

Equality Commission

FOR NORTHERN IRELAND

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

Children's Services Co-operation Bill Response pro forma

For your convenience the Committee has prepared the attached pro forma to assist in responding to the main clauses of the Bill. The Bill can be found at <http://www.niassembly.gov.uk/assembly-business/legislation/current-non-executive-bill-proposals/childrens-services-co-operation-bill-as-introduced/>

Please respond by Friday 27 February 2015 to committee.ofmdfm@niassembly.gov.uk.

Organisation Name	Equality Commission for Northern Ireland
Main contact	Deborah Howe
Email address/phone number	dhowe@equalityni.org , 02890 500599

I wish for my organisation to be considered for oral evidence sessions in relation to the Committee's scrutiny of the Bill: No

Clause	Comments (200 words)
<p>1. General Duty</p> <p>Please provide comment on:</p> <ul style="list-style-type: none"> • The six specified outcomes relating to the well-being of children and young people as listed in the 10 Year Strategy for Children and Young People 2006 - 2016 • The duty on Northern Ireland Departments to co-operate with each other in order to further the achievement of these objectives • The mechanism in place for amending the specified outcomes 	<p>The Commission emphasises the importance of public authorities consulting with, engaging with and fostering the active participation of children and young people in the policy development process. For further information, please see <i>‘Let’s Talk, Let’s Listen – Guidance for Public Authorities on consulting and involving children and young people’</i>. Available at: http://www.equalityni.org/ECNI/media/ECNI/Publications/Employers%20and%20Service%20Providers/LetsTalkLetsListenGuideforPAsconsultingchildren2008.pdf?ext=.pdf</p> <p>In our response the Consultation on a Draft Strategy for Children and Young People in Northern Ireland 2005 the Commission made clear that we supported the outcomes therein. We consider these outcomes to be an amalgam of those outcomes and as such are in support of same.</p> <p>We note the legislative process by which the six specified outcomes may be amended, and ask that consideration is given to whether this provides sufficient flexibility to allow for new strategic outcomes to be identified, agreed, progressed and implemented when the current strategy completes (2016) and a new strategy is developed thereafter.</p> <p>In our response to the Childcare Strategy in March 2013, we advocated greater integration and cross departmental working as a means of increasing efficiency and effectiveness in achieving policy goals. (www.equalityni.org/ECNI/media/ECNI/Consultation%20Responses/2013/Toward_Childcare_Strategy-OFMDFM.pdf?ext=.pdf) We have recommended measures be taken, including in the Programme for Government to ensure the development of clear and explicit coherence and co-ordination in delivery across all departments. (http://www.equalityni.org/ECNI/media/ECNI/Consultation%20Responses/2012/Programme_for_Governemnt-2012.pdf?ext=.pdf)</p> <p>We reiterate our point made above in relation to the flexibility of the process to amend of the six strategic outcomes. The Commission expects that, should OFMDFM wish to modify the specified outcomes, it would consult fully and effectively with stakeholders.</p>

Clause	Comments (200 words)
<p data-bbox="188 244 472 272">2. Co-operation Report</p> <p data-bbox="188 316 539 344">Please provide comment on:</p> <ul data-bbox="188 387 539 887" style="list-style-type: none"> <li data-bbox="188 387 539 632">• The requirement for OFMDFM to publish periodically a report on the progress of departments towards achieving the specified outcomes <li data-bbox="188 675 539 887">• The requirement for other Northern Ireland Departments to co-operate in the preparation and publication of the report 	<p data-bbox="577 387 2047 523">The Commission welcomes the publication of a report on progress by Departments in achieving the specified outcomes. However, it is suggested that the stipulated period of not more than three years is too long. This does not allow for timely scrutiny of whether the processes in place are working effectively. We suggest an annual progress report is made with a formal review every three years.</p> <p data-bbox="577 675 2047 735">The Commission welcomes the requirement that other Departments co-operate in the preparation and publication of the report.</p>

