



**EXTENDING ENTITLEMENT:
support for 11 to 25
year olds in Wales**
Direction and Guidance
July 2002



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The aim of this document is to provide an underpinning structure within which the principles of 'Extending Entitlement: Supporting Young People in Wales' and the Green Paper 'Learning is for Everyone' can be put into practice at local level.

For further information or copies of this document contact:

Youth Policy Team (Department for Training and Education)
Welsh Assembly Government

Cathays Park
CARDIFF
CF10 3NQ

Telephone: Gareth Kedward on (029) 2080 1125
E-mail: gareth.kedward@Wales.gsi.gov.uk
Website: www.wales.gov.uk

Related documents:

Extending Entitlement: Supporting Young People in Wales

- Report by the Policy Unit, The National Assembly for Wales - September 2000
- Consultation on the Draft Direction and Guidance - November 2001

Learning Is For Everyone

Plan For Wales 2001

Children and Young People's Framework Planning Guidance

Early Entitlement: Supporting Children and Families in Wales

Cymorth: Children & Youth Support Fund Guidance

The Learning Country, A Paving Document for a Comprehensive Education and Lifelong Learning Programme to 2010 in Wales

The cover design is made up of 10 panels produced by young people for Canllaw Online. Each Panel depicts a subject area about which young people need information. The 10 areas are: Education; Employment and Training; Environment; World, Europe, UK & Wales; Family & Relationships; Health; Housing; Law & Rights; Money; Sport & Leisure.

SECTION 123 OF THE LEARNING AND SKILLS ACT 2000

GUIDANCE

**EXTENDING ENTITLEMENT :
SUPPORT FOR 11 TO 25 YEAR OLDS IN WALES**

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FOREWORD

In developing this Guidance, the National Assembly for Wales has drawn heavily on the many, detailed responses received to our consultation on the *"Extending Entitlement"* report, and on the comments made by the individuals, agencies and young people who attended our consultative events across Wales during the summer of 2001. We have also taken into account comments made in response to the formal consultation during November 2001 to January 2002.

Introduction

Under section 123 of the Learning and Skills Act 2000, the National Assembly may direct local authorities to provide, secure the provision of or participate in the provision of youth support services. "Youth support services" means "services which in the opinion of the Assembly will encourage, enable or assist young persons (directly or indirectly) –

- (a) to participate effectively in education and training,
- (b) to take advantage of opportunities for employment, or
- (c) to participate effectively and responsibly in the life of their communities"

Directions may require local authorities and others involved in the provision of youth support services to have regard to guidance issued by the National Assembly.

A Direction entitled the Youth Support Services Directions (Wales) 2002 has been given to all the local authorities in Wales. A copy is at Annex A.

This Guidance accompanies the Youth Support Services Directions (Wales) 2002 (the Directions). Under its terms, local authorities and others involved in the provision of youth support services provided in pursuance of the directions must have regard to this Guidance. This Guidance has been drawn up with a view to providing an underpinning structure within which the principles of the Assembly's report "Extending Entitlement: supporting young people in Wales" and the Green Paper "Learning Is For Everyone" can be put into practice at local level. It should be read in conjunction with both of these documents. The Directions and Guidance encompass the key elements of government policy in relation to young people: learning, inclusion, citizenship, and safety.

The Guidance has regard, as well, to the principles contained in a rich variety of broader sources, notably the National Assembly for Wales's Strategic Plan ("Betterwales.com"), and the Cabinet's statement of intent issued in October 2000 "Putting Wales First" which were incorporated in the revised "Plan for Wales" published in Autumn 2001; "Children and Young

People: a framework for partnership", Article 12 of the UN Convention on Rights of the Child, "The Learning Country, A Paving Document for a Comprehensive Education and Lifelong Learning Programme to 2010 in Wales", the National Basic Skills Strategy for Wales, "Better Health, Better Wales", "Promoting health and wellbeing: implementing the national health promotion strategy" and the Strategic Framework for promoting sexual health in Wales.

Key themes highlighted in "**A Plan for Wales 2001**" are :

- the development of a safer and more inclusive society where everyone has the chance to fulfil his or her potential;
- the promotion of a culture in which diversity is valued and equality of opportunity is a reality;
- a community-led approach to finding local solutions;
- an integrated approach that makes the link between health, employment, skills, communities and other policy areas;
- building equality of opportunity into everything we do;
- championing the rights of children and young people in ways that reflect the Assembly's responsibilities in full;
- promoting locally determined partnerships in every local authority area to ensure support for children and young people;
- encouraging constructive play, voluntary sector initiatives and out of school activities through the provision of grant support to local partnerships;
- creating comprehensive services for young people offering opportunities, advice and support to help them achieve their aims and aspirations.

"Children and Young People: a Framework for Partnership" sets out the National Assembly's vision for the future in the planning and delivery of all services for children and young people. It describes how those providing services can work together in partnership. It suggests new approaches to focusing and reducing the variety of funding streams that support local initiatives. It also describes an approach to ensuring the effective participation of children and young people at local level through which they can be involved in the planning and review of services, across local authorities, health groups and in schools.

"The Learning Country" consults on a number of key policy directions, and also on legislative proposals to give effect to them, in preparation for Welsh provision in the forthcoming Education Act. The underpinning principles are:

- **High standards and expectations** and progressively improving outcomes must feature for all learners whatever their situation, and in all sectors, to achieve world-beating excellence.
- **The interests of learners override all others.** Standards, results and outcomes matter more than inputs. All sectors and providers must plan to achieve stretching but realistic targets, sharing international best practice and setting new benchmarks for quality assessment.
- **Barriers to learning must be recognised and steadily overcome** to the benefit of learners' access and participation; support for diversity and communities; and wider opportunities and option choice.
- Every encouragement must be given to ensure that academic, technical and vocational learning pathways have **parity of esteem** to boost the options available to individuals and enhance people's capacity to become adaptable and employable in the face of national and international technological change.
- Schools should act as a **community resource**, integral to community capacity building.
- Inequalities in achievement between advantaged and disadvantaged areas, groups, and individuals must be narrowed in **the interests of all**. Children facing special disadvantage and poverty of opportunity must be better provided for.
- **Innovation must be supported** consistently to focus on the future needs of the economy; to enable providers to use ICT to transform teaching and learning and to customise and refine learning experiences tailored to the needs, aspirations and potential of individuals.
- The informed **professional judgement of teachers, lecturers and trainers** must be celebrated without prejudice to the disciplines of public accountability; and with proper regard to clearing the way to unleash the capacity and expertise of practitioners.
- Policy and programme development must be undertaken on the basis of **partnership** with all those who can contribute to success using effective consultation; the least possible bureaucracy; and encouraging genuine commitment to work across organisational boundaries with partners playing to one another's strengths. Partnerships will not prevent providers from doing what they do best; they will add value by ensuring a synergy and confidence that individual partners cannot accomplish on their own.

- Provision for education and lifelong learning must also reflect **wise use of money** and proposals tested at successive National Assembly for Wales Budget Planning Rounds against competing priorities.
- Policy for education and training must be **evidence based**, openly reported on and evaluated; provide firm foundations for knowledge exploitation and enterprise; and give clear demonstrations of the quantitative and qualitative return on National Assembly for Wales investment.
- The agenda for lifelong learning must be applied in ways that reflect the **distinctive needs and circumstances** of Wales taking full account of the functions and capacities of local government, the contributions of business, and the vital support of the voluntary sector.

“The National Basic Skills Strategy for Wales”

Although huge progress has been made in recent years, the National Assembly’s Basic Skills Strategy highlighted a continuing problem over basic skills in Wales. Around 780,000 children, young people and adults have literacy and numeracy problems which close doors to a full life and lead to social exclusion. The National Assembly for Wales will work with its partners to tackle this problem head on to reduce significantly the numbers of individuals in Wales who struggle with their reading, writing and figure work to help improve their skills, prospects and quality of life.

"Better Health Better Wales" highlights a number of specific concerns in relation to young people:

- young people in Wales have some of the worst health damaging behaviours in western Europe;
- recent surveys highlight the increasing prevalence amongst young people in Wales of smoking, drinking, the use of illegal substances, unintended pregnancy and poor sexual health;
- helping young people to fulfil their potential and maximise their earning power will help to reduce the economic and social inequalities associated with poor health;
- for many young people, support to overcome health and relationship problems is the first step to successful engagement or re-engagement with opportunities for education, training and work.

"Promoting health and wellbeing: implementing the national health promotion strategy" highlights the importance of:

- young people developing a healthy lifestyle for the future;
- working with schools through the Welsh Network of Healthy School Schemes to promote better health and tackle inequalities in health;
- enabling targeted messages to reach young people, including those for whom formal education is not a positive experience;
- supporting young people in making informed choices about their health.

Aims of the Underpinning Structure

The Underpinning Structure sets out the National Assembly for Wales's expectations as to the best way in which local authorities can ensure that they, working with their statutory, voluntary and independent sector partners:

- have in place arrangements for provision of a Youth Service; and
- create a Young People's Partnership to plan and ensure delivery of a coherent range of services for all young people in their area working in close co-operation with young people.

The intention is that the Young People's Partnership will constitute a key component of the Strategic Framework for Children and Young People on which separate planning guidance has been issued. The Strategic Framework will encompass all services for children and young people from birth onwards, and will include specialist services such as those to support children in need or with disabilities.

The Young People's Partnership should focus on the universal entitlement of all young people aged 11-25 as described in "Extending Entitlement". It should have clear links with other local strategies, in particular the overarching Community Strategies and Health and Wellbeing Strategies. The Young People's Strategy developed by the Partnership will inform and be informed by other local strategies such as those dealing with Crime & Disorder, substance misuse, Youth Offending and Communities First. A diagram illustrating the inter-relationships between the key partnerships and plans in this area of work is attached at Annex 1.

"Extending Entitlement" has been the subject of extensive consultation, and its proposals have been welcomed both by agencies in the statutory, voluntary and independent sectors, and by young people themselves.

The Underpinning Structure and the remainder of the Guidance aim to establish new arrangements to implement "Extending Entitlement" throughout Wales. This is only the beginning of a long journey; progress will depend on the commitment and enthusiasm which has been demonstrated across the board so far being translated into tangible and sustainable results at local level.

We accept that Partnership strategies may be incomplete at first, but expect them to show considerable improvement at each annual review. The measures we are putting in place are designed to ensure that all young people in Wales can readily access the range of services to which they are entitled, in the language of their choice, in order to promote their attainment and development as individuals. The basic entitlement is set out in the Underpinning Structure.

Putting these measures into practice at local level should be seen as complementary to the good work which is already being undertaken in many areas. Generally, however, more effective coordination locally is likely to be necessary to deliver this entitlement.

The role of the Assembly

We believe that the National Assembly for Wales can play a key role in supporting local Young People's Partnerships to deliver this universal entitlement. It is a role which will develop over time.

In collaboration with key strategic partners at national level, the National Assembly for Wales will take a leading role in:

- co-ordinating **policy** in relation to young people in Wales, including engaging effectively with young people and promoting their involvement in the design and delivery of services which affect them;
- promoting new ways of thinking about and working with young people which involve defining their needs and identifying ways of meeting them, to **deliver the universal entitlement** and thus develop their capacity to make the most of their own lives and contribute effectively to their communities;
- maximising opportunities for sharing and disseminating **good practice** across Wales and further afield;
- **monitoring progress** including commenting constructively on local Partnerships' 5-year rolling strategies, annual delivery plans and progress reports; establishing national priorities and performance indicators, and commissioning activity by Estyn together with other inspection agencies as appropriate;

- establishing a **multidisciplinary implementation monitoring group** to measure the impact of the policy across Wales;
- accessing a wide range of **information** on what is happening to the lives of young people in Wales; turning it into a coherent picture and making it widely available, and using it to inform the development of future national policy.

Through work with our partners and agents, we will also:

- take steps to identify ways in which the **quality** of management and delivery of work with, and for, young people across Wales can be improved;
- develop a **national training strategy** for Wales, in consultation with partners, with the aim of ensuring that the professional training for all those who work with young people is appropriate to equip them to meet the vision of "Extending Entitlement";
- explore the potential contribution of **further and higher education** institutions and other providers in the lifelong learning field over developing excellence in work with young people in research, training and other matters; we propose to take this forward in consultation with Young People's Partnerships and interested organisations working across Wales.

GUIDANCE

Preamble

Young people are affected by many different policies, programmes and initiatives. Some are targeted specifically at pupils in school, students in college or training, customers of Careers Wales, looked after children, or young people who are disaffected or at risk of becoming disaffected with school. Others relate to young parents, young victims or offenders in the criminal justice system, customers of the statutory, voluntary and independent youth services and so on.

Young people are also users or potential users of a broad range of general services which are designed for the population or community as a whole, such as the health service, Jobcentre Plus services, benefits, public transport, leisure and housing.

The National Assembly for Wales wishes to see a stronger focus on the needs and potential of young people as individuals in grounding the development of services for the future. This is because their ability to take advantage of the opportunities available to them depends critically on good health, self confidence, high expectations, the ambition to be independent and the life skills to make effective choices, together with the encouragement and support of family and community. Where these are lacking, the obstacles to success combine to create almost insuperable barriers with the young person caught in compounded problems which can give rise to difficulties throughout their adult lives.

We expect that all local authorities in Wales will work in partnership with other agencies to ensure the provision of a comprehensive network of services for young people within their area in order to encourage, enable and assist them, directly or indirectly, to:

- participate effectively in education or training
- take advantage of opportunities for employment
- participate effectively and responsibly in the life of their communities

so as to better equip young people to make an effective transition into independent adulthood, ensure they can access their full entitlement, contribute to the social and economic prosperity of Wales, and enhance its cultural life.

In order to achieve this, each local authority should establish a multi-agency Young People's Partnership for its area after consultation as laid down in S.125 of the Act.

Local authorities should do this by working co-operatively and collaboratively not only with those who are statutorily required to work in partnership with them but also with all those statutory and non-statutory organisations which have a role to play within the context of the overall Young People's Partnership. The local authority's responsibility will be to ensure that the work of those involved in the Partnership complements existing provision, avoids duplication, overcomes confusion and to focus efforts harmoniously to achieve effective common purpose.

Each local authority should, working with partners, develop and maintain a young-people-centred strategy which will ensure that the entitlement is delivered, that effectiveness of delivery is monitored, and that the views of young people are listened to.

Each local authority should ensure that appropriate mechanisms are in place to enable a broad range of young people to contribute to the design of the Partnership's strategy.

In addition, each local authority should ensure that, in partnership with the voluntary sector, the authority provides and/or secures a high-quality Youth Service, which adheres to the ethos and principles within the Youth Work Curriculum Statement for Wales, which:

- assists young people's personal and social development through informal learning and seeks to engage them in lifelong learning and in the life of their communities;
- engages directly with young people to offer a range of choices for them to access information, support and opportunity;
- works strategically with other agencies to contribute to the Assembly's broad health, learning and employment agenda in order to ensure that service delivery is relevant and responsive to the needs of young people;
- enables young people to have a voice and influence in the youth work services provided for them and supports young people in influencing wider policy developments that impact upon them;
- recruits, deploys, supports and manages appropriately trained or qualified people.

The ethos of the service should be young-person-centred and one of guiding and encouraging all young people to take up their entitlement.

Members of Young People's Partnerships need to appreciate that the arrangements they set up will in due course be subject to inspection under s 127 of the Act to assist in ensuring their effective operation.

This guidance supplements the Directions and includes examples of good practice.

THE UNDERPINNING STRUCTURE

i) The Underpinning Structure represents the Assembly's view, following extensive consultation, of the only effective way of delivering the universal entitlement for young people in Wales. Local authorities are urged in the strongest terms to adhere to the Structure.

The Universal Entitlement

ii) Every young person in Wales has a basic entitlement to:

education, training and work experience – tailored to their needs;

basic skills which open doors to a full life and promote social inclusion;

a wide and varied range of opportunities to participate in volunteering and active citizenship;

high quality, responsive, and accessible services and facilities;

independent, specialist careers advice and guidance and student support and counselling services;

personal support and advice – where and when needed and in appropriate formats – with clear ground rules on confidentiality;

advice on health, housing benefits and other issues provided in accessible and welcoming settings;

recreational and social opportunities in a safe and accessible environment;

sporting, artistic, musical and outdoor experiences to develop talents, broaden horizons and promote rounded perspectives including both national and international contexts;

the right to be consulted, to participate in decision-making, and to be heard, on all matters which concern them or have an impact on their lives.

in an environment where there is :

a positive focus on achievement overall and what young people have to contribute;

a focus on building young people's capacity to become independent, make choices, and participate in the democratic process; and

celebration of young people's successes.

Youth support services and Young People's Partnerships

- iii) We expect each local authority in Wales to:
- a) provide youth support services working with a Young People's Partnership (YPP)
 - b) establish a Young People's Partnership
 - c) ensure that as soon as reasonably practicable the Partnership adopts terms of reference to include the selection of a Chair, a mechanism for the resolution of conflict between partners and the regulation of information-sharing between partners.

Strategy

- iv) We expect each local authority, in conjunction with its partners, to:
- develop a strategy for meeting the universal entitlement and providing youth support services.
 - have arrangements in place to ensure that a broad range of young people participates in and contributes to the formulation of the partnership's strategy.
 - in developing the strategy, carry out audit of existing provision, need, resources and providers (including the voluntary and independent sector).

Strategic plan

- v) We expect each local authority, working with the Young People's Partnership, to prepare a strategic plan containing:
- the Partnership's strategy;
 - a statement of existing provision, need, resources and accessibility of mainstream services;
 - priorities for the provision of youth support services;
 - the Partnership's proposals for providing and developing youth support services;
 - the Partnership's proposals for monitoring progress made towards meeting local priorities and those set by the National Assembly.

