of the well-being of children and young people. That relates to the point that Daniel Greenberg made to the Committee that it was difficult to ascertain the Bill's core objective and, as such, would benefit from having a purpose clause.

In the clause, we use the six high-level policy outcomes as the basis of what we mean by "well-being", with the aim of giving it a holistic definition. There is no intention to change the strategic outcomes in the current 10-year strategy. Those continue to be in place, but it is not appropriate to put outcomes in a strategy into legislation.

That is clause 1. Do you want to discuss that?

The Chairperson (Mr Nesbitt): Yes, please. Some people thought that an alternative to naming the six high-level policy outcomes would be to talk about a strategy that is operational, but you chose against that. What was the rationale for that?

Ms McNaughton: We took our guidance from the Office of the Legislative Counsel (OLC). The intention was that we had to set out the purpose of the Bill. We are trying to say that the Bill is going to support improvements to the well-being of children and young people. How are we going to see how those improvements are made? The improvements are to the well-being of children, so, if they are to the well-being of children, what do we mean by "well-being"? That is why the six high-level outcomes were considered but not deemed appropriate to be set out in legislation in the way in which they are in a strategy. What we have now are not definitions, but, if you are talking about the physical and mental health of a child, for example, it will be easier to measure what we mean by physical and mental health. All of those will bring us back to the well-being of the child, which is the purpose of the Bill.

The Chairperson (Mr Nesbitt): OK. Those six high-level outcomes are in the children's strategy.

Ms McNaughton: They are in the children's strategy, yes.

The Chairperson (Mr Nesbitt): There will, sooner rather than later, when plans are delivered, be a new children's strategy.

Ms McNaughton: Yes.

The Chairperson (Mr Nesbitt): Can we therefore assume that the six high-level outcomes will remain and transfer across?

Ms McNaughton: No, they may not remain. There may be new ones, but there will be provision in the Bill if we need to amend any of the areas that we covered in the definition of "well-being".

The Chairperson (Mr Nesbitt): You have that facility. Is it a commitment from the Department that, if you did change the high-level outcomes in the strategy, the Bill would be amended accordingly?

Ms McNaughton: There should be a power in the Bill to amend by regulation if required. Is that not the intention?

Mrs June Wilkinson (Office of the First Minister and deputy First Minister): Yes. We hope that there will not be much need. The new strategy can contain new outcomes, but, as long as they link back to the parameters that try to give a definition, for want of a better word, of "well-being", it will be empowered to do that. The goal was not to have to change it, but there is power in the legislation to change it should it be decided that an element of well-being is not there. However, the flexibility is in the strategy.

The Chairperson (Mr Nesbitt): Members, are we broadly content with clause 1?

Members indicated assent.

Ms McNaughton: Clause 2 is a duty to cooperate to improve well-being, and that imposes a duty on all Departments, agencies and other bodies to cooperate with one another and other children's services providers to improve the well-being of young people. It is proposed that the duty will go beyond government and its agencies and extend to those providing children's services in the community and voluntary sector. It would not impose the duty on the community and voluntary sector, but it would mean that government must consider those bodies in the delivery of its functions. There is also a duty on the Executive to make arrangements to promote cooperation, and that is a tangible duty. That reflects the position in the Children Act 2004, which applies to England and Wales.

I know that there was some concern about the words "promote co-operation", instead of ensuring —

The Chairperson (Mr Nesbitt): What about "advance"?

Ms McNaughton: — that people do cooperate. It is very difficult to measure how somebody cooperates. Actually, it may not be that difficult, but it does not really tell you that much, because what would you measure? Would you measure whether people emailed each other or held a number of meetings? I guess that what you need to measure is the outcome of what your cooperation has enabled people to do. We received a query about promotion and whether cooperation should be a requirement, but we felt that it is much better in legislation to suggest "promote" as a more tangible and measurable goal. We can easily see whether arrangements are in place, but, in contrast, it would be very difficult to see what the outcome is by attendance at meetings, answering of emails or the delivery of joint actions. That is why we went for "promote".

