



# Children's Services Co-operation Act (Northern Ireland) 2015

## 2015 CHAPTER 10

An Act to require co-operation among certain public authorities and other persons in order to contribute to the well-being of children and young persons; to require the adoption of a children and young persons strategy; and for connected purposes. [9th December 2015]

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

### Modifications etc. (not altering text)

- C1 [Act: transfer of functions \(8.5.2016\)](#) by [The Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2016 \(S.R. 2016/76\)](#), art. 1(2), [Sch. 1 Pt. 3](#) (with art. 9(2))

### Well-being of children and young persons

1.—(1) The functions conferred by this Act are to be exercised for the purpose of improving the well-being of children and young persons.

(2) For this purpose the “well-being” of children and young persons includes—

- (a) physical and mental health;
- (b) the enjoyment of play and leisure;
- (c) learning and achievement;

- (d) living in safety and with stability;
- (e) economic and environmental well-being;
- (f) the making by them of a positive contribution to society;
- (g) living in a society which respects their rights;
- (h) living in a society in which equality of opportunity and good relations are promoted between persons who share a relevant characteristic and persons who do not share that characteristic.

(3) In this section “relevant characteristic” means a characteristic mentioned in any of paragraphs (a) to (d) of section 75(1) of the Northern Ireland Act 1998.

(4) In determining the meaning of well-being for the purposes of this Act, regard is to be had to any relevant provision of the United Nations Convention on the Rights of the Child (which is to say, the Convention of that name adopted by General Assembly resolution 44/25 of 20 November 1989).

(5) The Office of the First Minister and deputy First Minister may by regulations make such amendments to subsection (2) as it thinks appropriate.

(6) Regulations must not be made under subsection (5) unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.

### **Co-operation to improve well-being**

**2.—**(1) 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.

(2) The Executive must make arrangements to promote co-operation of the kind mentioned in subsection (1).

(3) Every children's authority must co-operate with the Executive in the making of the arrangements mentioned in subsection (2).

(4) “Children functions” are any functions which may contribute to the well-being of children and young persons.

### **Children and young persons strategy**

**3.—**(1) The Executive must adopt a strategy (the “children and young persons strategy”) setting out how it proposes to improve the well-being of children and young persons.

(2) The strategy must in particular set out—

- (a) what outcomes the Executive intends should be achieved for that purpose;
- (b) what actions will be taken by Northern Ireland departments (among others) for the purpose of achieving those outcomes;

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*Changes to legislation: There are currently no known outstanding effects for the Children's Services Co-operation Act (Northern Ireland) 2015. (See end of Document for details)*

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- (c) how it will be determined whether, and to what extent, the outcomes have been achieved.
- (3) The strategy must state the period within which it is intended that the outcomes should be achieved (the “lifetime” of the strategy).
- (4) Before adopting the strategy, the Executive must consult—
  - (a) children and young persons,
  - (b) parents and guardians of children and young persons,
  - (c) such persons representing the views and interests of children and young persons as the Executive thinks appropriate, and
  - (d) such other persons as the Executive thinks appropriate.
- (5) The Executive may—
  - (a) revise or replace the strategy if the Executive is satisfied that changes in circumstances justify doing so;
  - (b) amend the strategy by extending its lifetime.
- (6) The Executive must—
  - (a) lay the strategy, and any revisions to it, before the Assembly, and
  - (b) publish it, and any revisions, in such other manner as the Executive thinks appropriate.
- (7) At the end of the lifetime of the strategy, the Executive must adopt a new one.
- (8) Subsections (2) to (7) apply to any new strategy.

### **Sharing of resources and pooling of funds**

- 4.—(1) This section applies to a children's authority for the purposes of exercising any functions in accordance with arrangements under section 2.
- (2) For those purposes, a children's authority may—
  - (a) provide staff, goods, services, accommodation or other resources to another children's authority;
  - (b) make contributions to a fund out of which relevant payments may be made.
- (3) A “relevant payment” is a payment in respect of expenditure incurred, by a children's authority contributing to the fund, in the exercise of its functions.

### **Report on the operation of this Act**

- 5.—(1) For each reporting period, the Executive must prepare a report on the operation of this Act.
- (2) The reporting period is—

- (a) for the first report prepared after the adoption of a strategy, the period since its adoption;
  - (b) in any other case, the period since the preparation of the preceding report under this section.
- (3) The report must include statements on the following matters, so far as relating to the reporting period—
  - (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 persons 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 exercised the powers conferred by section 4(2);
  - (e) how the well-being of children and young persons has improved.
- (4) The report must also identify—
  - (a) 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,
  - (b) any other ways in which the well-being of children and young persons could be improved, and
  - (c) any ways in which the children and young persons strategy might be revised in order to contribute to those improvements.
- (5) The Executive must prepare a report under this section—
  - (a) not more than 18 months after the date on which it adopted a children and young person's strategy,
  - (b) thereafter, during the lifetime of that strategy, at intervals of not more than 3 years, and
  - (c) at the end of the lifetime of a strategy.
- (6) But subsection (5)(c) does not apply if a report was prepared under this section less than 6 months before the end of the lifetime of the strategy.
- (7) Children's authorities must co-operate with the Executive in the preparation of a report under this section.
- (8) The Executive must—
  - (a) lay the report before the Assembly, and
  - (b) publish it in such other manner as the Executive thinks appropriate.