Period of strategic plan and submission to the National Assembly

- vi) The local authority working with the Young People's Partnership should ensure that:
- the first strategic plan relates to the period of 1st September 2002 to 31st March 2008.
 - subsequent plans relate to successive five-year periods following the first plan.
 - it submits the first draft strategic plan to the National Assembly, for comment, on or before 31st July 2002 and subsequent plans by 31st October preceding the first day of the plan.
 - it publishes a full copy of the first plan by 31st October 2002 and subsequent final plans on or before the first day of plan.
 - it provides a copy of the plan to all partners, the Assembly and anyone who requests a copy in writing.
- vii) The Assembly expects that the depth and breadth of strategic plans will improve over time as Partnerships improve their understanding of the needs of young people in their area. Whilst a new strategic plan will be prepared every 5 years, the local authority, working with the Young People's Partnership, should ensure that the Partnership's rolling strategy is reviewed annually, and any significant developments arising from this review reported in the annual delivery plan.

Annual delivery plan

- viii) The local authority, working with the Young People's Partnership, should ensure that an annual delivery plan is prepared for the 12 month period starting each 1st April. The plan should be submitted to the Assembly by 31st October preceding the start of the plan. The first delivery plan, covering the 18-month period September 2002 to March 2004 should be submitted to the Assembly by the end of May 2002. The annual delivery plan should contain:
- the findings of the review of the Young People's Partnership's 5-year rolling strategy;
 - an updated statement of existing provision, need, resources and accessibility of mainstream services;
 - an updated list of priorities for provision of youth support services;
 - proposed activities for the period of the plan;
 - a list of the partners responsible for each activity;
 - a statement specifying how each activity relates and contributes to achieving the aims of the Partnership's strategy;

- a statement of progress made in meeting needs and addressing the priorities identified in the strategic plan;
- agreed targets for the coming year.

Monitoring

ix) The local authority working together with the Young People's Partnership should continuously monitor that services are being effectively provided.

THE DETAIL

Establishing a Young People's Partnership

1. Paragraph 2 of the Basic Framework refers to the setting up, by the local authority, of a local Young People's Partnership. It is for the local authority to consider, in consultation with those listed in S.125 of the Act, the best way of setting up the Partnership. The Young People's Partnership will be a sub-group of the Children and Young People's Framework Partnership. It is likely that there will be a certain amount of cross-membership. Details of the latter Partnership is set out in the Framework Planning Guidance issued by the National Assembly for Wales in June 2002.

Links with other local partnerships

2. The Young People's Partnership will need to have regard to how best its activities may inform and be informed by the Framework Partnership for 0 to 25-year-olds in the area. It will also need to develop effective mechanisms for linking with other local partnerships such as the Youth Offending Team, Crime Reduction Partnership, Local Health Alliance, Community Consortium for Education and Training etc. The way in which the Young People's Partnership fits with others that are relevant to its work is set out in the diagram at Annex 1. Measures will need to be put in place to ensure that the activities of the Young People's Partnership are informed by, and inform, the work undertaken by these other Partnerships. We expect that the Young People's Partnership will wish to establish protocols for the effective maintenance of these links.

3. In some areas, this may mean the amendment or realignment of some existing local partnerships; in others, the establishment of a new one. Some authorities may wish to work collaboratively to develop one partnership covering two or more local authority areas. In any event, what the National Assembly considers is essential is to ensure the existence of a Partnership focusing on universal entitlement which will secure provision for all young people aged between 11 and 25 in their local area.

Membership of the Young People's Partnership

4. Membership of the Partnership will need to be determined so as to ensure a balance between local authority, other statutory, and voluntary sector representatives, as well as providing the capacity for members to be kept abreast of developments in the other local partnerships mentioned in the previous paragraph. Membership of the Young People's Partnership is detailed in Annex 2. A broad range of organisations which do not sit on the main

Young People's Partnership will nevertheless have an important role to play as partners in the planning and delivery of services. The Young People's Partnership will wish to develop mechanisms to effectively harness their contribution.

Getting the Partnership started

5. It may be useful to organise a meeting or time-out event for the key players including prospective Partnership members, young people and those who work with them prior to setting up the Partnership in order to establish a shared understanding as to the broad aims and to begin to identify key objectives. From time to time the Partnership may also wish to consider whether any or all of its members need to develop their partnership working skills, and, if such a need is identified, how it can best be met.

6. In September 2001, the National Assembly for Wales issued Guidance on setting up "Communities First" Partnerships; some of the principles it contains may be of assistance in the context of Children and Young People's Partnerships. We are also commissioning research into effective partnership working which we expect to publish towards the end of 2002. Some early principles identified to inform the study are attached at Annex 15 to this guidance.

7. Local Young People's Partnerships must consider and agree at an early stage in their life how they will operate. This needs to include:

- developing terms of reference which make clear that the Partnership's fundamental purpose is to improve the provision of services for young people both in and of their area as outlined in "Extending Entitlement";
- arrangements for selection of the Chair (see paras 8 and 9 below);
- operating arrangements which will ensure equal status of all partners;
- the need for sub-groups or small task-and-finish groups focusing on specific issues which may include experts in particular fields who are not regular members of the partnership;
- the means by which agencies and organisations which are not directly involved as members of the Young People's Partnership might contribute actively to and be informed about its activities;
- timing of Partnership meetings (including those of the wider partnership) to facilitate the attendance of as many organisations as possible – possibly in the early evening or at lunchtime;
- means of resolving any conflicts which may occur between partners;

- specific ways in which the Partnership will engage with young people;
- explicit arrangements for the Partnership to communicate on a continuing two-way basis with those implementing the plans and the wider local audience, including other strategic partnerships;
- the arrangements to operate locally in relation to information-sharing and cross-referral of client data between agencies. The findings of a small task and finish group of practitioners established by the National Assembly for Wales in order to amplify this element of the guidance are included as Annex 11 to this guidance. Authorities are urged in the strongest terms to take into account the advice contained in Annex 11.

Selection of the Chair

8. Each Partnership will need to give careful consideration to the selection of a suitable Chair, having particular regard to what this will signal in terms of the importance the local authority and other partners give to the Partnership's responsibilities, focus and mode of operation, and also to the chairing arrangements for the Framework Partnership for 0- to 25-year olds. At the outset, Partnerships may consider it desirable for the local authority Chief Executive or Strategic Director with responsibility for Young People to take the Chair. An independent Chair of similar standing would be permissible.

9. The Chair must be skilled in leading effective multi-agency teamwork in the interest of delivering excellent outcomes, must be able to take full account of local needs and priorities and must also be someone who is experienced in the exercise of public accountability.

Partners' roles and responsibilities

10. Partnerships will need to have regard to the best way of ensuring that the contribution and expertise of each partner is utilised to the best effect to meet the needs of young people within their area. Whilst organisations and agencies involved in the partnership will, quite rightly, have their own agendas, effective partnerships will be those which work together to find ways of most productively channelling the enthusiasm, energy and resources which members bring towards the achievement of common aims and objectives. Statutory, voluntary and independent sector partners will need to recognise respect and draw on each other's expertise.

What a Young People's Partnership should do

11. The initial basic timetable for the Partnership is set out in the table in Annex 3.

Undertaking an audit of need, provision, and resources

12. Local Young People's Partnerships should take stock of (and keep under review) what is happening to the cohort of young people in their area, at both local authority and community level. This review will be informed by any audit work undertaken by the Children and Young People's Framework Partnership, Community Consortium for Education and Training (CCET), the Index of Poverty, and information already held by local authority education and social services departments and other partners. In turn it may itself inform other audits. The review will need to cover a wide range of evidence, including health, participation, achievement, basic skills and offending. It should assist in identifying who is being missed out – and why.

13. Local Partnerships should also undertake an audit of need, which will be informed both by the review described in para 12 above and by the views expressed by young people (see paras 20-24 below). This audit must also be kept up-to-date.

14. Local Young People's Partnerships should undertake a comprehensive audit of provision for young people within their area. The audit must include provision by the voluntary and independent sectors. A broad range of provision may be available to young people, ranging from one-to-one to universal services. Examples of the type of provision which may be included are given in Annex 4; the list is however far from exhaustive. Partnerships should catalogue the nature and location of all provision available to young people in their area against the basic entitlement as set out in paragraph ii) of the Underpinning Structure including a commentary on how accessible it is.

15. The audit should draw on any information which may already be available at local level via work done by Youth Offender Teams, Community Consortia for Education and Training (CCETs), European Social Fund lead bodies, Crime & Disorder Partnerships etc. It should be informed by the views of young people as regards adequacy, location and effectiveness of the provision. Non-service users as well as users should be consulted. Arrangements must be made to ensure it is kept up-to-date.

16. In undertaking the audit of provision, gaps, overlaps and duplications should be identified. The aim should be to establish what work needs to be done, if any, to put in place a local network of quality services guided by a clear vision of how young people's needs will be met locally, across all the relevant agencies. An example of good practice in undertaking an audit of provision is included at Annex 10 to this guidance.

17. Local Partnerships will also need to undertake a skills audit of those people in their area who work with young people both as specialists and generalists in the statutory, voluntary and independent sectors. This work should not duplicate, but complement and make use of any

recent audits which may have already been undertaken. Skills which are likely to be needed are not only those associated with good practice in working effectively with young people, but also those of communication, multi-agency team working, counselling etc. ELWa and local CCETs may be able to assist both in identifying needs and in developing appropriate provision to meet them. The Partnership's delivery plan (see paragraph 39 below) will need to include its proposals for tackling any skills deficits identified and for developing a cohort of staff with appropriate skills across all organisations and agencies.

18. A major issue for many organisations in the statutory and non-statutory sectors is the need for greater security of medium and long-term funding for key areas of work. This in turn has a knock-on effect on their ability to recruit, retain and develop the high calibre staff who are essential to ensure effective delivery of the relevant parts of the strategy. Partners who provide funding to these organisations will need to determine what improvements to existing arrangements need to be made.

19. Local Young People's Partnerships will have to identify the existing financial resources available to secure provision for support services for young people. They must also identify possible avenues for increasing these resources. The annual delivery plan will need to explain how partners will work together to realise the maximum benefit from all such opportunities in pursuit of the Partnership's agreed aims and objectives.

Consulting young people

20. This section of the guidance should be read in conjunction with the relevant sections of the Framework Planning Guidance set out at Annex 5.

21. Local Young People's Partnerships will need to consider carefully how best they can establish a variety of sustainable mechanisms to enable them to access as wide and diverse a range as possible of young people in the area and engage them effectively in developing appropriate provision. In doing this, they should have regard to, and where practicable, build upon, existing consultation and participation arrangements in partner organisations.

22. Some areas may have established Youth Forums. However, consideration will need to be given to other means of ensuring that views are obtained from a wide range of young people including those who are less articulate and confident. It will not be sufficient, either, to rely upon School Councils – although many of these provide a useful opportunity for pupils to put forward their concerns about a range of issues, they cannot be the sole appropriate vehicles for consulting about broader issues.

23. We will expect Partnerships to make arrangements to ensure that the widest possible range of young people are given opportunities to contribute, have their voices heard, and receive a report back. This will include ethnic minority young people, young people who are marginalised, disaffected, excluded from school or in hard-to-reach groups such as young care leavers, young people with special needs, young parents, young homeless people, young asylum seekers, young travellers, young carers, gay and lesbian young people and other similar groups. Young people who do not currently use the available services need to be given opportunities to give their views, as well as those who do. Innovative methods of consultation and participation need to be considered.

24. Where young people have not previously been encouraged to put forward their opinions on the provision that is made for them or available for their use, it is likely that some preparatory work will be necessary to develop their capacity to participate effectively. This will take time and will require skilled facilitation by suitably experienced staff.

Developing a strategy and strategic plan

25. Framework Partnerships are charged with developing a 5-year strategic vision for children and young people from birth up to the age of 25, derived from the relevant section of the local community plan, which describes the local authority's 10 or 15- year strategic intent. Within that vision, each Young People's Partnership for the 11-25 age range must at an early stage of its life agree a set of clear, shared strategic aims and objectives to guide its activities and develop a 5 year rolling strategy for achieving them. Our intention is that strategies will cover successive 5-year periods; the first one, however, will cover five and a half years from September 2002 to March 2008. The strategy will need to be rolled forward each year via a review process. The aim of the strategy should be both to improve the quality and extend the reach of services for young people. It should be set out in a Strategic Plan, written clearly in plain language and of manageable length (not more than 12 sides of A4 paper in 12-point type). Young People's Strategic Plans must clearly state the Partnership's intentions in a number of key areas. In particular, they should cover:

- existing provision and providers;
- proposed developments of services specifically and coherently targeted at young people;
- how mainstream (general) services will be developed to make them more accessible and responsive to young people.

26. They should also state specifically:

- how young people's views on their needs and existing and required provision will be taken into account and describe the processes which will be used;
- the mechanisms the Partnership will use in considering, and acting upon the views expressed by young people;
- how the Partnership proposes to give feedback to young people as to how the views they have put forward have led or will lead to changes in provision for them;
- ground rules the Partnership has developed covering how they will manage the expectations amongst young people which this process will raise, not all of which are likely to be met.

Some Partnerships may not be able to provide all the detailed information required in this paragraph and paragraph 25 above in the initial draft strategic plan. Where this is the case, we expect that they will work during the first months of their life towards providing a more comprehensive statement at the first annual review.

27. Whilst all partners within Local Young People's Partnerships will share responsibility for supporting young people and ensuring their needs are met, there also needs to be clarity about the specialist contribution of each agency to the strategic plan, and it is important that this contribution is reflected in the partner organisation's own business/strategic plan. Roles and responsibilities will need to be carefully and clearly defined in the strategic plan.

28. The strategy for each Young People's Partnership will need to mainstream equal opportunities considerations, particularly in relation to young people from ethnic minorities, with different religious and cultural backgrounds, with special needs, and gay and lesbian young people, young parents, young carers, young asylum seekers, young travellers, young homeless people and other similar groups. The strategic plan will need to explain what measures the Partners will take to identify young people vulnerable to or experiencing problems. It will need to be clear about where and how they can get help, and how information about such help can be made readily available to them.

29. The strategy will need to recognise the differing needs of young people: the circumstances of some may be such that they are likely to need support on a sustained basis, whereas others may only need it on one or two occasions over a number of years. The strategic plan needs to demonstrate how the Partnership proposes to provide differentiated types and levels of support in response to these different needs.

Prioritising

30. The National Assembly for Wales expects that in the case of many local Partnerships, the audit will identify a considerable amount of work which will be necessary to comply fully with the Directions and Guidance. We do not expect all areas identified as requiring development to be tackled immediately. We do, however, expect to see Partnerships set up and operating effectively. We will also need to be satisfied that Partnerships are using the evidence of audits to identify priorities and setting themselves timescales for moving work forward.

31. We will therefore ask each Partnership to identify in its strategic plan a small number of key areas of activity it has agreed to focus its activities on during the first year. We expect that these will be no more than six in number, including three key areas, described at paragraph 33 below which the National Assembly for Wales will monitor. At annual intervals thereafter the Partnership will be expected to review its priority areas for action. Some priorities may change following the annual review.

National priority areas

32. A significant amount of information, for example the achievements of care-leavers, the number of teenage pregnancies, and destination of young people at age 16, is already gathered at national level. The Partnership will be expected to have regard to this and similar information in undertaking its audit and agreeing its priority areas for action.

33. By March 2004, the National Assembly for Wales will wish to monitor each Partnership's achievements in the following areas:

- what steps the Partnership has taken to engage young people in decision-making (paragraphs 20–24 above refer)
- the extent and nature of joint training activities undertaken to meet needs specifically identified by the Partnership (paragraph 17 above refers)
- what steps the Partnership has taken to fill gaps in provision identified, including out-of-school activities in its area (paragraphs 14-16 above refer).

34. The National Assembly for Wales will keep under review the information we require from Partnerships. During 2002, we will work with Young People's Partnerships to collate baseline benchmark data describing the current situation across Wales in a number of areas such as those described at Annex 6. Some of this information will then be used to set a baseline against which future progress by each local Partnership can be measured.

35. A template is provided at Annex 7 showing the key areas which partnership strategic plans should cover.

36. All partners should formally confirm their agreement to the content of the strategic plan; if there are areas of minority dissent, these should be clearly recorded.

37. The draft strategic plan should be submitted to the National Assembly for Wales as it develops. Discussion with and feedback to the Partnership will be part of the development of the strategy over time. The first draft strategic plan covering the 5¹/₂-year period from September 2002 – March 2008 should be submitted by the end of July 2002. As preparation, the National Assembly for Wales will expect Young People's Partnerships to provide by the end of March 2002 a progress report covering developments at local level in the following areas:

- progress made in undertaking the first audit of provision, need and resources, and identification of the initial messages for the partnership;
- the initial values and vision of the partnership for ensuring that all young people in the area can access the universal entitlement by 2008;
- details of the partnership's longer-term / initial action plan to produce an outline draft of their first 5-year strategic plan including 3 key local priority areas for action;
- a description of the proposals developed by the Partnership for young people's participation in the above activities;
- steps taken or planned to prepare the initial delivery plan (target date end May 2002).

Subsequent strategic plans should be submitted to the National Assembly for comment no later than the end of October in the year preceding the April in which they come into effect.

38. Partnerships will be expected to consult widely on their draft strategies and take into account any views expressed. The organisations listed in section 125 of the Act, together with any other organisation deemed appropriate by any of the partners must be consulted on draft partnership strategic plans, and due regard given to any comments made. Appropriate organisations will also include the Children's Commissioner, any local groups representing people with disabilities and the Welsh Language Board. Partnerships will need to have regard to their obligations under the Race Relations (Amendment) Act 2000 to ensure that there is no differential impact in respect of their functions and to monitor and publish results that demonstrate they have met their obligations under the Act. This will require arrangements to be made for consultation as appropriate with, for example the local Race Equality Council and representatives of particular interests. Copies of finalised strategic plans, which take account of any comments made by consultees and the Assembly, must be published locally and provided to the National Assembly for Wales and the Lottery Funding organisations.

Publication of the first strategic plan (which may be in draft form) should take place by the end of October 2002. Partnerships will need to consider publication in a range of formats and media, including video, tape, large print, and a range of languages as appropriate for the needs of the local community.