The Chairperson (Mr Nesbitt): As you probably know, I think that promoting is something that you can do all day without achieving anything. You can promote children's issues, but if you advance children's issues, that is measurable. Did you give any consideration to using "advance" rather than "promote"?

Ms McNaughton: We can certainly consider that. We talk to our OLC colleagues about that.

Mrs Wilkinson: The key thing is that it is only the Executive that are described as promoting it, in that they are promoting Departments to undertake cooperation, but there is a "must" in the clause. All children's authorities, which include Departments and all agencies, must undertake cooperation. That is where we plan to measure it. The duty to promote relates only to the Executive.

The Chairperson (Mr Nesbitt): You use the phrase "children's authority", and that is defined in clause 7 on interpretation. Is it just me or is the absence of the Northern Ireland Commissioner for Children and Young People (NICCY) a glaring omission?

Mr Peter Hutchinson (Office of the First Minister and deputy First Minister): We cannot include every body on the list. The list is made up of Departments, their agencies and the members of the Children and Young People's Strategic Partnership (CYPSP) that were included in Mr Agnew's original Bill. When we mention other children's authorities, we add "other children's service providers". That is later defined in clause 7 as anyone else who is involved in the sector who might be delivering children's services. NICCY and other such organisations, and even NGOs, will be caught up in that bracket. We are saying that Departments and the statutory bodies would have to cooperate and that they must also pay regard to and work with those other bodies. We cannot really place a duty on non-public bodies, if you like. We cannot place a duty on NGOs or private bodies, but what we are saying is that we should be taking account of what anyone who is involved in delivering children's services outside of the government sector is delivering. That goes further than what Mr Agnew originally suggested.

The Chairperson (Mr Nesbitt): Is NICCY not a primary authority for children and young people and services?

Mr Hutchinson: It would be caught up in the second definition. In the legislation, where we say "department", that does not necessarily mean just the Department. It will also include non-departmental public bodies (NDPBs) and other bodies, because they are not separate in statute. We say that, if you list the Department of Enterprise, Trade and Investment in legislation, that will also include the NDPBs that fall underneath it. Those bodies would be caught up in that. Likewise, NICCY could fall underneath as a body of OFMDFM, because the Department is mentioned. If it is not in the first children's authorities bracket, it will be in the second bracket. We cooperate with the Department and take its advice, so we have to pay regard to what organisations such as NICCY and other ones that deliver children's services are doing and bring them into the cooperation of the strategy.

The Chairperson (Mr Nesbitt): Who takes the lead on the Executive to make that happen?

Ms McNaughton: It will be a lead Department. At this point, the lead Department is OFMDFM, because we are responsible for the children's strategy. The legislation is based around the children's strategy.

The Chairperson (Mr Nesbitt): Which Department will it be when we go down to nine Departments?

Ms McNaughton: It will be the Department of Education. That is where children's services will primarily lie.

The Chairperson (Mr Nesbitt): Therefore, OFMDFM will lead the charge and then hand over to the Department of Education.

Members, are we broadly content with clause 2?

Members indicated assent.

Mr Attwood: I am reserving my position on all of this until we go through it in more detail. Steven Agnew raises a question about the use of the words:

"so far as is consistent with the proper exercise of its children functions".

Is that in clause 2?

Ms McNaughton: Yes.

Mr Attwood: He says that he has received advice that that is a get-out clause and that he will have various amendments to clause 2 and clause 4 as a consequence of that advice. How do you reply to that?

Ms McNaughton: We got Steven's views on the Bill just this morning, so we will want to talk to OLC about that. It is not the intention for it to be a get-out clause.

Peter, you have had discussions with Steven on that.

Mr Hutchinson: The phrase reflects what Mr Agnew had in his original Bill, which states:

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

Therefore, he had a very similar phrase in his. When we spoke to OLC —

Mr Attwood: He may have got that wrong and is now regretting it.