Clause	Comments (200 words)
<p data-bbox="107 311 409 376">3. Sharing resources and pooling funds</p> <p data-bbox="107 419 461 448">Please provide comment on:</p> <ul data-bbox="107 491 495 735" style="list-style-type: none"> <li data-bbox="107 491 495 735">• The enabling power which will permit Northern Ireland departments to establish pooled budgets and shared resources to achieve the six outcomes in clause 1 	<p data-bbox="519 491 2051 557">In our response to the Childcare Strategy in March 2013, we advocated greater integration and cross departmental working as a means of increasing efficiency and effectiveness in achieving policy goals.</p> <p data-bbox="519 560 2107 663">(www.equalityni.org/ECNI/media/ECNI/Consultation%20Responses/2013/Toward_Childcare_Strategy-OFMDFM.pdf?ext=.pdf) The proposed power may further maximise the possible responses in public policy including flexibility, innovation, synergy, and comprehensive and coherent responses.</p> <p data-bbox="519 707 2101 810">The explanatory notes set out that costs will be associated with the process. The Commission suggests that costings are drafted in a transparent manner that will allow an outside assessment of the equality and good relations impact and the interplay between measures in different Departments.</p> <p data-bbox="519 853 2119 1238">We recommend that screening is carried out in relation to the budgeting process to ensure the impact on children and young people across all relevant S75 grounds are factored in. Our guidance (<i>A short guide to Section 75 of the NI Act 1998 and budgets</i>, December 2014) states: ‘In preparation of budget proposals, departments and other authorities should ensure they can fulfil their statutory equality and good relations duties. The Commission recommends that early options are presented with screening or that options appraisal has incorporated screening.’ Departments will find further guidance in this document and will be aware of other Commission guidance including <i>Equality of Opportunity and Sustainable Development in Public Sector Procurement</i>, (ECNI / DFP) 2008 http://www.dfpni.gov.uk/index/procurement-2/cpd/cpd-policy-and-legislation/cpd-sustainability/content_-_cpd_equality_of_opportunity_and_sustainable_development_gateway_page/equality_of_opportunity_and_sustainable_development_-_full_guidance.pdf and there is more information in <i>Equality Responsive Budgeting An Expert Paper</i>, March 2013 http://www.equalityni.org/ECNI/media/ECNI/Publications/Employers%20and%20Service%20Providers/Equalityresponsivebudgeting2013.pdf?ext=.pdf.</p>

Clause	Comments (200 words)
<p data-bbox="188 244 450 308">4. Children’s Services Planning</p> <p data-bbox="188 352 539 379">Please provide comment on:</p> <ul style="list-style-type: none"> <li data-bbox="188 424 539 847"> <p data-bbox="188 424 539 632">• The requirement for the Health and Social Care Board to review and publish a children and young people’s plan, including:</p> <ul style="list-style-type: none"> <li data-bbox="286 639 434 667">○ Content <li data-bbox="286 675 479 738">○ Review mechanism <li data-bbox="286 746 528 847">○ Co-operation between public bodies <li data-bbox="188 890 528 959"> <p data-bbox="188 890 528 959">• The public bodies listed at Clause 4 (7)</p> <li data-bbox="188 1002 551 1177"> <p data-bbox="188 1002 551 1177">• The duties placed on the Health and Social Care Board particularly with regard to monitoring and reporting</p> 	<p data-bbox="577 424 1249 451">We welcome the publication of the report as suggested.</p> <p data-bbox="577 890 1653 917">We expect the Department will consult fully and effectively with all relevant stakeholders.</p> <p data-bbox="577 1002 1944 1066">Monitoring should be cognisant of departmental duties under Section 75 of the Northern Ireland Act 1998 and the Disability Discrimination Act, and reporting should include a review of the monitoring findings.</p>

Do you have any suggested amendments to the Bill? (200 words)

Do you have any other comments? (200 words)