Annual Delivery Plan

39. Local Young People's Partnerships should produce an annual partnership delivery plan setting out their proposed activities on an annual basis and allocating lead responsibilities. The plan may include reference to activities which are incorporated in other plans. Initially, the delivery plan will be submitted to the Assembly for comment. The first draft delivery plan, which will cover the 18-month period from September 2002 –March 2004 must be submitted by the end of May 2002. It is anticipated that, in due course, this requirement may be removed. In this event, local partnerships would still be required to maintain their plan, but the National Assembly for Wales would require access only as an exception. Instead, the National Assembly for Wales would wish to be informed of, and possibly comment on, annual targets and indicators set by each Young People's Partnership.

40. The delivery plan will need to include some "quick wins" from the young people's point of view – they are likely to become disenchanted with the participation process if they do not see tangible results in the short term. Positive outcomes could include suggestions of ways in which the partners could work with the young people to assist them in achieving their objectives within an agreed timescale, or going back to the young people with a detailed explanation as to why their aspirations could not be met at this time.

41. The Partnership delivery plan will state clearly how progress towards the Partnership's aims and objectives will be monitored and evaluated. It must include the Partnership's proposals for measuring progress towards the national priorities (see paragraph 33) as well as the local ones. It must include a balance between quantitative and qualitative performance indicators and must also include "SMART" targets (ie specific, measurable, achievable, realistic and timed). Some of these may coincide with the local authority's Best Value and/or Policy Agreement targets. Opportunities must be provided for a broad range of young people to be involved in monitoring the effectiveness of the delivery plan.

42. A template outlining the areas to be covered in the delivery plan is attached at Annex 7.

Resourcing the strategy and delivery plan

43. The Partnership will need to consider how it can maximise its potential to work co-operatively to access funding from a wide range of possible sources. For example, some of the statutory sector partners may have expertise in preparing bids, whereas voluntary sector partners may be able to lead on bids to funding sources not otherwise available to the statutory sector. We seek a practical and pragmatic accommodation in favour of achieving tangible results.

44. We expect that the agreed aims and objectives determined by a local Young People's Partnership as described in their strategy will be used as the basis for funding applications made by any of the partners, or any other organisations wishing to undertake work with young people in that area. We envisage that organisations which are responsible for allocating funding will take into account as a key criterion in considering funding applications the extent to which a proposal will contribute to the Young People's Partnership's strategic objectives for the area in which it is proposed.

45. On the basis of partners' expertise, and the defined roles and responsibilities of each, the Partnership will need to agree on which organisation (and possibly which staff within the organisation) is to take lead responsibility for delivering / ensuring delivery of individual aspects of the annual delivery plan. In some instances, this may need to be supported by Service Level Agreements. The Partnership will need to allocate outline costings to the various elements of the plan, and describe how, and from what source, these are to be met. Arrangements for regular monitoring of progress will also need to be agreed.

Measuring progress

46. In determining their performance indicators, Partnerships should not concentrate on only those numerical indicators which are easily measurable. Outcomes such as improved self-esteem, and a greater involvement of young people as active citizens, can be key indicators of success. Outcomes should be young-person focused. Careful consideration will need to be given, locally, to how this information might be collected, for example, focus groups, attitude surveys or interactive feedback events. The very process of engaging some young people can be regarded as significant progress. Descriptions of such developments should also be included as indicators, particularly if there is evidence of shifts in young people's attitudes as a result. The National Assembly for Wales will work with partnerships to produce further guidance in due course.

Annual progress reports

47. At the end of the first year (March 2004), and thereafter at annual intervals, a Partnership progress report (maximum 4 sides of A4, 12 point, format to be specified by the Assembly) must be prepared for all partners, including those of the broader local partnership and the Assembly. The annual report must state clearly what progress has been made in the local and national priority areas, together with reviewed priorities for the following year. It should also detail attempted solutions which have not been successful; the National Assembly for Wales wishes to encourage experimentation and will view unsuccessful initiatives as learning opportunities from which other partnerships may be able to draw lessons. The annual report must also state what steps the Partnership has taken in feeding back on its activities to young people.

Further guidance

48. The National Assembly for Wales will from time to time in collaboration with others develop and issue additional guidance on relevant topics, which local Young People's Partnerships will be expected to give regard to. Guidance on information sharing within Young People's Partnerships and keeping in touch with young people have recently been developed collaboratively and are attached for information at Annexes 11 and 12 of this Guidance respectively.

Youth Service and definitions

49. The Directions set out, for the first time, a statutory basis for the Youth Service in Wales. Relevant definitions, together with the Youth Work Curriculum Statement for Wales are attached at Annex 8.

Training Issues

50. Another issue for Partnerships to consider will be the availability of staff and volunteers with appropriate skills and experience across partner organisations to turn the delivery plan into reality, particularly those parts of it which involve working closely with young people. This may have implications for recruitment and staff development and may give rise to some demand for training provision which is currently unavailable at local or all-Wales level. The National Assembly for Wales will work with Partnerships to ensure that, if any such need is identified, appropriate provision will be made in consultation with the National Council - ELWa and local CCETs to meet it.

51. The need for a national training strategy for all those who work with young people has already been identified. Some of the issues for further consideration are discussed in Annex 9.

Sharing good practice

52. There are many pockets of good practice across Wales and the wider world in different aspects of work with young people. The National Assembly for Wales is keen to facilitate a positive approach to sharing good practice and disseminating it more widely. Some examples are provided at Annex 10 to this guidance. The National Assembly for Wales will make use of the internet, a Young People's Partnership Coordinators Network and regional forums to facilitate communication between the local Young People's Partnerships. Further details will follow in due course.

YOUTH SUPPORT SERVICES DIRECTIONS (WALES) 2002

Made 18th July 2002

Coming into force 1st September 2002

The National Assembly for Wales makes the following Directions in exercise of the powers conferred by section 123 of the Learning and Skills Act 2000(a):-

Name, commencement and application

1. (1) These Directions are called the Youth Support Services (Wales) Directions 2002 and shall come into force on 1st September 2002.
- (2) These Directions apply only in relation to local authorities in Wales.

Interpretation

2. (1) In these directions "*the National Assembly*" means the National Assembly for Wales.

Directions

3. (1) The National Assembly hereby directs each local authority in Wales, in respect of their area, to –
 - (a) provide youth support services,
 - (b) secure the provision of youth support services, or
 - (c) participate in the provision of youth support services, having regard to guidance issued by the National Assembly.
- (2) The National Assembly hereby directs each local authority in Wales, in respect of their area, to –(a) provide youth support services, (b) secure the provision of youth support services, or (c) participate in the provision of youth support services, having regard to guidance issued by the National Assembly.

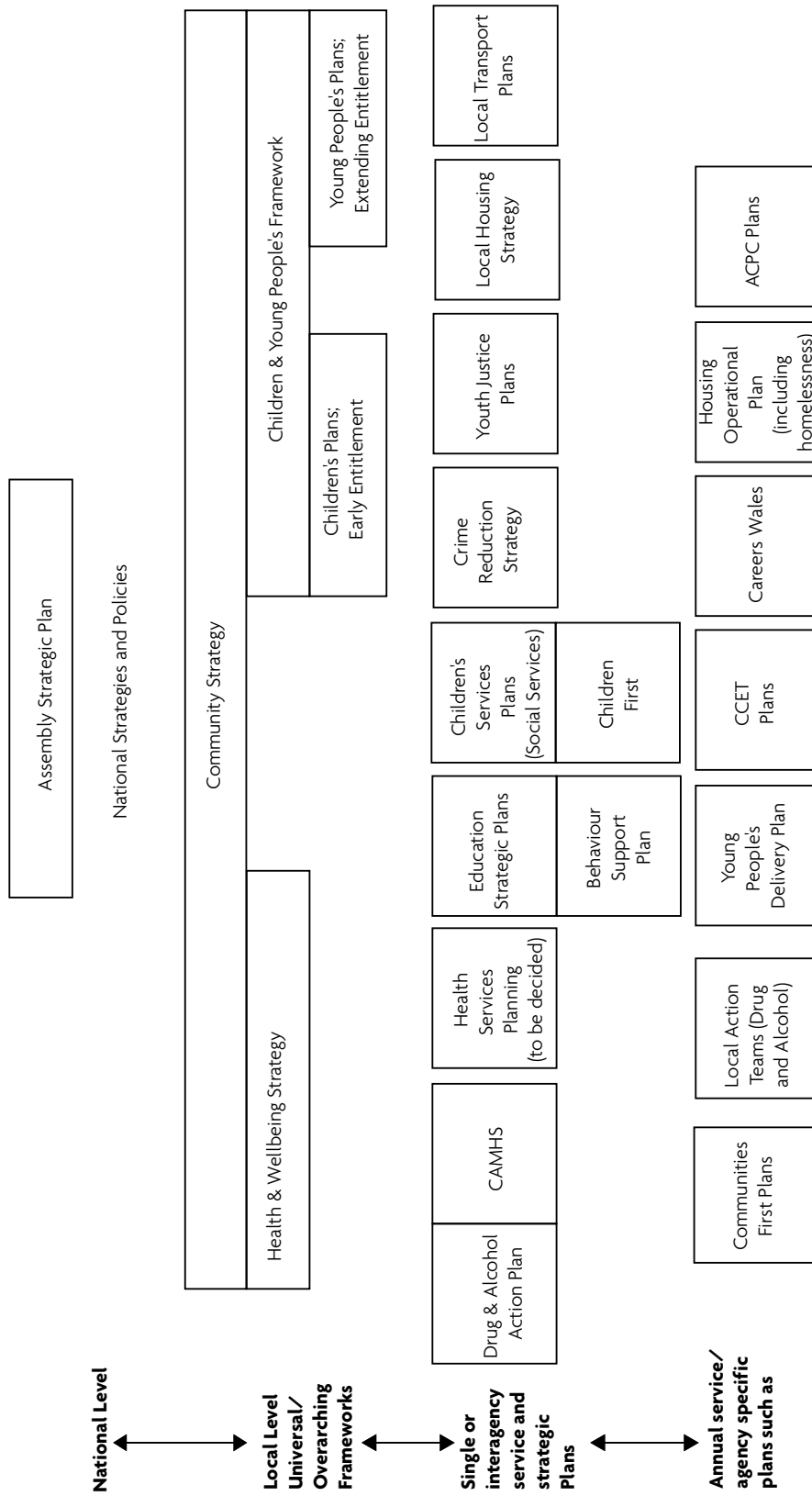
Signed on behalf of the National Assembly for Wales

Date 18th July 2002



Deputy Presiding Officer

(a) c21.



This table is intended to be an indicative illustration of the relationship between various planning requirements that fall within the scope of the framework and may be subject to change.

MEMBERSHIP OF THE YOUNG PEOPLE'S PARTNERSHIP

1. All organisations which have a role to play in the planning or delivery of services to young people in a local area will be partners. The main Young People's Partnership will need to consider how best it can inform and be informed by the activities of the wider local partnership.

2. In order to facilitate effective planning and strategic development, the main partnership will need to include the following (or a nominated senior representative who has the capacity to take a strategic view and full authority to take executive decisions on their behalf):

Local Authority

- The Chief Executive or Strategic Director with responsibility for Young People (this could be reviewed at the end of the first 12 months of operation)
- Three of the corporate managers responsible for the following functions: Youth Service, Education, Social Services, Housing (in some authorities, one officer's post may combine a number of these roles.)
- One Elected Member

Other statutory sector

- The Chief Executive/General Manager of the Local Health Group or Board
- The Divisional Commander of Police
- A senior representative of ELWa
- A senior representative of Careers Wales
- the local YOT Manager

Voluntary/ independent sector

- The Director of the Local Voluntary Council (LVC) or senior nominee
- A representative of the Council for Wales of Voluntary Youth Services (CWVYS)
- Three representatives of those voluntary community-based organisations which undertake significant work with young people across or within the local authority area

Others

One or more representative(s) of each of the following groups:

- local employers
- local secondary headteachers
- local further education and training providers

3. Providing a balance in numbers is maintained between local authority, other statutory sector and voluntary/independent sector representatives, the Partnership may also include the following or their nominated representatives:

- higher education providers
- the local authority corporate managers responsible for Community Education, Leisure Services, Community Safety, Economic Development, Community Development, Transport (in some authorities, one officer's post may combine a number of these roles or the responsibility may be incorporated in the roles of corporate managers already listed in para 2 above)
- a senior local health representative best able to represent the full range of health service issues for young people, and in particular sexual health, substance misuse, and emotional/mental health issues
- the head of the local Probation Service
- a senior manager of Job Centre Plus
- the local Federation of Housing Associations
- other organisations whose membership is deemed appropriate by the Local Authority Chief Executive after consultation as required under s 125 of the Act.

4. The Partnership needs to be of a manageable size whilst at the same time including a broad range of organisations and maintaining a balance of numbers between the sectors. Local circumstances will dictate which of the organisations listed in paragraph 3 above are invited to join the representatives listed in paragraph 2.

5. Paragraph 2 above refers to voluntary sector representation on the Partnership. The voluntary sector should be responsible for deciding who represents them. It will be necessary for the voluntary organisations which are active in providing services and support for young people in each local authority area to organise themselves to provide appropriate representation on the Young People's Partnership, and to develop effective two-way communications systems with their representatives. This could be facilitated by the Local

Voluntary Council who would ensure that all voluntary sector youth organisations, including uniformed, specialist, independent, and sporting organisations are as far as possible involved in the process.

6. Paragraph 2 above refers to local employer representation on the Partnership. The employers' representative should be responsible for commenting on skill requirements (both generic transferable skills and job-specific skills) as well as on the provision of work-based education and training.

7. Paragraph 2 above does not specify that it is essential for one or more young people to be members of the Young People's Partnership. It will be for each Young People's Partnership to decide, dependent on local circumstances, whether or not to involve young people directly in the Partnership or to encourage their participation in other ways. Whichever route is chosen, it is important to avoid "tokenism" and to ensure that the principles set out in paragraphs 20 to 24 of this guidance are followed.

ANNEX 3

TIMETABLE

<i>Activity</i>	<i>Guidance Reference</i>	<i>Timescale</i>
appointment of Young People's Partnership coordinator or allocation of responsibility		by end February 02
audit existing provision, need and resources	paragraphs 12-19 (letter from National Assembly for Wales to Chief Executives dated 14.8.01 refers)	initial findings by January-February 02; process will continue
develop first aspects of draft 5-year rolling strategy effective from September 2002 - March 08, including analysis of audit, values and vision, broad local aims, key local priorities and outline timescales, submit to Assembly	paragraphs 5, 25-37	by end March 02
consult on and develop draft	paragraph 37	March-July 02
develop first delivery plan (covering September 02-March 04) & submit to Assembly	paragraphs 39-42	by end May 02
initial strategy published, and comes into effect; further development and dissemination of action plan	paragraph 38	by end October 02
monitor progress against the strategy and delivery plan	paragraphs 41, 46	continuing
have regard to the views of young people in all of their activities	paragraphs 20-24	continuing

EXAMPLES OF THE TYPE OF PROVISION WHICH MIGHT BE INCLUDED IN THE AUDIT

N.B. This list is far from exhaustive.

<p>outreach</p> <p>drug/alcohol counselling</p> <p>drug/alcohol advice & support centres</p> <p>mental health support provision</p> <p>young people's clinics</p> <p>drop-in centres</p> <p>sexual health advice centres</p> <p>careers information, assessment and advice</p> <p>youth club</p> <p>outdoor experiences</p> <p>school-based counselling</p> <p>cyber café</p> <p>sports teams</p> <p>arts/musical activities</p> <p>night shelters, hostels, and other emergency accommodation appropriate for young people</p> <p>supported housing designed for young people</p> <p>social housing available to young people</p> <p>bond/deposit schemes (for private rented housing)</p>	<p>local sports, leisure, arts and musical provision</p> <p>detached youth work</p> <p>residential opportunities</p> <p>international opportunities</p> <p>mentoring schemes</p> <p>education</p> <p>training eg. modern apprenticeships, national traineeships</p> <p>post-16 provision</p> <p>young people's information services</p> <p>Education Business links activities</p> <p>Youth Gateway</p> <p>heritage and cultural organisations</p> <p>partnership activities set up by Police eg Crime of your Life, "SPLASH", Blue Light Discos</p> <p>youth forum</p> <p>schools councils</p> <p>out-of-school activities</p> <p>Duke of Edinburgh Awards and other accreditation programmes</p>
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<p>job centre plus/employment service</p> <p>Scouts/Guides, Yr Urdd, Young Farmers' Clubs and other organisations working with young people</p> <p>young parent support schemes</p> <p>The Gap*</p> <p>The Big Act*</p>	<p>alternative curriculum provision</p> <p>provision to support young entrepreneurs</p> <p>extra-curricular activities</p> <p>Youth Access Initiative</p> <p>programmes provided via Prince's Trust, Weston Spirit, INCLUDE etc</p> <p>national and local wildlife, environmental, and conservation groups</p>
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* for details see good practice examples at Annex 10

**EXTRACT FROM CHILDREN AND YOUNG PEOPLE'S FRAMEWORK
PLANNING GUIDANCE****Involving Children and Young People**

3.11 Involving users of services in the planning and review of service provision, in this case children and young people, their families and carers, is a well-established practice intended to ensure effective delivery. The central focus of the Framework must be the needs of children and young people and their families, rather than the requirements of existing patterns of service provision. Therefore, it is crucial to ensure that service users are able to voice their opinion and influence the production and review of the Framework. The local forum representing children and young people will have a central part to play in this process. School councils, the subject of separate consultation and development under proposals contained in "The Learning Country," will also have a part to play as they become more widely established .

3.12 A broad range of representatives of the interests of children and young people should have the opportunity to contribute. This will include those who are from black and minority ethnic communities, travellers, gay and lesbian, homeless, looked after, offenders, carers, excluded from school and those with disabilities.

3.13 A variety of creative approaches using a range of methods and processes will be needed and particular efforts made to capture the views of excluded children and those who might otherwise be unheard. The experience of relevant voluntary sector organisations will be valuable in ensuring the involvement of those with special needs, including, for example those with sensory impairment and other communication difficulties and children looked after.