Mr Hutchinson: Absolutely. We take that point, but we talked to OLC about that, and the point is that Departments have a range of functions and duties that may not all be specifically to do with children and young people. For instance, the Department for Social Development may deliver the benefits

system that is set in law, while the Department of the Environment has its planning functions. There are things out there in statute already, and us introducing a duty that they should consider children and young people should not affect what Departments should already be doing under legislation. We do not expect that, because they must cooperate on the well-being of children and young people, Departments should then have to alter how they do their business. In the legislation, we are trying to say that the cooperation duty should kick in when those Departments, agencies or statutory bodies are delivering children's services or doing something for the well-being of children, not when they are delivering other functions of business that may not necessarily impact. That would not be appropriate.

We do not see that as a get-out clause. We see it as an appropriate qualification. Not all those Departments have as their primary function the well-being of children and young people, but there are definitely elements of their business that would impact on that well-being. When they are delivering those children's functions, as we define them in the legislation, they should be thinking about cooperation. It is not meant to be a get-out clause at all. Mr Agnew had that in his original Bill, so the drafters must think that it is an appropriate legislative term. The wording just makes sure that Departments that are delivering services to business or funding Departments suddenly do not have to stop their core business and think about the impact on children and young people on every single issue.

Mr Attwood: I will read Hansard to try to understand that fully.

If the competence of the Bill covers cooperation, it seems to me that you are stretching a point by arguing that, as not all Departments' functions will relate to children, you are drafting clauses that make sure that their duty to cooperate — *[Inaudible.]* duty to cooperate — relates to the children's function and not other functions. That seems to me to be stretching an argument in a way that I do not know is sensible, but I will read Hansard and talk to Steven. As such, I will reserve my position.

I agree with the Chair that I do not know whether the Executive's role is merely to promote, as opposed to advance. I do not know how you can differentiate the Executive's function from the responsibilities of other children's authorities. In fact, I would think that the Executive's function is to advance, as it is for children's authorities. Are we saying that the Executive's function is the lesser one of promotion? I do not think so.

Ms McNaughton: That certainly was not our intention.

Mr Attwood: You made that point of differentiation. I am only picking up on what you said.

Mrs Wilkinson: I take your point that "advance" is perhaps a much more appropriate word, because the intention was not to minimise the level, but to distinguish between the two. We can certainly have that considered in the amendments.

The Chairperson (Mr Nesbitt): I ask you to move on to clause 3.

Ms McNaughton: Clause 3 introduces a duty on the Executive to adopt a children and young people's strategy. You are, of course, aware that there is the current 10-year strategy. We have begun work on the new strategy. The Bill will place the need for that strategy on a statutory footing, and we think that it will provide another tangible example of how cooperation is happening. The clause focuses on the duty to cooperate, which means that all Departments and relevant partners will cooperate with one another to prepare and implement the strategy. That may go a bit further than the original Bill suggested.

The clause also details what will be expected to be included in the strategy and sets out the requirement to consult with children and young people, parents, guardians and representative groups before its adoption. I want to be clear on the point that that in no way removes the overall principle of consultation on policy development. The overall principle remains the same, but we wanted to be very clear that we want to see consultation with children very much embedded in the clause. That is basically what clause 3 states.

The Chairperson (Mr Nesbitt): Does it place any further consultation requirements on the Department, because you are working on a strategy?

Ms McNaughton: It should not bring any additional requirements. It is just to be absolutely clear that, in the development of a strategy, there are references and clear evidence included that children and their parents and guardians have been consulted.

The Chairperson (Mr Nesbitt): Clause 3(4)(c) and (d) talk about:

"such persons ... as the Executive thinks appropriate"

and

"such other persons as the Executive thinks appropriate."

What does that mean? Who would be "appropriate"?

Ms McNaughton: I suppose that that is a catch-all in case we missed any people in the general consultation. We considered parents and guardians, and children and young people, but there could be others. Have you any examples, Peter?