3.14 Working with Llais Ifanc/Young Voice, the Assembly will be sending out information on the principles and practice of participation, including references to information and sources of good practice. Discussion is under way with relevant organisations to establish a Development Unit that will be able to provide advice and information, including on the provision of relevant training for all involved, organisational representatives, members of the authority and for children and young people. Participation should be meaningful and take place from the very beginning of the planning process rather than simply asking service users to comment on proposals that have already been drawn up.

3.15 *Extending Entitlement* refers to this issue, noting the need for partnerships to "develop expertise in engaging with young people effectively." Where young people have not previously been encouraged to put forward their opinions on the provision that is made for them, it is likely that preparatory work will be necessary to develop their capacity to participate effectively. This will take time and will require skilled facilitation by suitably experienced staff.

3.16 Children, young people and their families who have participated in the local Framework planning process should receive hard evidence that their views are being listened to and that their opinions are having a real effect on service development. For this reason, each Framework annual report must list in an appendix the responses made to issues raised by children, young people and families and/or reasons for inability to respond.

POSSIBLE BASELINE INFORMATION FOR DEVELOPMENT OF FUTURE NATIONAL PRIORITIES

N.B. This is an initial draft, further work will be undertaken by the National Assembly for Wales together with representatives from Young People's Partnerships during the course of 2002.

<i>Area</i>	<i>Collection method</i>	<i>Agency</i>
1. How easy is it for YPs in the Partnership area to get the information they need, when they need it, in a form which they can easily understand, and from a source they are comfortable with?	Ask YPs via attitude survey or focus group; baseline first then year on year.	Partnerships using a template National Assembly for Wales to be developed in partnership
2. What barriers exist to the uptake by young people of their universal entitlement?	As above	As above
3. What routes do YPs have in the Partnership area to be consulted, to be involved, to have their views taken on board and to get feedback?	As above	As above
4. How responsive are mainstream services to the views of YPs?	As above; also ask service providers, investigate any divergence in views expressed	As above
5. How effectively does the Partnership engage with a broad cross-section of YPs?	As 4 above	As above

<i>Area</i>	<i>Collection method</i>	<i>Agency</i>
6. What % of YPs in the Partnership area aged 11-25 (looked at on a year by year basis) are participating in education, training or employment?	Partners	As above
7. How many opportunities* are there within the Partnership area for young people to participate within the life of their community and/or engage in active citizenship? What is their variety, how accessible and how well-publicised are they?	Partnership	As above

* opportunities in this context could include peer-led projects, volunteering, membership of a youth organisation or a sporting club or team.

TEMPLATES**TEMPLATE 1****Young People's Partnership: Strategic Plan****Contents**

(to be developed with reference to paragraphs 25-38 of the Guidance)

1. Partnership members (names & organisations).
2. A brief description of how the Partnership will operate including the roles and responsibilities of each of the partners and the specialist contribution which each agency will make to the development and implementation of the strategy.
3. Description of the Partnership's links & system for 2-way communications with all relevant local partnerships and with the wider local partnership of organisations involved in planning and delivering services for, or used by, young people.
4. The local interpretation of the vision relating to support for young people aged 11-25, based on the universal entitlement, set in the context of the Children and Young People's Framework. The first one should set out what the Young People's Partnership seeks to achieve for the 5-year period from September 2002 and explain the Partnership's proposals both to improve the quality and extend the reach of services for young people.
5. The key issues which have emerged from the local audit of existing provision, need and resources, and an analysis of the range of provision required to secure a comprehensive and effective continuum of service for young people.
6. A manageable number of key priorities on which the Partnership proposes to take action over the 5-year period, including proposals to address the key national priorities for the delivery plan set down by the National Assembly for Wales (see paragraph 33) together with a manageable number of local priorities.

7. A statement of the Partnership's intentions in relation to developing services specifically targeted at young people.
8. A statement of the Partnership's intentions in relation to developing mainstream (general) services to make them more accessible and responsive to all young people.
9. A statement of the Partnership's intentions in relation to the measures the Partners will take to identify young people vulnerable to or experiencing problems. It will need to be clear about where and how young people can get help, and how information about such help can be made readily available to them.
10. A statement as to how the Partnership will mainstream equal opportunities considerations, particularly in relation to young people from hard-to-reach groups such as those identified in paragraphs 23 and 28 of the Guidance.
11. A description of the processes the Partnership proposes to use to obtain young people's views including those of vulnerable and disaffected young people and those experiencing problems, on their needs and existing and required provision.
12. The mechanisms the Partnership will use in considering, and acting upon the views expressed by young people.
13. The processes the Partnership proposes to use in order to give feedback to young people as to how the views they have put forward have led or will lead to changes in provision for them.
14. The ground rules the Partnership has developed covering how they will manage the expectations amongst young people which this process will raise, not all of which are likely to be met.
15. An explanation of how the Partnership proposes to provide differentiated types and levels of support in response to different needs, in recognition of the fact that some young people are likely to need support on a sustained basis, whereas others may only need it on one or two occasions over a number of years.
16. In due course, the strategic plan will need to include a statement about the protocols the Partnership has agreed for information-sharing between agencies and for referrals. Guidance for local partnerships from a National Assembly for Wales Task & Finish Group is included at Annex 11 to this guidance.

17. In due course, the strategic plan will also need to include a statement about the Partnership's proposals for keeping in touch with young people. National Assembly for Wales Guidance for local partnerships from a Task & Finish Group is included at Annex 12 to this guidance.

18. In due course, the strategic plan will need to include a statement about the criteria the Partnership will use to assess provision by small voluntary organisations. The Assembly is working with a Task and Finish Group to produce Guidance as to how this might best be undertaken.

19. What measures the Partnership proposes should be used, both internally and externally to evaluate its progress towards delivering its priorities.

20. A statement of the steps the Partnership will take to keep its strategy and strategic plan up-to-date in the light of changing circumstances.

TEMPLATE 2

Young People's Partnership: Annual Delivery Plan

1. This plan should set out what each of the partners, including those in the wider local partnership, will do in the 12-month period to deliver services to young people in furtherance of the Young People's Partnership's vision, aims, and objectives. In the first instance, it is anticipated that this information will be extracted from more detailed operational/action plans of individual partner organisations and other local partnerships.

Contents

(to be developed with reference to paragraphs 39-42 of the Guidance)

2. Contextual information in relation to the cohort of young people aged 11-25 in the area, along the lines of that described in Annex A of the Guidance on Children and Young People's Frameworks.

3. Proposed activities for the forthcoming 12 month period (however N.B. first delivery plan spans 18 months from September 2002) including at least the following information:

- actions to be taken by partner organisations both individually and collaboratively together with indicative timeframes and allocated lead responsibility;
- the link between these activities and the Partnership's 5-year rolling strategy objectives including the 3 specific priority areas identified by the National Assembly for Wales for the first year (paragraphs 32 and 33 of the Guidance refer);
- frequency and management of partnership meetings.
- resources to be allocated against the activities in terms of people, finance etc (including details of bids to external funding sources).

4. Arrangements for monitoring progress, including a balance between qualitative and quantitative measures, and targets which are specific measurable achievable, realistic and timed.

5. An explanation of how the Partnership proposes to conduct the annual review of its 5-year rolling strategy.

- NB The information may be set out in tabular form if the Partnership prefers.

YOUTH WORK

Definitions

1. The first part of this annex amplifies or clarifies Section 7 of the Requirements.
2. The National Assembly for Wales believes that the Statement accurately reflects the ethos and role of youth work and describes appropriate delivery mechanisms for the consistent delivery of youth work throughout Wales.
3. The term '*voluntary sector*' is used to define a wide range of youth work providers. These providers may draw funding from a range of sources and may have a particular focus to their work with young people that may be delivered by voluntary or paid workers. They will, however, have a commonality in that they will work with young people whose age ranges from 11-25 in a manner that reflects the principles and ethos of the '*Youth Work Curriculum Statement for Wales*'.
4. In the context of youth work provision, '*informal education*' refers to a process of learning which involves the voluntary engagement of young people with services that enable them to participate in a wide range of experiences and activities that promote their personal and social development. The learning may be accredited or non-accredited.
5. '*Extending Entitlement*' advocates the promotion of equal opportunities in order to ensure that all young people are able to take advantage of all that is on offer. This includes language of choice, where practicable, and based on local need. Youth Services should therefore consider the needs of all young people.

Information services for young people

6. In order to make a successful transition to adult life, young people require quality information at the right time. Young people are always making choices - as customers for a service or as members of society. These choices are based upon their interpretation of the information made available to them. If little information is made available to them the choice becomes limited and autonomous. Where quality information and support in their decision making is available then these choices become informed steps towards maturation and to becoming active citizens within their communities.

7. Information services can be provided to young people in a range of ways from physical and virtual resources (such as leaflets or websites) through to places where young people can access information, advice and counselling services offered through quality assured information outlets.

8. The current national policy agendas for learning, health and employment are set out in 'Betterwales.com'.

9. The term '*empowers*' describes an interactive process involving young people and the Youth Service (as defined above) that helps to prepare young people to become effective contributors and partners in decision-making. Being 'empowered' in this sense implies that young people have acquired complementary skills and confidence to make influential contribution to the youth work agenda and wider debate. It equally implies that structures and systems are developed, deployed and supported by partnerships to facilitate consultation and take account of young people's views.

The Youth Work Curriculum Statement for Wales

10. The Youth Work Curriculum Statement for Wales was initially written and approved in 1992. The following statement was reviewed and rewritten in 2001. In future it will be reviewed every three years.

11. The review working group consisted of the following members:

- The Council for Wales of Voluntary Youth Services (CWVYS)
- Representatives of the Principal Officers Group
- Advisory Council - Wales Youth Agency
- Education and Training Standards Group (ETS)
- The Youth and Community Work Training Agencies
- Young Voice/Llais Ifanc
- Curriculum Policy Manager – Wales Youth Agency (acted as the secretariat to the review process).

12. The Wales Youth Agency, The Principal Officers Group and CWVYS as the main groups responsible for the delivery of the Youth Work in Wales have endorsed the Youth Work Curriculum Statement for Wales (YWCSW).

13. Other groups were invited to endorse the statement and a record of their commitment and intent is kept at the Wales Youth Agency.

14. Consultations were widely sought, and comments from individuals, groups and organisations were submitted to the review working group for consideration. This was done not only to those bodies listed above but also through Pigion (Youth Information literature sent out to 1300 youth workers across Wales).

15. The Wales Youth Agency's Web page also invited comment from those not contacted by direct mailings or local consultations.

16. Estyn and the National Assembly for Wales Government Youth Policy Team were also asked for comment.

THE YOUTH WORK CURRICULUM STATEMENT FOR WALES FEBRUARY 2002

This Statement IS intended to:

- establish the main purposes of youth work in Wales
- inform those outside the service of these purposes
- provide common understanding of these purposes
- provide a framework for the development of practice and determining of priorities
- create a means by which progress towards the achievement of these purposes is measured

The Statement IS NOT intended to:

- lead to a single, prescriptive and inflexible curriculum which would restrain diversity or restrict initiative.

THE PURPOSES OF YOUTH WORK IN WALES

The purposes of youth work in Wales are:

- to promote and actively encourage equality of opportunity for all young people in order that they may fulfil their potential as empowered individuals and as members of groups and communities.

- to actively support young people through significant changes in their lives and assist them to understand their rights and responsibilities during their transition to adulthood.
- to encourage young people to develop knowledge, understanding, attitudes and values which enable them to make purposeful use of their skills, resources and time.

Youth work, through its voluntary relationships with young people offers inclusive opportunities to learning that are:

- EDUCATIVE - enabling young people to gain skills, knowledge, understanding, attitudes and values needed to identify, advocate and pursue their rights and responsibilities as individuals and as members of groups and communities, locally, nationally, and internationally.
- PARTICIPATIVE - where young people are encouraged to share responsibility and to become equal partners, fundamental to the learning processes and decision making structures which affect their own and other people's lives and environments.
- EMPOWERING – encouraging and enabling young people to understand their rights and responsibilities so that they are able to act on the personal, social and political issues which affect their lives and the lives of others; as responsible citizens of the communities of which they are a part.
- EXPRESSIVE – encouraging and enabling young people to express their emotions and aspirations, through creative, sporting and challenging opportunities which raises an awareness of:
 - Cultural identity
 - Bilingualism and the value of ones own language
 - Heritage
 - Respect for diversity
 - Citizenship and respect for others

These opportunities should be designed to promote equality for all.

They should:

- challenge oppression and inequality
- promote acceptance of the differences that spring from race, sexual identity, gender, disability, age, religion and class

- recognise the importance of the Welsh language and its heritage, other languages, and the diversity of cultures in Wales.

THE DELIVERY OF YOUTH WORK IN WALES

Youth work in Wales is delivered through a voluntary relationship between young people and youth workers working within their own organisation and in partnership with others to provide and/or facilitate:

- non-formal, informal and structured educational programmes which challenge both the institutions and young people themselves to enhance their personal, social and political development.
- places and relationships within which young people can enjoy themselves, feel secure, supported and valued, learn to take greater control of their lives, and to recognise and resist the damaging influences which may affect them.
- access to relevant information, advice, guidance and counselling which includes the understanding of their rights and responsibilities.

The delivery of youth work in Wales will be assisted by appropriate research into issues and trends, which particularly affect young people's lives. Collaboration with appropriate agencies and services is important so that their expertise can be used to advance the identification of needs, interests, rights and responsibilities of young people.

PRIORITIES

- the youth service is open to all young people within the specified age range 11-25, but gives priority to transition to adulthood in the 13-19 age group.
- priority groups and issues may be determined on a national, local or organisation basis and should be founded on the principles of ensuring equality of access and opportunity.

PROVISION

- the type, method and mix of youth work provision is determined on a unit, local, national, and organisational level.
- the establishment of appropriate provision should be considered on the basis of need.

The needs of individuals are vital in this process not only to achieve social policy outcomes but also to target their own aspirations and desires.

The delivery methods used might include:

- centre-based work
- centres for curriculum specialities
- detached work
- information, advice, guidance and counselling services
- mobile provision
- outreach work
- project work
- residential work
- targeted provision for specific groups
- one to one work
- partnership working
- mechanisms for consulting with young people
- providing opportunities for volunteering

MEASURING PROGRESS AND ASSESSING OUTCOMES

- the Youth Work Curriculum Statement for Wales should provide the basis for establishing agreed criteria by which the Youth Service can be scrutinised, internally and/or externally, in order to identify the specific outcomes of Youth Work delivery.
- such criteria should be determined at every level within the context of the provision.
- it is incumbent upon each youth work provider to establish methods of monitoring and evaluating progression. Youth Service Providers/Organisations should identify and share good practice, whilst at the same time challenging areas of concern and offering appropriate support and training where needed.
- in assessing outcomes providers should have established systems for the planning, evaluation and monitoring of each piece of youth work delivered and that the positive benefits for young people are clearly identified.
- Providers should (also) take account of Welsh National Assembly for Wales Government guidelines and the Estyn framework for the inspection of services for young people.
- The ongoing process of evaluation and action planning will promote improvements, enable good youth work practice to be identified, and will contribute to the development of future youth work strategies.

TRAINING ISSUES FOR ALL THOSE WHO WORK WITH YOUNG PEOPLE

1. Everyone working with young people as individuals and groups should possess the right attitude, knowledge, understanding and skills. Local partnerships must ensure that their staff and volunteers operate within systems that promote this and protect young people.
2. It is essential that, at the very least, all those who work with young people, including local "one person bands" and older young people undertake training in child protection and health and safety issues. Criteria for assessment for voluntary sector organisations developed by a task and finish group are included at Annex 13 to this guidance.
3. Local Young People's Partnerships will be responsible for defining 'appropriate training and qualifications' for all those who work with young people whether part-time or full-time, paid or unpaid. The National Assembly for Wales expects that agencies and organisations which employ full time or part time staff, will require them to undergo an appropriate level of training to comply with local service needs and to acquire a base level of skills and qualifications. Where appropriate, all staff should be encouraged to progress to higher levels of training and qualifications and to actively subscribe to on-going professional development.
4. Agencies and organisations deploying volunteers will need to set appropriate benchmarks for the training and support of their volunteers, so that the quality of input into young people's lives can be safeguarded.
5. There needs to be an enhancement of the skills which produce effective intervention with young people and a recognition of the challenges demands and risks involved in working with some groups of young people - this calls for professionally trained and supported staff complemented by trained and supported volunteers.
6. Capacity building responsibility is central to the remit of many agencies and there is potential for this to create problems of territoriality, duplication and uncertainty about role boundaries. This is an important issue which can only be resolved by a joined up local process that begins with the young person. It matters less who delivers than that someone responds effectively to the young person at the right time. The important points are:

- not to overload young people (several mentors chasing the same person);
- not to duplicate their experiences (playing the same trust games a dozen times);
- not to project apparently conflicting messages.

7. These differences of approach can be overcome partly through clarity of roles and responsibilities within the Partnership's strategy. However, there also needs to be stronger emphasis in the professional training of all those working with young people on helping the young person to respond and communicate effectively in different settings.

8. Many professionals working with young people receive no specific training for working in partnership with other agencies to meet individual needs or for working with groups of young people. There should be a shared professional duty to explain to young people the choices facing them and the consequences of the different choices in the context of helping them to identify what is in their long-term interest. A key consideration for staff from partner agencies and schools is how to learn and develop the appropriate skills for working effectively with young people. This is part of a much wider UK professional training agenda (raised in the Government Social Exclusion Unit's "Bridging the Gap" report and the Connexions strategy document). However, there is scope to influence at the Welsh level through the in-service training of teachers, social workers, careers advisers, youth workers and others; the National Assembly for Wales will initiate appropriate action.

Youth Workers

9. There are some significant positive developments unique to Wales in relation to the training of youth workers, including recent work led by the Wales Youth Agency to create coherent routes to qualified status from volunteering or part-time work (which for many young people develops from deriving enjoyment and benefit from youth provision, in turn leading to training and a career) and the creation of a Staff College. Key questions for further consideration are:

- the adequacy of professional youth work training as it currently stands to equip workers for meeting the vision of "Extending Entitlement" in the 21st century
- how to resource and produce a cohort of skilled and experienced youth workers with an adequate grounding in skills such as group work and counselling who can pursue a career and continue to develop over the years as professional practitioners
- for practitioners who wish to move into management, how to access additional specialised training such as management of staff, volunteers and facilities.

GOOD PRACTICE EXAMPLES

The National Assembly for Wales is keen to promote an environment where all agencies in Wales which work with young people are encouraged to share good practice, and to benefit from others' experience. Given below are a few examples we are aware of. Undoubtedly, there are many more we could include. Please send us examples of good practice which we may be able to publish via the internet. They should be short (max 2 sides of A4), written in plain English or Welsh, and include supporting evidence of their effectiveness from young people.

1. AUDITING PROVISION & NEED

i) CARMARTHENSHIRE AUDIT

To prepare for the initial survey, the county was divided into manageable areas. These were based on the previous District Borough Council areas and a dedicated co-ordinator was appointed for each area, with a brief to conduct an audit, and to facilitate a local strategy group to develop local services and strategies, post audit. In deciding on the way forward, and the methodology of the audit, some difficult issues were identified early on. Among these, was the question of what constituted "services to young people" - e.g. was the definition to include sports clubs for instance. This would mean contacting every sports club in the county and getting information regarding all the youth sides they fielded (local knowledge indicated that some clubs fielded as many as 11 junior sides). Similarly, were martial arts groups etc. to be included, were schools to count as provision for young people, particularly, perhaps, their out of school clubs and activities? (In the event, as far as the sports clubs question is concerned we were able to work with the sports development officers employed by the local authority to assist with this).

Careful consideration also had to be given to the question of how to access a cross section of young people, including those not linked to any provision and those with special needs. To achieve this aim, special projects were harnessed, including outreach and detached workers, to bring young people to strategically convened focus groups. (Where people do this, it is very useful to have the same facilitators involved to ensure consistency of approach).

To place the actual audit in context, it was decided to research and gather information on demographic and social conditions in the areas at the same time. This helped to place the final mapping result into a coherent frame and gave it an additional sense of purpose.

Developing the actual questionnaire was also a crucial process, it was important to make sure that the questions weren't leading and were user friendly, that they covered the information needed, but weren't 'off-puttingly' lengthy. It was also very important to take account of 'proper' research methods in order to get a statistically viable response. With the benefit of experience, it is evident that the development should have been linked to a system of electronic analysis, because the returns had to be classified and analysed by hand - a time consuming business. It would have been beneficial to draw the ICT department or similar body into the early design stages.

After completing the process, some unexpected difficulty was experienced with the completed draft reports in terms of ownership and circulation etc. i.e. various interest groups wanted to obtain access to the findings and there were concerns about the appropriateness and timing of this. It would have been useful to develop guidelines as to purpose and ownership of the report before publication on a wider front was considered.

Some 'learning points' deriving from the exercise:

- ideally, methods used should include a mix of postal/verbal questioning supplemented by workshops or focus groups. Returns can be low otherwise. There can be misinterpretations of written questions and people leave blanks and give unhelpful returns.
- be very clear about what exactly you need to know otherwise information gained is compromised and the format will be wrong. Get advice/ use expertise in developing questionnaires to avoid giving leading questions etc.
- always have a contact point for queries.
- use existing networks/schools/youth clubs and projects etc. Difficult to get individuals unless part of group or disadvantaged people - must work with 'specialists' including street workers to identify and engage on one to one basis if necessary.
- lot of work involved to do it right - get someone who knows what they are doing and can compile the data correctly and usefully- great help if you link it to electronic methods of analysis
- to overcome young people's apathy - make it fun and accessible
- give opportunity for depth and development of answers so that you don't just get loads of wish lists with no real 'meat' or insight into the problems and needs

- timing - avoid holidays and exams, unless you have a specific programme like summer activities projects, although if you 'tag' it on to activity sessions, it can be seen as an 'add on' task and hard for young people and workers to carry out at the end of a long day, doing something unrelated
- get mix of young people, adults, residents and service providers' perceptions and views
- also map current provision to have baseline data to measure developments against
- if appointing consultants ensure approach is correct and young people think they are credible
- let them know (young people) know what the information will be used for
- information changes quickly so use it as soon as possible
- ensure good geographical spread and age span
- consider Welsh language needs
- ensure all key players participate or else it is not credible - chase them up via phone etc. if necessary to ensure returns.

Contact : Harold Jones tel : 01994 231866
email: WHJones@carmarthenshire.gov.uk

ii) BRIDGEND SURVEY OF YOUNG PEOPLE (COMMUNITIES THAT CARE MODEL)

As part of the Bridgend Children & Youth Partnership programme, Communities that Care were invited to become a partner in providing services for the young people of the County Borough.

Communities that Care:

- is a long term programme for building safer neighbourhoods where children and young people are valued, respected and encouraged to achieve their potential;
- establishes a working partnership between local people, agencies and organisations to promote healthy personal and social development among young people, while reducing the risks of different problem behaviours;
- applies up-to-date knowledge about the factors most likely to encourage self-efficacy, achievement and social commitment among young people;
- leads to local action plans whose principal goals are to:-
- Support and strengthen families;
- Promote school commitment and success;

- Encourage responsible sexual behaviour;
- Achieve a safer, more cohesive community.

Research shows there are influential risk factors in children's lives that increase the chances they will develop health and behaviour problems as they grow older. Using a step by step approach, Communities that Care makes it possible to map factors in the lives of local children that are making it more – or less – likely they will experience: school failure, school-age pregnancy and sexually transmitted diseases, or become involved in: drug abuse, violence and crime.

Communities that Care is a registered charity which has a programme manager based in Wales. It produced a sixteen-page questionnaire and conducted a survey involving all the secondary schools. The survey is available in both English and Welsh and scanned electronically into an SPSS system which enables detailed analyses and cross tabulation.

The reason for the survey was to find out what young people thought about their schools, their families, their homes, their neighbours and to find out what they did in their spare time. It also measures levels of youth crime and drug abuse and allows comparison between local areas, borough averages and national averages to set the responses in context.

Headteachers were visited and agreed to support the initiative. A lead member of staff was nominated and all other teachers received instruction and guidance so that a uniform approach was adopted.

The survey was introduced to the pupils via PSE classes, confidentiality issues were addressed. The process was monitored and students absent from school were identified and follow up visits arranged to ensure every student responded to questionnaires. The Pupil Referral Unit was also involved and in total the completion levels were well over 90%.

Feedback from students indicated that they were keen to complete the exercise and were pleased that risk areas in their lives were being identified.

The completed questionnaires were sent to be analysed and the resulting collated information provided the basis for risk audit reports. A matrix of adolescent problem behaviours and associated risks emerged which encompassed seventeen risk factors:

Family

1. Poor parental supervision and discipline
2. Family conflict
3. Family history of problem behaviour

4. Parental involvement/attitudes condoning problem behaviour
5. Low income and poor housing

School

6. Low achievement beginning in primary school
7. Aggressive behaviour, including bullying
8. Lack of commitment, including truancy
9. School disorganisation

Community

10. Disadvantaged neighbourhood
11. Community disorganisation and neglect
12. Availability of drugs
13. High turnover and lack of neighbourhood attachment

Individuals, friends and peers

14. Alienation and lack of social commitment
15. Attitudes that condone problem behaviour
16. Early involvement in problem behaviour
17. Friends involved in problem behaviour

And four problem behaviour categories: drug abuse, youth crime, school-age pregnancy, school failure. The report also measured the positive or protective factors which tend to prevent young people from getting into trouble.

Comprehensive individual school reports are now available highlighting areas of concern of young people. Four detailed risk audit reports which relate to the four geographical programme areas targeted by the Children & Youth Partnership Projects have become working documents for community boards.

Executive summary reports have been produced which prioritise four/five key areas for attention. Detailed action plans are presently being compiled by local members of the community under the direction of the Communities that Care initiative.

Contact (Bridgend) :Jen Ryall : tel 01656 642731;

email : phillnj@bridgend.gov.uk

Contact (Communities that Care): Ann Fairington: tel 01792 476076 ext 2020; email :

ctccymru@cs.com

2. CONSULTING YOUNG PEOPLE :

i) SWANSEA YOUTH FORUM

Swansea Youth Forum was set up 3 years ago to provide an opportunity for young people to make their views known to the City and County Council. A first Youth Conference in 1998 established the Forum's credibility and also the commitment of the officers and Members of the City and County of Swansea. The Conference set the Forum's agenda for the following year, and two subsequent Conferences have developed and extended the themes to be addressed, which include :

- extending the Validate proof of age card scheme
- a one-stop information shop for young people
- a "lucky dip" scheme which provides a discount on swimming fees.
- a Children and Young People's Charter
- tackling substance misuse
- sexual health
- public transport which meets young people's needs

The Forum operated for over two years through a combination of professional facilitation from an educational co-operative based in Swansea and the commitment of the Council officers on the Youth Corporate Action Team. Now the City and County of Swansea have recruited a full time Corporate Youth Development Worker to support the Forum's development, and have also provided training in facilitation techniques for a number of officers. This has been very valuable in allowing officers who normally don't work with young people to become actively involved.

This year, the Forum has decided to re-structure itself, and establish a framework that works for them. Young people were concerned about involving a wider range of young people and moving consultation into action. Young people can now take part in many varied ways, and make different levels of commitment, depending on their particular circumstances and interests. Within the new framework, a Steering Team ensures that the priorities set by regular meetings of the full Forum, open to all young people in Swansea, are taken forward through a system of "standing" task groups and task and finish groups. The standing task groups deal with long term issues, such as establishing the ideals of the Young People's Charter in the practice of all providers of young people's services. The task and finish groups can act quickly on shorter term issues, such as designing the one-stop information shop in the City Centre. Each group sets its own agenda and action plan and encourages input from all youth groups and young

people in the area. These groups also identify sources of funding, resources and support specific to their need.

Forum members have given presentations to Council Committee's, to the Directors' Team and to meetings of the Youth Corporate Action Team, and have also run seminars for Council officers and Members. Young people have also been involved in interviewing for appointments to posts delivering services to young people, such as the Corporate Youth worker. This active involvement in the work of the Council has demonstrated to the young people that they are being taken seriously. Two young people recently represented the Youth Forum at the LGA Conference in Harrogate and presented the following advice to others on "what has worked well":

- the consultation process
- having days off lessons
- always provide food
- meetings held out of school
- no teachers involved
- informal venues
- conferences
- use a variety of types of delivery
- making sure that it is fun.

Swansea Youth Forum encourages any young person to become a member but also values input from non-members which allows young people the freedom to participate on their own terms and widens representation.

Essential to the process was establishing trust between young people and the Council at an early stage, and this has enabled the young people involved to see the results of their labours. Although not, perhaps, quickly enough – moving from consultation to action is a major theme for this year. Through their continued partnership with the City and County of Swansea, young people are making a difference to the services provided for them and their peers. The introduction of a full time worker for the Swansea Youth Forum will strengthen the role that young people have in decision making in Swansea.

Contact : Leisa Forest tel : 01792 450845
email: leisa.forest@swansea.gov.uk

ii) NEATH PORT TALBOT YOUTH COUNCIL

Young people often have low levels of political interest and knowledge. However, the work of the Youth Council so far shows that young people are concerned about issues impacting on their lives and those of their communities.

Youth Council has borne these factors in mind in developing its consultation processes. During Autumn 2000 a series of Youth Council 'roadshows' were organised at four venues across the County Borough. Locations were chosen which would be accessible to young people and would have no negative connotations. A college, arts centre, YWCA and a cyber café were used. Young people were involved in planning the events, even down to the atmosphere we wanted to create. Young people were on hand at the doors, the music already playing could be heard outside the building. The atmosphere was definitely one of fun.

Average attendance for each event was 30, an ideal number for 3 groups. The roadshows began with a brief explanation of Youth Council and how it could represent the concerns of young people. Ice breakers were used to encourage young people to overcome any initial nervousness.

Artists were on hand to run workshops of different kinds including using music (rap music and techno), digital sampling, video making and collage. The methods used in the roadshows then immediately made the young people think of issues that were important to them where they live. Video footage was also taken of the activities and the venues for future use.

The themes of the workshops were:

- Your rights and responsibilities, addressed through drama and role play
- You in your community, addressed via collage on cardboard boxes; and
- Changing your community addressed through music.

The roadshows were an exercise in raising the awareness of traditionally hard to reach young people. Some who attended the roadshows maintained involvement with the youth council, others did not. One immediate outcome was that young people were encouraged to view themselves as part of a community with all the strengths and weaknesses which exist in all communities.

We continued to build on this type of work and have used it a number of times since in our Democracy Day (March 2001) and also in a residential event (November 2000). The method was featured in the British Youth Council Journal, Voices as an innovative means of raising issues with groups of young people normally unconcerned with the political process. As a result of

the article we were contacted by Scottish Youth Forum. We have since carried out a visit to Scotland and hosted the Scottish group at Margam Park in August 2001.

What the work has shown is that workshops, youth action groups, community based groups and roadshow type events, all planned and ultimately run by young people should form the basis of involving young people generally in the political process.

Contact : Maggi Dawson tel : 01639 898581
Email : m.h.dawson@neath-porttalbot.gov.uk

3. PARTNERSHIP PROJECTS INVOLVING RE-ENGAGING DISAFFECTED YOUNG PEOPLE IN SCHOOL

i) YOUTH WORK AND SCHOOLS PARTNERSHIP PROGRAMME

The programme was very much an experimental initiative. It involved schemes in every local authority area operated and managed by the youth service in partnership with the voluntary sector and other statutory services. In one area, the project was entirely operated by a voluntary sector organisation. Methodologies more usually associated with youth work and informal education have the means to enable young people to achieve success and participate in a curriculum which differs from the framework of the National Curriculum. The initiative built upon innovative work which offered young people recognition for their achievements and experience as participants in youth service activity. Many young people gained recognition for their achievements outside the formal educational structure.

Each project operated using different approaches but the core principles of participation, empowerment and learning were operated in each one. Many workers operated on the school site. Youth workers were involved in formal group work and/or in informal activities such as drop in sessions for young people who required support. The range of activities and opportunities offered and methods and approaches used were sometimes constrained by the school ethos.

One project from the first eight projects operated used a combination of methods and approaches which supported learning in the school setting but also offered opportunities for young people within the local community.

The project in Gwynedd was operated as a partnership between the youth service and three secondary schools in Meirionnydd. The project formed one to one relationships with young people and supported them in developing a personal profile for each of them and developed a customised learning package based on individual need. The role of parents was also recognised within this process and links were formed to let them know about the aims of the project and how they could assist.

The support for individual young people included increasing levels of achievement in numeracy, literacy and ICT. This was undertaken alongside the task of improving their motivation by increasing self-esteem and confidence.

The project identified that young people may have needed support within their communities to develop skills and therefore links were made by the project worker with relevant youth centres and voluntary youth groups.

The youth work and schools partnership programme has demonstrated what schools and youth workers can achieve in support of young people who are, or are in danger of becoming, disengaged from education. There are two main challenges facing all those involved in education. The first is to embed the best practice that exists within the projects into the life and work of all schools. The second is to explore and develop youth work practice further and investigate areas of work where increased co-operation might be appropriate.

The role of youth work and schools partnership programme and its role in the future is particularly important in terms of the ideas of joined up thinking stated within the development of 'Extending Entitlement'.

In a similar project in Australia, schools explained why it is important for them to be part of the community and the ethos that has the well-being of young people as paramount.

"The greatest weakness of our school was the fence around it. We can't have a culture that's apart from the community we're in. We thought we'd lose kids by connecting them with the community and letting them go into programs outside the school. Instead we've gained kids"

Contact : Barry Doughty tel : 029 2085 5700

Email@ : barry.doughty@wya.org.uk

Positive messages from Estyn's report on Quality and Standards in the Youth Work and Schools Partnership Programme: towards a new Youth Support Service

Overall, youth work and schools partnership projects have made a very positive contribution to reducing the numbers of pupils temporarily or permanently excluded from school. They have also proved successful in re-engaging young people with education, and in improving attendance, behaviour and attainment.

As a result of involvement with projects many young people improve their confidence and self esteem. They develop more positive attitudes and a sense of responsibility.

A major factor in the success of projects is the quality of relationships between the project and the school. Projects are most effective when there is a shared philosophy and they become an integral part of the life and work of the school. Young people progress most when there is joint planning and continuity between work done in projects and lessons in school.

Young people taking part gain confidence and motivation in effective small group sessions, and through mentoring and one-to-one counselling and support. There are also positive outcomes for those not targeted for support. These young people have heard about the projects and voluntarily explored the possibility of joining in.

A major critical success factor is the involvement of parents and guardians in decision-making about their son or daughter's education. Links with families are good in many of the projects. In most instances projects have had a very positive impact on inter-agency working, often leading to extended learning opportunities for young people during out of school hours and school holidays.

There is a growing recognition of the need to:

- intervene earlier to prevent disengagement;
- give more help with developing young people's key skills;
- improve the tracking of young people's progress, and
- secure staff development and training, which will improve understanding and mutual respect between schools and youth work agencies.

Two major challenges are:

- to embed the best practice that exists within the projects into the life and work of all schools, and
- to explore and develop youth work practice further and investigate areas of work where increased co-operation might be appropriate.

ii) THE GAP PROJECT, SWANSEA

The Gap is a dynamic and interactive educational package designed and delivered by Cornerstone Church. Cornerstone is a service provider offering The Gap tailor made to the individual needs of schools. The target group is year 11 disaffected pupils; however recently The Gap has also expanded its programme to address the needs of year 6. The Gap is entering its

4th year of operation and has worked with 9 Swansea schools to date. It offers a variety of long-term and short-term courses.

The project aims to fill the gap experienced by an increasing percentage of young people between school and work/further education by providing with something purposeful and relevant that is not available in school to this target group. The project offers a combined route to learning (a) creative and interactive lessons drawing students into learning and discovery that is relevant and purposeful to their world. (b) an outward bound dimension, taking students into new experiences that challenge, build confidence and provide opportunity for tangible success.

What do the participants gain?