Mr Hutchinson: Yes. The wording reflects a legislative precedent in the children and young people's plan and in the regulations from 2005 that are in force in England. They talk about consulting with children and young people, parents, guardians, groups and others. It is just to show the importance of the consultation. We really wanted to include children and young people. Our rights under the United Nations Convention on the Rights of the Child (UNCRC) mean that we should take on board the views of young people. Once we state that, it is important also to add parents and guardians, representatives and others. As Margaret Rose said, that does not mean that our existing consultee list is ignored or our requirements under section 75 are ignored. It is just trying to show that the consultation should include all bodies that we think appropriate and that it should be a wide and useful consultation.

The Chairperson (Mr Nesbitt): Will that include the relevant elements in the community and voluntary sector?

Ms McNaughton: Yes.

Ms Fearon: I will take clauses 3 and 4 together for a minute: will there be separate consultations for the strategy and plan, or will they be consulted on together?

Ms McNaughton: The strategy has to be produced before the plan, so the strategy will be produced and signed off by the Executive. It could be some time — hopefully, not some considerable time — between the production of the strategy and the production of the plan.

Ms Fearon: That is the point that I was going to make. It seems like there will be a lot of devising of strategies and plans, and then consultations on both, meaning that it will be a long time before any implementation.

Ms McNaughton: There is a difference. When we are talking about plans, there are implementation plans and the service delivery plans that organisations currently produce in any case, so there is a need to differentiate between the two. The strategy will produce an implementation plan as well. When we get to clause 4, we will talk about how it is almost like the service delivery plan. There are two types of plan.

Ms Fearon: What is the difference between them?

Ms McNaughton: One is about service delivery. The implementation plan is at a higher level, like any normal implementation plan that comes from government. The service delivery plans that the trusts have, for example, go into much more detail on actions that they will have to take in delivering particular services. At the moment, the Children and Young People's Strategic Partnership and the Health and Social Care Board produce a delivery plan under article 4 of the Children Order. The plan in our clause 4 will be an extension, almost, of that plan, in that it is intended to capture all the other elements of the children strategy, not just the Children Order. It is a different type of plan. There will be further consultation. The Children and Young People's Strategic Partnership will consider the plan

for delivering under article 4 of the Children Order. They will consult in the same way when they go to develop the plan under the Bill. There are two stages of consultation.

Mr Attwood: I can confirm what the Chair pointed out: the reference to children, parents and guardians in relation to the consultation is for emphasis; it is not to exclude any wider legal or desirable consultation. I go back to your very first point that, in the event that the six outcomes are changed, or it is proposed that they change, there will, of course, be consultation with children, advocacy groups and so on.

Ms McNaughton: Absolutely. The outcomes can be changed only when we are developing the new strategy, and, in developing that new strategy, there will be full consultation.

The Chairperson (Mr Nesbitt): I get what you are saying, Margaret Rose — you need to have a strategy before you can have a plan — but I just want to note that, in clause 8, "Commencement", you have the same deadline for the strategy and the first plan to be laid before the Assembly

Ms McNaughton: I think that we need to look at that again.

The Chairperson (Mr Nesbitt): Do you?

Ms McNaughton: Sorry, the commencement date is the date for the commencement of the Bill.

The Chairperson (Mr Nesbitt): Yes, but then you say that the "first strategy", which is the one that we have just discussed in clause 3, and the "first plan", which we are about to discuss:

"must be laid before the Assembly before the end of the period of 12 months beginning with the day on which this Act receives Royal Assent."

That covers the strategy and the plan.

Ms McNaughton: Yes, but, hopefully, the strategy will be developed by early next year.

Mrs Wilkinson: The need to develop the strategy exists already because the current one ends in 2016, so, regardless of whether the private Member's Bill goes through, I have a requirement to produce a new strategy. Hopefully, we will get agreement on the strategy by the time the Bill is ready to be enacted.

The Chairperson (Mr Nesbitt): So, we go to clause 4, then, which is about the plan.