Long term courses all provide accreditation. The Gap is a recognised training centre with Open College Network. Topics currently taught include *Communication, Using Money, Relationships, People & Health, Telephone Skills, Work Experience, Orienteering, Internet, Time, Assertive Skills, Computers, Teamwork, Beauty Therapy, Community Awareness, Job Interviews, Writing Skills*. Each topic covers a notional 30 hrs learning time. To fulfil the OCN criteria the project has developed its own unique course material to engage and remotivate. The Gap also delivers the Duke of Edinburgh Bronze Award.

The Gap team runs the programme from its own premises, Cornerstone Church Centre in Penlan. Schools identify a group of pupils requiring alternative curriculum provision, these nominees then go through the project's own selection process, interviews and taster sessions before being accepted onto The Gap.

Outcomes

Both quantitative and qualitative data is collected to assess the effectiveness of The Gap. All results have been positive; students have gained qualifications, improved in confidence and social skills and a good percentage have moved on to employment or college. For example, for the year 2000/01 15 girls had the opportunity to take 16 OCN units: 80% achieved 13/16 or above, including 40% who achieved 16/16 units. The effect on attendance is noticeable. The significant improvement is proof in itself that disaffected young people can be turned on to education once again if the alternative available is truly relevant and engaging.

8 typical students' % attendance levels:

Year 10	78	55	15	63	50	21	41	81
Year 11	90	81	92	83	89	100	100	99
(Gap)								

Headline Keys to Success

- Maximize attendance through short course achievement; enhance motivation by swift reward
- Pupils to become responsible for own learning.
- Whole group follows the same programme chosen by The Gap staff, team dynamic fuels achievement.
- Working single sex. Whole group = all girls or all boys. In this way the specific needs of each target group can be met.
- Educate to prevent unplanned pregnancy.
- Engage & re-motivate to achieve further education or employment
- Provide core life skills to equip students for real life beyond school
- Challenge to achieve in outward bound activities outside current experiences.
- Engage students in learning process so that they discover achievement and so raise aspirations and self esteem.
- Parental involvement. Termly presentations and occasions for encouragement and reward.
- Staffing: a disciplined yet appreciative atmosphere created by committed and skilled staff who understand young people.
- Communication: flexibility and organisational skills of partnership schools.
- Purposeful: all learning has a point and a purpose and time is respected.
- Content: a truly relevant curriculum that relates to the students' life now and post 16.
- Teaching style: lesson structure created to accommodate teenage thought. This maximises learning opportunities.
- Accreditation: it is so important that the learning time results in something credible to advance the potential employability or training potential of each student.
- Venue: the facility stands in the heart of the community. The project is not perceived as a school. Students and parents alike get the feel of a new start or second chance.

- Belonging: the sense of belonging in a group setting together has been a key factor for the young people. It actually makes peer pressure work for itself in a positive way. Both support and competition advances the sense of motivation and long term commitment. The project's philosophy is that in working with young people an educational angle is not the only one needed. When dealing with disaffection it is important to provide what is missing (e.g. belonging, self-esteem, sense of community, concern for the individual) in order to make learning possible. The Gap seeks to create an environment where learning can begin again.

Contact : Sarah Richards : tel 01792 516031

email : sarah.richards@business.ntl.com

iii) YOUTH GATEWAY WORKING IN PARTNERSHIP WITH FLINT HIGH SCHOOL

Careers Wales recognised the importance of working with young people in KS4 to help the individual make the transition to work, training, education or other opportunities appropriate to their needs and to the labour market. This has been possible by using both National Assembly for Wales funding and European monies.

In this particular case study, we entered into a partnership agreement with Flintshire Youth Access Initiative to deliver a package of Youth Gateway/Careers Guidance/Vocational Experience over a ten-week period to young people in KS4.

Flint High School were very enthusiastic and signed up to the project in March 2001.

Fourteen young people, each with a specific need, ranging from confidence building to how to control aggressive behaviour, attended the one-week full time Youth Gateway Programme at the local Leisure Centre.

The programme included: concepts and activities to help with confidence building, raising self esteem, personal presentation, behaviour at work, problem solving, communication, learning styles and body language. Use was made of job related puzzles/quizwords etc. Particular issues of concern to the young people were discussed and included bullying and aggressive behaviour. A wide range of career options and the further training available was explored and discussed – led by a Careers Adviser. Young people took part in the Health and Safety Game purchased from the local Enterprise Centre. Good practice has included networking with other organisations that can provide additional support to KS4 pupils and Personal Advisers using their skills, training and resources to adapt to the needs of the individual and group.

External guest speakers that attended during the week were from:

- Army Preparation Course
- Football in the Community
- Flintshire Voluntary Services

All fourteen participants gained a Basic First Aid Certificate.

Feedback Session with Head of Year

A short telephone discussion took place immediately on completion of the programme followed by a meeting some two to three weeks later. Copies of the course evaluation were given to the Head of Year and very positive feedback was given and received.

A good indicator was that although all these pupils were regular non-attenders at school, everyone completed the Youth Gateway programme. One particular female pupil had talked non-stop to two teachers about what she had done and achieved on Youth Gateway. She was one of the first pupils to be put forward to the programme as she was very shy, reserved and did not participate at school.

The Head of Year and other teachers were very worried about her because she never spoke in class. At the end of her enthusiastic recount of her activities both teachers had turned to each other and said "is this the same person!". Progress has continued and this young lady is participating in class and actually volunteering answers.

All pupils who have attended Youth Gateway will be contacted and invited to participate in further programmes which will include continued Jobsearch and mentoring support.

Lessons learnt

The programme worked for the young people because the partners i.e. schools, Youth Access Initiative and Careers Wales were committed to working closely together to engage the young people at this stage. It built on existing good working relationships.

Young people were able to see this as a seamless provision.

Contact: Suzanne Metcalfe tel: 01978 266802;
email : info@careersplus.co.uk

iv) XL PLUS PILOT PROJECT, CARDIFF :WHAT WORKS? LITERATURE REVIEW

Background

XI Plus is an innovative pilot scheme that has integrated a number of established approaches to provide a range of activities for marginalised, disaffected and/or disadvantaged young people. It is supported by a Partnership, comprising the Welsh Assembly Government, the Prince's Trust Cymru, Cardiff County Council, local businesses, community organisations and the police and is currently being piloted within three Cardiff secondary schools – Fitzalan High School, Glan Ely High School and Glyn Derw High School. The partners agreed that a rigorous evaluation of the pilot would be helpful in informing future consideration of extending it more broadly across Wales in the future.

After a competitive process, the XI Plus Steering Group commissioned York Consulting Ltd to undertake a formative evaluation of the XI Plus pilot project.

One element of the evaluation is a literature review to help ensure that XI Plus is "properly informed in terms of the most up-to-date evidence of what works and what does not work in similar initiatives in the UK and internationally."

The Steering Group also requested that the "What Works" document be structured in a way which would highlight:

- initiatives with similar aims to XI Plus and that work best with similar groups of young people;
- quantitative and qualitative measures of successful projects;
- key 'ingredients' of the more successful projects;
- how the more successful projects were implemented and managed;
- factors leading to less successful projects;
- research methodologies used to evaluate similar initiatives.

There is a shortage of tangible evidence to inform the debate on the benefits, or otherwise, of alternative curriculum programmes which seek to address the needs of young people for whom the mainstream school curriculum is not wholly appropriate. Evidence emerging from the evaluation of XI Plus will therefore add to this knowledge base and provide hard and soft evidence on individual and overall progress resulting from this initiative in Wales.

The review includes evidence from initiatives with one or more of the following objectives:

- to increase levels of pupil achievement and motivation;
- to reduce levels of school exclusion;
- to develop key skills such as team working, communication and leadership;
- to increase citizenship and community awareness;
- to provide extra-curricular activities in school vacations and weekends for children who would not otherwise be able to access such activities.

Methodology

The research was undertaken by:

- reviewing research publications and working documents;
- reviewing websites e.g. government sites; local authorities; voluntary agencies; schools; European Commission (Europa);
- reviewing newspaper and magazine articles e.g. Times Educational Supplement; New Start magazine; Newscheck;
- reflecting upon the experiences of York Consulting staff who have worked with these target groups.

Contact :(Evaluation): Jane Owens, tel: 0113 222 3545

email: jane.owens@yorkconsulting.co.uk

(Project): Karron Williams tel : 029 2043 7000

email: karronwi@princes-trust.org.uk

4. INNOVATIVE PROVISION FOR YOUNG PEOPLE

i) "THE BIG ACT" THEATRE ARTS PROJECT, RHAYADER

The aim of the project is to work with a group of young people aged 13 - 25, from different youth settings and involve them in a range of Performance Art opportunities that reflect issues facing young people and represent their language and **their** voice.

Our **objectives** are:

- To deliver a fully participative project looking at a whole range of theatre/arts based skills.
- To give young people opportunity to work with a range of different arts professionals i.e. directors, technicians, musicians etc.

- To engage young people in a range of training workshops covering the skills needed for an arts production specifically: Script Writing, Text Based Drama, Circus Skills, Mask Work, Dance, Music, Set Design and Costume, Lighting & Sound, Singing, Video Work.
- To offer young people the opportunity to be involved in arts performance/s and to work towards a larger piece of work/performance in November 2001.
- To ensure that peer education is a key method of delivery so that young people become advocates for the Project.
- To accredit young peoples learning experiences via Powys Youth Train or the Powys Record of Achievement Scheme, as appropriate. The Youth Service Staff in collaboration with each Project Leader will oversee this.
- To further develop links with other Performance/Theatre groups in the area so that young people showing aptitude or have an obvious route of progression.
- To take account of equal opportunities issues in planning all workshops/projects /performances so as not to discriminate against any young person for reasons of Gender, Race, Ability/Disability, Religion or Sexuality.
- To ensure quality in all aspects of the project.

Our **rationale** was, that making a piece of collaborative theatre/Art builds and strengthens a group of people. It helps to develop confidence and self esteem, it promotes social co-operation, it's an active engagement with life and it's problems, and it provides a framework in which to explore ideas, and feelings, explode myths and preconceptions, and challenge attitudes And, it can be **fun**.

The Project was started in March 2000 as a partnership between **Powys County Council, Youth Service and CARAD (Community Arts Rhayader & District)**. After initial recruitment by Outreach Workers in bus shelters, on school buses, at youth clubs, in schools and anywhere else where young people might be found; open workshops were held in the theatre studio with 55 young people aged between 12 and 21 attending at some point. The workshops covered movement, dance, music & improvisation, and during the process young people expressed ideas on themes, issues, storyline and content of production. A young people's action group was formed and they collaborated on deciding a name for the group, "The Big Act". After 10 workshops had been held there was a break, then a 3-day summer school was held in which the young people, improvised, videoed and transcribed the content of a script. The first major production Manon's Feast took place in November 2000 with at least 30 young people actually performing and many more involved in the production as a whole. Since then the young people have been involved in Storytelling, Singing, Dance and Video, they have performed an amazing array of street theatre from unicycle to the great escape at the Rhayader Carnival and written and produced a 30-Minute youth issue based radio show Broadcast via Radio Carad.

Work is now just about to start on a major production for November under the banner "Four by Four".

The young people have learned a range of new skills including performance based activities such as Dance, Movement, Music, Acting etc. They have also gained technical skills such as Video Filming, Photography, Digital Recording, Using Computers for music production, DTP work, Publicity and Marketing techniques including Writing Press Releases. However they have also shown great personal development learning about teamwork, and the importance of commitment to a project and their responsibilities both to themselves and other members of the group. Their attitudes to inclusion have been challenged and they have discovered how barriers created by society and communities towards disability, social background etc can be broken down in a group setting. They have gained new confidence and self-esteem.

From the early stages of the project the young people have been key participants in the decision making process. A young people's action group was established and they have taken responsibility for creating and agreeing the name of the group, planning workshops and selecting workshop facilitators with consideration of cost, skills required and artistic ability. They also work on the publicity and marketing of the show, deciding on poster, programme content and design (and making them) organising ticket sales etc. A key role for this group has been to agree an appropriate code of conduct and to assist the director/staff team in maintaining behaviour and focus amongst their peers encouraging regular attendance. They also act as a conduit for the issues and concerns of other members of the group ensuring that everyone's voice is heard.

The Project has tried to work with many issues that affect young people's lives (as brought forward by young people through the workshops). Although in the 1st production *Manon's Feast* the setting was a Celtic Myth it covered issues such as: Teenage Pregnancy, Conflict in Community, Relationships, Drug Taking, War, Health and Bereavement. All such issues have been discussed and explored with young people, and attitudes challenged through the workshops. However, young people have also had to take decisions about such themes within the script, based on the social context of a small rural community. For example what can be safely included in the show without offence, what should be included to challenge a community's perspective and what is critical to reflect young people's views. As a result the play itself was an empowerment of young people.

Funding for the project comes from various sources: Arts Council & Laura Ashley Foundation (Through Carad); Powys Youth Service, Radnorshire Curriculum Development; Rhayader 2000 Grant, Earned Income, *Young People Membership Fees and Production Takings*. The total budget

for 2001 was £5,680 although both organisations are investing heavily of their own staffing and resources but believe it is money well spent.

The most successful elements of the project so far have been:

- Drawing in large % of youth population, with good cross section and geographical spread.
- The inclusive nature of the project which has seen disaffected young people, those with learning difficulties, boys and girls working together.
- The range of measurable new skills developed
- It has led to the young people's inclusion in other arts projects

The least successful elements have been:

- Setting sights too high for time scale
- To upskill young people to the technical level required for stage manager, lighting technician, sound engineer etc is achievable but will take longer than initial term of the project.

For the future, the project aims are to establish the group as an independent organisation and enhance the role of young people in determining direction and focus and to continue to teach new skills by diversification, for example into video production.

Contact : Chris Jones

email : chris.jones@powys.gov.uk ; tel : 01597 810792

ii) DEVELOPMENTAL DRAMA PROGRAMME – YOUTH GATEWAY PROVISION

Anon was referred onto the Careers Wales fourteen week Developmental Drama Programme in October 2000. The school stated that he was seriously under-achieving and his anti-social behaviour was of moderate concern, they said

'Anon has good academic ability but chooses to "hide it"! He can be a disruptive influence when he is with his friendship group. He is also prone to truancy, which is aided by condoned absences'

However, during Anon's placement he exhibited none of these concerns, on the contrary, his attendance and punctuality was 100% and he demonstrated his ability to achieve. Anon excelled in all workshops achieving distinction in each of the common skills covered. –

These included:

- Working and Relating to Others.
- Managing and Developing Self
- Communicating
- Managing Tasks
- Solving Problems
- Applying Technology
- Applying Design and Creativity

Anon took personal time to ensure that he learnt all his lines for one of the leading roles without letting any of his team members down. He also demonstrated an ability to help his less able peers. On completion of the programme in February 2001 he uniquely, but deservedly, achieved an overall Distinction among only two other members of the group. The school recognised improvements to his achievements and significant improvements to his behaviour and attendance, they said,

'A much-improved pupil! I am delighted with Anon's progress since involved with the drama project.'

Anon himself expressed that he has; fully enjoyed the programme, gained more interest in lessons, gained more skills, gained interest to join other clubs outside school and has improved his concentration levels. He also commented personally that he mostly enjoyed the circus skills, performing on stage and watching a play at the theatre. He suggested that a drama holiday camp should be set up. Consequently as a result of Anon's placement he took it upon himself to join my theatre company, 'The Street Wise Theatre Company', (age group 14-25) and has become reliable, valuable and mature member.

LESSONS LEARNED

This study particularly illustrated the benefit of using drama to help build the skills which young people require (and adults) e.g. iteration with others, improved self confidence.

Contact : David Pearson tel : 01745 330012

email : Davidp@Careers-gyrfa.org.uk

INFORMATION SHARING

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SUMMARY OF RECOMMENDATIONS

Recommendation 1:

We recommend that each Partnership undertakes an audit of information systems held by different organisations, including any existing information sharing agreements. These may be examples of good practice or might need reviewing to ensure consistency across the Partnership. At any rate there will be a clearer understanding of the information in existence.

Recommendation 2:

We recommend that each YPP determines how it will involve young people in drawing up their information-sharing agreement.

Recommendation 3:

We recommend that each Partnership ensures the legal basis for the exchange of information in determining the agreements necessary to cover the needs of their particular Partnership arrangements with regard to the range and level of information exchange.

Recommendation 4:

We recommend that consideration be given to involving young people in assuming responsibility for their own records wherever possible.

Recommendation 5:

We recommend it is essential that all YPPs work closely with their local Area Child Protection Committee (ACPC) and Local Crime and Disorder Partnership to develop guidelines on such issues.

Recommendation 6:

We recommend that all partner organisations consider their own responsibilities in these matters and establish protocols for their own organisation that will dovetail with the YPP agreement.. Copies of these protocols should be provided to the Young People's Partnership.

Recommendation 7:

We recommend that each YPP draws up an agreement and detailed protocols on the sharing of information to which all those involved in the provision of youth support services in the area sign up.

Recommendation 8:

We recommend that YPPs follow the checklist provided in part 3 of this guidance to facilitate sharing information between organisations and agencies in different areas.

Recommendation 9:

We recommend that Partnerships should refer to the definition of terms, especially of 'risk', set out in The Children Act 1989 (Annex J) and agree common interpretations as relevant to their work with the YPP.

Recommendation 10:

We recommend that all partners in the YPP follow a standard written consent checklist for use with young people (Templates Part3C).

Recommendation 11:

We recommend that each YPP considers how best to inform young people of their rights and responsibilities and ensure they understand these issues.

Recommendation 12:

We recommend that a statement on young people's rights in respect of personal information should be included in any statement of aims and values produced by the YPP .

Recommendation 13:

We recommend that all partner organisations carry out a review of their procedures with regard to the confidentiality, integrity and availability of information and how they inform young people of the requirements.

Recommendation 14:

We recommend that all YPPs and individual organisations consider the implications of the Data Protection Act in particular in respect of aspects of their work which is included in the YPP plan.

Recommendation 15:

We recommend that all YPPs and individual organisations review and report back at regular intervals on how this information sharing guidance is working in practice.