Ms McNaughton: Yes. This replaces the previous clause 4. We had some discussions with DE in particular, and with DHSSPS, and we still do not think that this does what we wanted it to do. We are still trying to work out what the services plan should look like. Much of this is based on what is currently in the Children Order, which, as you know, is specific to children in need. It might be that the Children and Young People's Strategic Partnership ends up doing the plan, but we do not want to ask it to produce a delivery plan that covers absolutely everything. We need to be more precise in what we are asking for, so we need to do more work on this clause. Our current clause 4 places a requirement on the Executive to adopt a services plan that details how children's services will be planned, commissioned and delivered. However, we think that we need to be more precise about which children's services we are talking about.

The Chairperson (Mr Nesbitt): OK. I will ask you to guide us, Margaret Rose. We have scheduled our clause-by-clause scrutiny for next Wednesday. Is there any point in including the current clause 4?

Ms McNaughton: Our view is that we do not think that the current clause 4 is what we want to end up in the Bill.

The Chairperson (Mr Nesbitt): So, it is not going to make the cut.

Ms McNaughton: Not in its current form.

Mrs Wilkinson: In answer to your question, it may not. It is quite detailed, and our fellow Departments have raised concerns with us about it. We want to improve it in a way that is effective before you —

The Chairperson (Mr Nesbitt): I am not being critical; I am just looking for information. Is it unlikely that you will have clause 4 in a solid state by next Wednesday?

Mrs Wilkinson: Best not, I think.

The Chairperson (Mr Nesbitt): Our timeline for Committee Stage will not permit us to do the complete job that we would have preferred to do, but that is just where we are.

Mr Attwood: Do you have any initial comment on draft clause 4(3) proposed in Steven Agnew's paper as a way of helping you and OLC to get through this?

Ms McNaughton: Clause 4(3):

"Every children's authority must —

(a) co-operate with the Executive in the preparation of the plan, and

(b) so far as is consistent with the proper exercise of its functions —

(i) exercise those functions in accordance with the plan".

Mr Attwood: Steven Agnew has a variation on that.

Mrs Wilkinson: You are referring to Mr Agnew's original Bill.

Mr Attwood: It is that word "consistent" again. He deletes "consistent". You do not have to answer that question again.

Mr Hutchinson: No, I will not — do not worry.

Mrs Wilkinson: Does that refer to the Children and Young People's Strategic Partnership?

Mr Hutchinson: We had these shared with us only this morning, but we will take them to OLC and consider them again. The point on clause 4 is who is doing the planning: should it be the Executive or someone else? There is also a question of whether there is too much detail there: should we try to cut back, because the more detail we have, the trickier the job of services planning might be? It is something to consider again, but we are working with our colleagues in the Departments of Health and Education to see what would be appropriate.

Mr Attwood: Why is there an issue about who prepares it?

Mr Hutchinson: Mr Agnew's initial intention in the Bill was to place the CYPSP on a statutory footing. That was not achieved in the first draft, and we still need to consider whether that body could be placed on a statutory footing. The planning function would then, possibly, be placed on it, but, at the minute, it is at a higher level, at the Executive, because that gives the potential to delegate it to the appropriate Department or body, given the changes going on, the restructuring and so on.

There are wider issues, I suppose, but we need to tighten up on clause 4 to make sure that it will deliver what we want it to deliver: that the strategy sets out what we want to achieve and that the plan then explains how we will achieve that through services planning.

Mr Attwood: Are all the other clauses, as you see them, Committee-ready?

Ms McNaughton: Yes, the majority are. There are a few changes that we might want to make. From talking to the Department of Education, in particular, I think that there might be some things that we want to tighten up. However, as far as the vast majority of the Bill stands, we are reasonably content.

Mrs Wilkinson: Clause 4, on planning, was the key one that we wanted to tighten up. We were conscious of your time frame, and we wanted at least to get initial draft amendments to you to let you see in detail the direction of travel.

Mr Attwood: Are there subclauses in clause 4 that you think are Committee-ready? We could end up losing time.

The Chairperson (Mr Nesbitt): We have a hard deadline, and we cannot shift it. We have already taken our extension for the Committee's consideration of the Bill, so we cannot go beyond our deadline.