PART 1: CONTEXT AND CONDITIONS FOR SHARING INFORMATION

1. Background

1.1 The sharing of information between professionals about the progress of individuals was identified as a difficult and sensitive issue in the report *Extending Entitlement*, published in November 2000. The Learning and Skills Act 2000, which provides the legal framework for putting into practice *Extending Entitlement*, provides educational institutions with new powers to enable information to be shared. The provisions of the Data Protection Act apply to such information sharing and this guidance has been produced to clarify the issues. Decisions about the sharing of personal information or aggregate data remain the responsibility of the organisation holding that information.

1.2 The context in which these issues must be addressed is laid out in the Directions and Guidance for Extending Entitlement, distributed for consultation in November 2001. Under these Directions, which come into force in September 2002, local authorities are required to establish a Young People's Partnership involving all sectors providing youth support services for 11 – 25 years olds in their area.

1.3 The local Young People's Partnerships must:

- carry out an audit of provision and need;
- develop a five year strategy;
- produce annual delivery plans;
- ensure best use is made of resources to rationalise provision, fill gaps and support all young people in their area between the ages of 11 and 25; and
- involve young people in decisions about issues that affect them.

2. Why is guidance needed?

2.1 There is a tension between the need to respect the confidentiality of the young person and the need for professionals to share information that could help them respond appropriately and sympathetically. There is also a range of legislative requirements covering confidentiality and exchange of information. This guidance attempts to set out these issues to help local Young People's Partnerships develop local information-sharing agreements by:

- clarifying the purposes for which Partnerships need to share personal data about young people from 11 – 25;

- advising Partnerships about their responsibilities under the Data Protection Act 1998 (Annex E in Part 4 of this guidance);
- giving advice to Partnerships on the appropriate use of the enabling powers to share information as set out in Sections 126-129 and 138 of the Learning and Skills Act 2000 (Annex A and Annex B); and
- clarifying the implications of other legislation requiring sharing of information such as the Children Act 1989 (child protection – Annexes C and J) and the Crime and Disorder Act 1998 (Annex D).

3. Why must each Young People’s Partnership address this issue?

3.1 Young People’s Partnerships will provide a forum for co-ordinated planning and delivery of services to build on current good practice and ensure a network of provision in every area which best meets the needs of local young people. Though there will be aspects of provision which are universal, such as careers information and guidance on learning and career options, and elements of good practice which apply throughout Wales, such as aspects of youth work, provision will vary in different areas to reflect the diversity of the country. There will be scope for exciting, innovative developments which will influence future provision as well as maintaining good quality existing projects.

3.2 The method of delivery and the combination of organisations involved will be different in every Partnership, and will probably vary from year to year. While each partnership will determine what aggregate data it needs to collate, for monitoring and evaluation purposes, constituent partnership organisations will retain responsibility for the young people engaging with them. This will include accepting responsibility for the collection, storage and use of information pertaining to the young people involved in its activities. It is not envisaged that the local Young People’s Partnerships will create an additional level of data collection, use or storage of individual records other than those currently held by LEAs, social services, schools, colleges, Careers Wales companies, health authorities, voluntary sector organisations, etc..

3.3 The Young People’s Partnerships will, however, need to collect aggregate data which might include numbers of young people involved, length of involvement, aggregate performance data, numbers of qualifications achieved, value added by intervention, reduction in crime statistics etc. in order to demonstrate the impact over time of the enhanced services to young people afforded by this way of working. The processing of aggregate data, which will need to demonstrate the benefits to young people from the services provided, is not covered by the Data Protection Act 1998. Further working groups will look at the development of appropriate performance indicators and the implementation and monitoring of the Directions and Guidance.

4. Why develop a formal agreement?

4.1 Each Young People's Partnership will bring together a range of providers of existing services to young people at the local level to create an integrated and coherent service providing information, advice, guidance, and opportunities to young people between the ages of 11 and 25 years, when and where they need them.

4.2 Many of the agencies which will have a role in the Young People's Partnerships will already have a great deal of experience in dealing with personal information, and sharing information with other organisations as part of their work. They may already have put in place formal and informal agreements to ensure the legal and ethical boundaries to information sharing are respected. This guidance is not intended to over-ride the existing practices of organisations where they meet the requirements of the legislation, but to help organisations which are part of the Partnership to work in new and innovative ways to support young people whilst still complying with the legislative requirements.

Recommendation 1:

We recommend that each Partnership undertakes an audit of information systems held by different organisations, including any existing information sharing agreements. These may be examples of good practice or might need reviewing to ensure consistency across the Partnership. At any rate there will be a clearer understanding of the information in existence.

4.3 Developing and recording an agreement or protocol about how information is shared, used and stored will promote clarity, legality and security, and help build the good working relationships that lead to trust and effective communication. Informal agreements are often valuable, but difficult to maintain in multi-agency relationships and through staffing changes. They are also more open to misunderstanding, which must be avoided in this sensitive area of work, especially with vulnerable young people.

4.4 It is essential to ensure that young people understand what information is being held about them, how it is being used and shared to enable different agencies to support them in a coordinated way. Formal information-sharing agreements between agencies, ideally drawn up with the involvement of young people, will also serve to promote clarity in the relationship between the Young People's Partnerships and young people themselves and consistency in the way that different organisations handle information about them.

Recommendation 2:

We recommend that each YPP determines how it will involve young people in drawing up their information-sharing agreement.

4.5 Depending on how Partnerships are structured, there may be advantages in joint agreements covering all the agencies concerned, or a series of one-to-one agreements. There may be need for separate, limited arrangements to be made with the agencies that the Partnership rarely contacts. Different contractual arrangements may require different kinds of agreements.

4.6 The Data Protection Act 1998 requires that personal data be processed lawfully – determined by reference to general law. Thus, in drawing up information sharing agreements, one needs to identify the legal powers on which the disclosure or receipt of personal data is based, and in so doing, ensure there are no statutory prohibitions or general legal rules (such as the common law duty of confidentiality) which would make disclosure unlawful.

4.7 Whatever relationships are established, it will be essential that there is a clear understanding of young people's circumstances. Information sharing is essential, and every Partnership will want to ensure that it has arrangements in place.

Recommendation 3:

We recommend that each Partnership ensures the legal basis for the exchange of information in determining the agreements necessary to cover the needs of their particular Partnership arrangements with regard to the range and level of information exchange.

5. Why should information be shared?

5.1 The underlying principle for the exchange of information is the benefit to the young person concerned, though that alone is not sufficient justification for disclosing information. Some reasons why consideration might be given to sharing information between partners include:

- To ensure young people are able to access the services to which they are entitled;
- To maximise informed choices for young people;
- To identify young people's needs and match need to opportunities;
- To provide a holistic approach to client centred service delivery;

- To secure continuity and progression of services to an individual;
- To help young people identify and chart their progress (including Progress File or Action Plan);
- To provide more effective and efficient services with minimum duplication.

5.2 Other aspects of the need to share information might include:

- To protect vulnerable young people;
- To facilitate consideration of health and safety issues for vulnerable young people and for those working with them.

5.3 Young people have expressed frustration with systems which require them to repeat information in their contacts with a range of agencies. This needs to be balanced with their reluctance for past history to colour future impressions and the opportunity for leaving past mistakes behind. One way to tackle this would be the development of a comprehensive personal record, held by the young person him or herself, with different categories of information, giving the young person a choice about which aspects of the record were shared with a particular agency. This might develop from the work done on Progress File or may need to be a separate development. The experience of patient held records in the NHS provides useful evidence of the success of this approach. Smart card technology will also have an impact on future developments. Any such developments will have to have full regard to data protection principles.

Recommendation 4:

We recommend that consideration be given to involving young people in assuming responsibility for their own records wherever possible.

5.4 The provisions of the Data Protection Act are complementary to other legislation in place for example in child protection, in crime and disorder and welfare to work legislation. Further information on this legislation can be found at Annex C and Annex D.

5.5 Information exchange is dependent on gateways and takes place under controlled circumstances with set safeguards and security measures. Other than where information is processed as a condition of derived statutory powers, the information exchange must be with the informed consent of the individual, on a 'need to know' basis, dependent on a set of administrative triggers, and regulated through an authorising officer.

5.6 Partners will be aware of situations where small aspects of information held by different agencies, or even individuals within one organisation, might together add up to evidence which

could give rise to child protection procedures. These will always be difficult situations involving fine judgement on the part of individuals and their organisations.

Recommendation 5:

We recommend it is essential that all YPPs work closely with their local Area Child Protection Committee (ACPC) and Local Crime and Disorder Partnership to develop guidelines on such issues

PART 2: THE LEGAL FRAMEWORK AND ITS IMPLICATIONS

6. Learning and Skills Act 2000

6.1 Sections 123 – 129 and Section 138 of the Learning and Skills Act 2000 provide the framework for taking forward the vision set out in Extending Entitlement for youth support services in Wales. A guide to these sections is included at Annex B.

6.2 In particular Section 126 Subsection (1) sets out the duties on maintained schools and institutions funded through the National Council for Education and Training for Wales (National Council - ELWa) to provide relevant information. However, Subsection (2) prohibits the provision of information under subsection (1) (c) namely information held by an institution on a pupil or student where the pupil or student over 16 has instructed the institution not to provide such information, or for pupils or students under 16, where a parent has instructed the institution not to provide this information.

6.3 Section 138 Subsection (3) lists persons and bodies empowered to supply relevant information about young people to a local authority or to any other person or body involved in the provision of the youth support services specified in Section 123 of the Act, and as specified in Section 138, training and careers services and careers in industry, for example Modern Apprenticeships. The list is:

- local authority;
- Health Authority;
- the National Council for Education and Training for Wales;
- chief officer of police;
- Probation Board;
- youth offending team.

6.4 Data protection principles apply in all these cases.

7. Human Rights Act 1998

7.1 The Human Rights Act 1998, which came into force in October 2000, incorporates provisions from the European Convention on Human Rights into UK law. The Act makes it unlawful for a public authority to act incompatibly with the Convention rights, and requires all legislation to be interpreted and given effect as far as possible compatibly with the Convention rights. Whilst YPPs are not public authorities in themselves, they are a subset of the local authority and must work within these parameters.

7.2 Article 8 of the Convention deals with respect for private and family life. This could cover, among other things, access to information about a person's identity, collection and use of information about an individual, and protection of a person's reputation. Professionals should be aware that the content and decision making as a result of informal discussions about young people between fellow professionals are subject to legislation just as much as formal meetings where minutes are taken and recorded. Where this occurs, young people should be aware that these discussions are taking place, and where necessary, be given the opportunity to challenge the accuracy of the personal information upon which decisions might result from such discussions.

7.3 All of these have direct relevance to information-sharing between partners in Young people's Partnerships. Partnerships which comply with the principles of the Data Protection Act and give due respect to young people's privacy in respect of informal discussions will be complying with the principles of Article 8 of the Convention.

8. Data Protection Act 1998

8.1 The Data Protection Act 1998 came into force on 1 March 2000. It provides the legal framework within which individuals' personal data must be handled. The Principles of the Act require data to be:

- faithfully and lawfully processed;
- obtained for a specific use;
- confined to needs – adequate, relevant and not excessive;
- accurate and up to date;
- current – not kept longer than necessary;
- in accordance with data subject's rights;

- secure; and
- subject to restrictions on transfer.

8.2 Guidance on the Act can be found at Annex F of this document. It covers essential definitions, an explanation of the principles of data protection, the rights of data subjects, exemptions and offences. Notification has replaced registration with the Information Commissioner (formerly the Data Protection Commissioner), and **any legal entity that holds personal data, on computerised records, with respect to children and young people, will need to notify the Commissioner**. Contact numbers and addresses for guidance and forms for notification are also included at paragraph 8.3 in Annex E.

8.3 YPPs will not hold a central data bank of individual data on young people (as, for example the Connexions Partnerships in England will), but they will hold details of members of the partnership including contact details etc. and should ensure that they are covered under the Local Authority's notification to the Information Commissioner. One of the benefits for all members of the YPP will be the opportunity to share best practice on record keeping.

8.4 Individual partner organisations also need to assure themselves and the YPP that they are complying with the requirements. These include identifying a 'Data Protection Officer' who will have responsibility for deciding how personal data must be handled and must notify the Information Commissioner of their handling.

8.5 The Information Commissioner enforces and oversees the Data Protection Act 1998 and the Freedom of Information Act 2000. The Commissioner is a UK independent supervisory authority reporting directly to the UK Parliament and has an international role as well as a national one. In the UK, the Commissioner has a range of duties including the promotion of good information handling and the encouragement of codes of practice for data controllers; that is, anyone who decides how and why personal data (information about identifiable, living individuals) are processed.

Recommendation 6:

We recommend that all partner organisations consider their own responsibilities in these matters and establish protocols for their own organisation that will dovetail with the YPP agreement. Copies of these protocols should be provided to the Young People's Partnership.

9. Information-sharing Agreements

9.1 An information-sharing agreement would normally include:

- the information flow; the information to be shared, the purpose for which it is to be used, and the source of the information, the recipient agency and the retention period. This might be appended in chart form;
- procedures for informing the young person of his/her rights (and where appropriate informing the primary carer of the young person's rights) and for obtaining consent. Consent procedures should set out when, how and from whom consent will be sought. Arrangements for translation into languages other than English or Welsh will need to be considered here, as well as other equality of access issues;
- opportunities to be given to individuals to enable them to challenge the information held about them;
- complaints and redress schemes that are swift and effective;
- arrangements to ensure the security of any recorded information, and who is to be responsible;
- responsibility for the disposal of stored information;
- an agreement in which there is transparency of processing.

9.2 A template setting out recommended elements of information sharing agreements for Young People's Partnerships is set out in Part 3 of this guidance.

Recommendation 7:

We recommend that each YPP draws up an agreement and detailed protocols on the sharing of information to which all those involved in the provision of youth support services in the area sign up.

10. Sharing Information within Young People's Partnerships

10.1 YPPs will need to develop and agree the arrangements for the sharing of information locally. These arrangements will need to support the provision of a seamless and comprehensive service for young people and close working relationships between the agencies involved in delivery. The Learning and Skills Act provides general permissive powers to enable information to be processed and exchanged for the purposes of the provision of youth support services. It does not compel organisations to share information. **Such information-sharing must be carried out according to data protection principles.**

10.2 In some cases information-sharing will be within the Partnership but in others information may need to be shared with agencies outside the Partnership. The YPP will wish to ensure that all the agencies involved agree to its conditions of information-sharing. **An unwillingness to sign up to an agreement might raise doubts about the agency's suitability as a partner in the work of the YPP.**

10.3 Other circumstances that would prompt the need for an agreement could be the secondment of staff between agencies, or voluntary sector organisations providing support services such as mentoring. In these situations an agreement would help ensure that seconded staff understand what information they can make use of and in what role, and in ensuring that other organisations brought in for specific tasks deal with personal data securely.

10.4 Cases will also occur where information will need to be passed from an agency within one Partnership to another organisation functioning within a YPP in a different area, as a young person moves from one area to another or attends a residential establishment away from the home area. Agreements between partnerships will be easiest to arrange where the agreements developed locally to share information contain the same elements and principles as set out in this guidance, even if the form of expression is different. Sharing good practice across Wales will help this develop.

10.5 The Data Protection Act and the Human Rights Act have a European dimension, and Young People's Partnerships will need to ensure that this is considered when planning visits or exchanges. The 8th data protection Principle states that, unless subject to circumstances as identified in Schedule 4 of the Data Protection Act 1998, personal data shall not be transferred outside the European Economic Area (the 15 EU member States together with Iceland, Liechtenstein and Norway), unless that country or territory ensures an adequate level of protection of the rights and freedoms of data subjects in relation to the processing of personal data. Whilst this refers to the transfer (sharing) of personal data overseas, the underlying principle of concern for the adequacy of protection is fundamental to the transferring of personal data between all participants of a Young People's Partnership.

Recommendation 8:

We recommend that YPPs follow the checklist provided in Part 3 of this guidance to facilitate sharing information between organisations and agencies in different areas.

10.6 Whenever information is shared - for instance, when more than one agency is contributing to an assessment of risk – there is a danger of misunderstanding. The definitions contained within the Children Act 1989 will form the basis for developing common understanding of these terms, possibly for inclusion in the wider agreement on information sharing. There should also be an agreed standard of how common items of data should be recorded.

Recommendation 9:

We recommend that Partnerships should refer to the definition of terms, especially of 'risk', set out in The Children Act 1989 (Annex J) and agree common interpretations as relevant to their work with the YPP.

11. Information requested or collected by Young People's Partnerships

11.1 In requesting information, partners should make clear the purposes to which they intend to put the information so that the disclosing agencies are able to determine not only on what basis disclosure is allowed but also whatever is disclosed is on the basis of a need to know. **All agencies from which information is required on an on-going basis should be covered by the information-sharing agreement.** The partner requesting the information will to be able to assure the disclosing agency of their awareness of the legal framework for dealing with personal data, and their ability to conform to it (see Annexes E and G).

11.2 All those working with young people are likely to be involved with collecting personal and, in many cases, sensitive information directly from the young people they are supporting. Part of their role in that context should be to explain to young people why and what information will be recorded and how the information will be used. As part of this process, it will be good practice to seek and encourage young people to give written informed consent to the provision of services, including the provision of information and, in particular, sensitive information. They should explain to young people that they have the right to withdraw their consent and the implications of doing this.

11.3 Those working with young people should ensure that the young person understands:

- what is being proposed;
- their right to withdraw their consent; and
- the time-period covered by the consent form (which may be withdrawn at any time)...

before asking them to sign it. A suggested checklist is included in Part 3 of this document, but consideration must be given to the literacy skills of a young person and any other specific needs such as Braille or large print, first language, to ensure they fully understand what they are signing. It is possible for the young person to give verbal agreement and for the person gaining their consent to sign to say that informed consent has been given. The key issue is the understanding of the young person to the consent they are being asked to give.

Recommendation 10:

We recommend that all partners in the YPP follow a standard written consent checklist for use with young people (Templates Part 3C).

11.4 In developing their arrangements for collecting information from young people, partners should bear in mind that there are circumstances where subject consent may not be needed. The conditions of processing are listed at paragraph 19.1 in Part 3. There are also occasions where there is an obligation to disclose personal information without consent, e.g. for crime prevention or detection or when required by law. Special arrangements also apply for the exchange of information with the Employment Service, where some information sharing is obligatory.