Are you saying that it is likely that there will be amendments beyond clause 4?

Ms McNaughton: It is likely, yes.

Mrs Wilkinson: There could be two further additional clauses, but they address, I believe, what Mr Attwood referred to in Mr Agnew's original clause 4. Forgive me, but I do not have a copy of the original with me. The original purpose of the Bill was to empower the statutory provider/partnership, so we are discussing with CYPSP, the Department of Health and the Department of Education how a statutory partnership could operate and be effective. I am not suggesting a new body; this is within current resources. We are trying to tie that down and make it an effective clause. The next stage would be the enabling of that statutory partnership to develop and deliver the plan. The partnership would be made up of members of the Health and Social Care Board, the trusts, the Education Authority and any other agencies in the two Departments that need to be at the table to provide integrated service delivery for children. Does that help?

Mr Attwood: That helps. I am trying to work out whether there are any precedents for such a statutory partnership and, if so, where.

Mrs Wilkinson: They exist. We have found a few, and the concept is used across the water. We are trying to get into it in more detail and research what happens there and whether it could work effectively here. That is why there is no amendment at the minute. We are still developing it and trying to test it to see whether it would be an effective body that could operate.

The Chairperson (Mr Nesbitt): I am conscious of time. We move on to clause 5.

Ms McNaughton: Clause 5 deals with the pooling of funds, and it still reflects Mr Agnew's original clause, with just a few minor amendments to the wording. The clause remains an enabling power rather than a duty, and we remain of the view that it might be problematic to compel bodies to pool funds, in legislative and practical terms, and that it is more effective to provide bodies with the power to act in that way by identifying the need and agreeing how their budgets could be utilised to support shared objectives. There have not been that many amendments to Steven's original clause, although we might need to make another one, which would be the power for Departments or bodies to form a fund in the first instance as well as to pool budgets. That would be a technical amendment.

The Chairperson (Mr Nesbitt): OK. A concern was raised by NILGA — the local government association — about the tension between what might happen through the Bill and the councils' power of delivering well-being. Have you resolved that tension?

Mrs Wilkinson: No. I was at a CYPSP meeting on Friday, and I had hoped that council officials would be there so that we could open discussions on that. We hope that this duty complements the development of community planning as opposed to —

The Chairperson (Mr Nesbitt): — there being any conflict with it. OK.

Can we go straight to clause 6, if members are content?

Mr Lyttle: Can I just check on that one? Does the reference to "children's authorities" include Departments?

The Chairperson (Mr Nesbitt): Yes, that is in clause 7, "Interpretation".

Mrs Wilkinson: Clause 7 will set out all of that.

The Chairperson (Mr Nesbitt): I think that we will finish with clause 6, because we have touched on interpretation and commencement.

Ms McNaughton: Clause 6 relates to reporting and is the clause that most people were concerned about at the last Committee session. The clause, as it sits, requires the Executive to prepare a report on the operation of the Act. That will provide a range of information, including the actions taken to achieve the outcomes listed in the strategy, the progress on achieving those outcomes and how the well-being of children and young people has improved.

We already had concerns, as you know, about the purpose of the reporting in Mr Agnew's clause. We felt that there was too much focus on reporting on process rather than on the actions taken. Whilst there are elements in the report on how cooperation has happened and how it could be improved, the focus is more on delivery and the impact on the lives of young people. We see the report as being more an overarching one at the end of three years on the impact of our strategy on the lives of children and young people.

We still propose that formal reporting take place every three years, but that is not to say that annual reporting could not be carried out at a more local level. The Children and Young People's Strategic Partnership provides ongoing reports on its website on a whole range of indicators related to the high-level outcomes. There is the potential to develop that system to enhance the availability of that information. The Children and Young People's Strategic Partnership could continue to do that, and, every three years, a formal report would be prepared, which could be scrutinised by the relevant stakeholders, including the Assembly.

June, you have some really good examples at a local level of how the current reporting mechanisms in the Children and Young People's Strategic Partnership help to change things on the ground.

Mrs Wilkinson: Forgive me: I should have brought more information with me today. At the meeting last week, it was explained to me how the partnership's outcomes groups, of which there are, I believe, 10 in Northern Ireland, work at a very local level and how the locality groups work on a geographic basis. Each locality group has a locality coordinator from the board. The statistical information that the website identified brought up an issue about achieving qualifications in a particular area in Armagh. That information was available at a very local level, so the coordinator was able to contact the schools in the area and ask whether something could be done at a local level. The young people — it was a boys' school — were asked whether they would like help.

It transpired that the outcomes group was able to provide a tutor for a short time in a facility — it was held in a community centre rather than in the school — to support those young people to get through their GCSEs. It was a short-term solution, but it assisted at a local level because of the analysis in the reporting had identified the issue. It was quite effective, and, when that was reported to other locality groups, they were interested in looking at it because it seemed to work. That is a good example of how, on a small scale, the reporting helped to identify and address local issues.

The Chairperson (Mr Nesbitt): Margaret Rose, you said that the report would assess the delivery of the strategy. Will it also report on clause 1(2), namely the six high-level outcomes?

Ms McNaughton: Yes, because the six high-level outcomes will be in the strategy.

The Chairperson (Mr Nesbitt): OK. Are members content?

Mr Lyttle: I may have missed this, Chair, but is there any agreement on the frequency of reporting? There is a lot of debate, and some say that it should be every one year rather than every three years.

Ms McNaughton: We still suggest three years, but that does not preclude a reporting mechanism continuing yearly.

Mrs Wilkinson: The Children and Young People's Strategic Partnership already does that. There is ongoing reporting, in that the website is available and can be utilised at any time. The partnership produces a yearly report and proposes to continue that if it develops as part of the statutory

partnership. It would be up to CYPSP to decide whether it wanted to produce a formal one-year report.

Mr Lyttle: Sure, but the purpose of this report is to report on how the Executive and Departments have cooperated, not just the strategic partnership. That goes back to the point about a statutory partnership. By then, the statutory partnership will not exclude any element of children's services, so it will report on everything that is in the strategy.

Mr Lyttle: You foresee that body reporting on Executive cooperation or otherwise.

Mrs Wilkinson: It would report on departmental cooperation, which is the requirement and duty. If it is reporting on Departments, it is, by default, reporting on the Executive.

The Chairperson (Mr Nesbitt): We have touched on clauses 7 and 8. I think that Megan would like to raise a point on clause 7.

Ms Fearon: In clause 7(1), is there a need for CCMS to be named? Does "the Education Authority" not cover that?

Mr Hutchinson: We will have to consider that with our legislative drafters. The point was made earlier that, if we name a Department, that includes its NDPBs and other bodies that may not be listed in statute. Our understanding is that the Council for Catholic Maintained Schools is a separate statutory body. Therefore, if we said "Department of Education" or "the Education Authority", CCMA would not be bound by the legislation. We can look into that, too. We want to seek clarification on whether that body and others, such as the Housing Executive, need to be included. If it is a separate statutory body and we want to include it, it would need to be named separately. That is our understanding at this stage.

Ms Fearon: Finally, on clause 7(3), in relation to disabilities and people under the age of 21, would that provision affect their ability to access adult services, or does it merely allow for their inclusion in children's services? How, for example, would it affect a 20-year-old visually impaired person?

Ms McNaughton: That is one of the issues that DE raised with us last week. We have to change that; it is not right at the minute. We need to think carefully about that because it is not written in the way that we intended.

Mrs Wilkinson: Young people in particular circumstances are slipping through the net, in that they are not treated as children and are not being treated, as they need to be, as adults. We are trying to make sure that any transition is captured. *[Inaudible.]*

The Chairperson (Mr Nesbitt): June, Peter and Margaret Rose, thank you very much indeed. Any updates for next Wednesday would be appreciated, but we understand that we will not have sight of the Bill in its solid state.