11.5 Information to young people should make clear what the boundaries to consent are and the types of situation where information will be processed and disclosed without consent.

Recommendation 11:

We recommend that each YPP considers how best to inform young people of their rights and responsibilities and ensure they understand these issues.

11.6 Particular agencies have introduced mechanisms to ensure clear standards for sharing and securing information are fulfilled. For example, the NHS has introduced "Caldicott Guardianship" for this purpose, with clear mechanisms for identifying responsibility, audit trails and so on. The aim in Wales is for this standard to be rolled out to social services authorities and other local authority departments that have joint strategies with social care. It will help to provide a standard which everybody recognises and should reduce some of the anxieties of professionals about information sharing. The Caldicott protocols are included at Annex F.

12. Safeguarding the rights of the young people and gaining their consent

12.1 In collecting personal information directly from young people, partners will need to provide them with the following at the time of collection:

- the identity of the data controller(s) – name of organisation and point of contact;
- how their personal information may be used and by whom (including the identity of the partner and other organisations to whom information may be disclosed);
- any other information necessary to render the obtaining fair.

12.2 Where partners collect personal information or disclose it to another agency, including any third party, they may need the consent of the young person. Paragraphs 11.1 to 11.3 set out the conditions of processing. The Data Protection Act 1998 applies irrespective of age, and as such, where partners collect information or disclose it to another agency (including any third party), they may need the consent of the young person. This consent needs to be freely given and informed. Therefore, the young person and where appropriate their parent or carer will need to know:

- the reasons why personal information is needed, and how it will be recorded, used and stored;
- their right of access to the information;
- their right to request that information not be processed where it is likely to cause them damage and/or distress as a result of the damage;
- how long the information will be retained;
- the process by which they can make a representation or complaint.

12.3 In many cases, an individual may be too young or have learning difficulties which prevent them from properly understanding their rights under the Data Protection Act 1998. The young person's capabilities to understand must be determined on a case-by-case basis by the professional who has sufficient knowledge of the individual. Where a decision is made that the young person is not capable of understanding their rights under the Act, the data controller (the organisation holding the personal data) should deal with someone who has parental responsibility for the young person or is otherwise acting in law on that individual's behalf.

12.4 Staff working for all the partners providing youth support services as part of the local YPP will need to be aware of the rights of the young person and of the need for transparency in dealing with the information needs. They will also need to be able to recognise and respond correctly to requests for prevention of processing, and to complaints. YPPs should also ensure their statement of aims and values sets out young people's rights in respect of personal information.

Recommendation 12:

We recommend that a statement on young people's rights in respect of personal information should be included in any statement of aims and values produced by the YPP .

13. Security

13.1 Partner organisations will need to ensure that the overarching principles of security are upheld:

- **confidentiality** – protecting all personal information from unauthorised disclosure or intelligible interception;
- **integrity** – safeguarding the accuracy and completeness of information and computer software;
- **availability** – ensuring that information and vital services are available to users when required as far as practicable.

13.2 Hard copy files should be held within secure filing cabinets to which only authorised personnel have access. Reasonable care should be taken to ensure that they cannot be accessed by unauthorised persons or stolen while they are being used, stored or transported.

13.3 Computerised files should be accessible only by password to authorised personnel and should not be visible to unauthorised users. Neither method of storage should prevent easy retrieval in the event of a request for access by a young person.

Recommendation 13:

We recommend that all partner organisations carry out a review of their procedures with regard to the confidentiality, integrity and availability of information and how they inform young people of the requirements.

13.4 All organisations will need to ensure that appropriate emphasis is given to the need to know of any organisation seeking information.

Recommendation 14:

We recommend that all YPPs and individual organisations consider the implications of the Data Protection Act in particular in respect of aspects of their work which is included in the YPP plan.

Recommendation 15:

We recommend that all YPPs and individual organisations review and report back at regular intervals on how this information sharing guidance is working in practice.

PART 3: TEMPLATES

A - Checklist for good practice in information sharing

- All agencies handling personal information as part of the YPP have signed up to an agreement or protocol.
- Organisations that need to share information have agreed definitions of terms and agreed standards for recording similar personal data that they may ordinarily use differently, to minimise misunderstanding.
- All partner organisations are familiar with the principles of the Data Protection Act and its implications for information sharing.
- Measures are in place to safeguard the security of systems in which information is held, both electronically and in hard copy.
- All partners understand how the sharing of verbal as well as recorded information is to be conducted and how this relates to the Data Protection Act 1998.
- The protocol is understood by staff at all levels in partner organisations, and it is part of staff induction and training.
- Arrangements are agreed for ongoing monitoring and periodic review of the protocol.
- All partners have an identified person responsible for data protection.
- All partners understand how to deal with complaints;
- All partners have arrangements in place to involve young people and inform them of their rights and responsibilities.

B - Elements of Young People's Partnership information sharing agreements

- Statement of purpose
- Statement of equal opportunities
- Statement of intent to adhere to relevant legal obligations
- Definition of target group on which information is to be shared
- Definition of terms commonly used differently by partner organisations
- Minimum data requirements
- Principles by which data may be shared including:
 - client permission
 - access limitations
 - restrictions on use
 - transparency of operation
- Complaints procedure
- Arrangements to ensure security of information held:
 - hard copy
 - electronic file
- Copies of any forms to be used
- Arrangements to dispose of information which is no longer needed
- Arrangements for referral of requests for disclosure of information which is beyond the limits of the protocol, and for documenting the outcome
- Common understanding of implications of child protection and crime and disorder legislation
- Arrangements to inform young people of their rights and responsibilities and to secure their participation in developing the agreement
- Agreement on the monitoring and review of information-sharing
- Signature of all Partnership organisations

C - Informed Consent Checklist for Sharing Information

This checklist will enable partners to ensure that young people have given informed consent to the sharing of personal information and that there is an audit trail for the processes and procedures relating to the relevant legislation.

The following need to be considered when seeking informed consent from a young person or their parent/carer for the sharing of personal information:

- Is the organisation signed up to the general YPP Information Sharing Agreement?
- young person about whom information is held
- organisation holding the information
- organisation receiving the information
- reasons for sharing the information
- how the information will be recorded, used and stored
- how long the information will be kept?
- basis on which it is decided the young person or their parent/carer should be the one giving consent
- consideration given to any specific needs of the young person and/or their representative to help them understand their rights and responsibilities with regard to the information eg learning difficulty, age etc. – the professional judgement of those working with young people is crucial to this process.
- the right of the young person to have access to the data
- the right of the young person in some circumstances to request information be withheld
- the complaints procedure available to the young person
- whether the consent is to be verbal or written
- whether consent can be assumed because the organisation within which the information is shared has made all its members aware that staff will be sharing information about them (eg about their behaviour within a youth club)

Note: The data protection Principles 3, 4 and 5 require the processing (sharing) of personal data to be adequate, relevant, not excessive and accurate. Where information sharing takes place, Young People's Partnership organisations who make decisions on information previously received are required to ensure that the personal information upon which these decisions are made is kept up to date.

PART 4: ANNEXES

LEARNING AND SKILLS ACT 2000

ANNEX A

YOUTH PROVISIONS OF THE LEARNING AND SKILLS ACT 2000 SECTIONS 123 – 129 AND SECTION 138 Support for 11 to 25 year olds:

Provision of services

Section 123:

- (1) The National Assembly for Wales may direct a local authority-
 - (a) to provide youth support services;
 - (b) to secure the provision of youth support services;
 - (c) to participate in the provision of youth support services.
- (2) In this section "youth support services" means services which in the opinion of the National Assembly will encourage, enable or assist young persons (directly or indirectly)
 - (a) to participate effectively in education or training,
 - (b) to take advantage of opportunities for employment, or
 - (c) to participate effectively and responsibly in the life of their communities.
- (3) In this section "young persons" means persons who have attained the age of 11 but not the age of 26.
- (4) A direction under subsection (1)-
 - (a) may include provision for grants, loans and other kinds of financial assistance to be provided by the National Assembly (whether or not on conditions),
 - (b) may require local authorities to have regard to guidance issued by the National Assembly, and
 - (c) may require local authorities when making arrangements with other persons to require those persons to have regard to guidance issued by the National Assembly.
- (5) A direction under subsection (1)-
 - (a) may relate to a particular class of young person;

- (b) may make different provision for different classes of young person;
- (c) may be revoked or varied by a later direction.

Local authority: duty and powers

Section 124:

- (1) A local authority-
 - (a) shall comply with a direction given to it under section 123(1), and
 - (b) may provide, secure the provision of or participate in the provision of youth support services otherwise than in accordance with paragraph (a).
- (2) Action which a local authority takes in pursuance of subsection (1)-
 - (a) may relate to a particular class of young persons;
 - (b) may relate to services for a person from another area.
- (3) In complying with a direction under section 123(1) a local authority shall have regard to the expediency of co-operation with voluntary organisations.
- (4) For the purpose of subsection (1) a local authority may-
 - (a) incur expenditure;
 - (b) employ officers;
 - (c) enter into agreements for the supply of goods or services;
 - (d) do anything else (other than forming companies) which they consider necessary or expedient.
- (5) Nothing in or done under section 123 shall prejudice any power of a local authority to provide services or incur expenditure.

Consultation and co-ordination

Section 125:

- (1) Before complying with a direction under section 123(1) by providing, securing the provision of or participating in the provision of services for residents of a particular place or area, a local authority shall consult each of the following with responsibility for all or part of the area-
 - (a) a Health Authority,

- (b) a chief officer of police,
 - (c) a police authority,
 - (d) a probation board, and
 - (e) a youth offending team.
- (2) The local authority shall also-
- (a) consult any voluntary body which provides services for young persons in the place or area concerned and which the local authority think it appropriate to consult,
 - (b) consult the National Council for Education and Training for Wales,
 - (c) consult any authority or person with whom arrangements have been made for the place or area concerned under section 10(1) or (3)(a), (b) or (c) of the Employment and Training Act 1973 (careers services),
 - (d) consult any relevant organisation established for the purpose of enabling voluntary bodies to co-operate and co-ordinate their activities,
 - (e) consult such other persons as the local authority think appropriate, and
 - (f) provide such opportunities as the local authority think appropriate for young persons in the place or area concerned to express their views.
- (3) Subsection (4) applies where a local authority-
- (a) provide or propose to provide youth support services for the residents of a particular place or area,
 - (b) secure or propose to secure the provision of youth support services for the residents of a particular place or area.
- (4) Where this subsection applies, persons and bodies listed in subsection (1) with responsibility for all or part of that place or area shall-
- (a) exercise their functions so as to support and assist the services provided, secured or proposed by the local authority, and
 - (b) co-ordinate the exercise of their functions, so far as seems reasonable, with persons providing those services.
- (5) Subsection (4) shall not require persons or bodies to take action which would significantly interfere with the efficient or effective exercise of their functions.

Educational institutions : information and access

Section 126:

(1) Where a person is involved in the provision of services in pursuance of section 123(1)(a) or (b), an educational institution to which this section applies shall, for the purpose of the provision of those services

- (a) provide him on request with the name and address of a pupil or student;
- (b) provide him on request with the name and address of a parent of a pupil or student;
- (c) provide him on request with information in the institution's possession about a pupil or student;
- (d) permit him to have access to a pupil or student on the institution's premises at reasonable times;
- (e) make available to him, so far as is reasonably convenient, facilities on the institution's premises for providing services to individual pupils or students or groups of pupils or students.

(2) Information shall not be provided under subsection (1)(c)-

- (a) in the case of a pupil or student who has not attained the age of 16, if a parent of his has instructed the institution not to provide information of that kind under this section, or
- (b) in the case of a pupil or student who has attained the age of 16, if he has instructed the institution not to provide information of that kind under this section.

(3) This section applies to the following institutions-

- (a) community, foundation and voluntary schools,
- (b) community or foundation special schools (other than those established in hospitals),
- (c) city technology colleges and city colleges for the technology of the arts,
- (d) pupil referral units,
- (e) institutions within the further education sector, and
- (f) institutions in receipt of funding from the National Council for Education and Training for Wales.

Inspection

Section 127:

- (1) Her Majesty's Chief Inspector of Education and Training in Wales-
 - (a) shall advise the National Assembly for Wales on request about matters relating to services provided in pursuance of section 123(1),
 - (b) may give the National Assembly other advice about those matters
 - (c) shall, when requested to do so by the National Assembly, inspect and report on the provision of those services, and
 - (d) may undertake such other inspections of the provision of those services as he thinks fit.
- (2) The National Assembly shall consult the Chief Inspector before making a request under subsection (1)(a) or (c).
- (3) A request under subsection (1)(c)-
 - (a) may be general or in relation to specific matters,
 - (b) may relate to a specific person or institution providing services, or to a specific class of person or institution, and
 - (c) may relate to a specific area.
- (4) A reference in subsection (1) to the provision of services includes a reference to the management and use of resources in providing services.

Conduct and effect of inspections

Section 128:

- (1) This section applies where a service is inspected pursuant to a request under section 127(1)(c) or in accordance with section 127(1)(d).
- (2) A person carrying out or participating in the inspection shall have the same powers as an Inspector under the following provisions of the School Inspections Act 1996
 - (a) section 6(3)(a) and (b) (right of access), and
 - (b) section 42 (computer records).

- (3) Section 42A of that Act (publication of records) shall apply.
- (4) Where the Chief Inspector arranges for the publication of a report of an inspection the person who provides the inspected service shall-
- (a) prepare a written statement of the action which he proposes to take in the light of the report and the period within which he proposes to take it,
 - (b) publish the statement within such period, and in manner, as may be prescribed by regulation made by the National Assembly for Wales, and
 - (c) send copies of the statement to such persons as may be prescribed by regulations made by the National Assembly.
- (5) Where a local authority provides an inspected service, or secures or participates in the provision of an inspected service, the authority
- (a) shall ensure that the action specified in any statement prepared under subsection (4)(a) is sufficient to remedy any weakness mentioned in the report, and
 - (b) shall take all reasonable steps to ensure that the action specified in the statement is taken within the period specified.
- (6) If the National Assembly consider that a local authority is failing to comply with its duties under subsection (5)-
- (a) the National Assembly may give directions to the local authority about the performance of those duties, and
 - (b) the authority shall comply with the directions.

Supplementary

Section 129:

(1) In sections 123 to 128-

"local authority" means a county council or a county borough council,

"Health Authority" has the meaning given by section 8 of the National Health Service Act 1977,

"parent", in relation to a child, means a person who has parental responsibility for him within the meaning of section 3 of the Children Act 1989,

"probation board" means a board established under section 3 of the Probation Services Act 1993,

"police authority" has the meaning given by section 101 of the Police Act 1996,

"young person" has the meaning given by section 123(3),

"youth offending team" means a team established under section 39 of the Crime and Disorder Act 1998, and

"youth support services" has the meaning given by section 123(2).

(2) The power under section 123 shall not relate to services which are provided or to be provided outside Wales.

Wales : provision of information by public bodies

Section 138:

(1) For the purpose of the provision in Wales of services mentioned in subsection (2), any of the persons or bodies mentioned in subsection (3) may supply information about a young person

- (a) to a local authority;
- (b) to any other person or body involved in the provision of the services.

(2) The services are-

- (a) services provided in pursuance of section 123 of this Act,
- (b) services provided in pursuance of any sections 2, 8, 9 and 10 of the Employment and Training Act 1973 (training and careers service), and
- (c) service wholly or partly funded in pursuance of section 12 of the Industrial Development Act 1982 (careers in industry).

(3) The persons and bodies are-

- (a) a local authority,
- (b) a Health Authority,
- (c) the National Council for Education and Training for Wales,
- (d) a chief officer of police,
- (e) a probation board, and
- (f) a youth offending team.

LEARNING AND SKILLS ACT 2000**Extract from explanatory notes****Sections 123 to 129: youth provision in Wales**

178. Section 123 will give the National Assembly new powers to direct a local authority in Wales to provide youth support services for all 11 to 25 year olds; to secure the provision of youth support services from others; and to participate in the provision of youth support services with others. This section defines "youth support services" as services which, in the opinion of the National Assembly, encourage, enable or assist young people to stay on and participate in education or training; to take advantage of employment opportunities; or to participate effectively and responsibly in the life of their communities. A direction to a local authority may include provision for financial assistance, whether or not on conditions, and a local authority may be required to take account of any guidance issued by the National Assembly. A direction may also require a local authority to take account of any guidelines issued by the National Assembly. A direction may relate to a particular class of young people; may make different provision for particular groups within the age range 11 to 25 years and can be revoked or changed by a later direction from the National Assembly. The section is broad enough to provide for the services to address both the direct or indirect factors which affect young people's effective participation in learning, their take-up of opportunities for work, and their positive contribution to the life of the communities. The National Assembly intends to use these new powers to add impetus to its Strategy for Children and Young People, and other targeted youth strategies, while building on the existing range of services for young people currently provided by local authorities, other statutory bodies and voluntary sector bodies.

179. Local authorities will have a major role in the provision of youth support services in Wales. Section 124 gives them the necessary duties and powers to do so. They must comply with directions to provide, secure or participate in youth support services and have a power to make more extensive provision, or provision other than that made in response to directions under section 123, and to make provision outside of their area. Local authorities will be expected to co-operate with voluntary organisations.

180. Section 125 provides that, before complying with a direction, a local authority must consult the persons or bodies listed in subsection (1). These persons or bodies must collaborate with the local authority so as to support and assist the services provided, secured or proposed, and co-ordinate their activities with other providers of youth support services. Such duties will not require these bodies to take action which would significantly interfere with the efficient or

effective exercise of their own functions. Section 125 also places a local authority under a duty to consult any voluntary body, the CETW, careers services companies, organisations established for the purpose of enabling voluntary bodies to co-operate and co-ordinate their activities, anyone the local authority thinks appropriate and young people themselves.

181. Section 126 sets out the duties on maintained schools, institutions in receipt of CETW funding and other educational institutions to provide information to youth support service providers. Information, other than the name and address of any pupil or student and a parent of any pupil or student, cannot be provided if the young person (or in the case of an under-16 year old, his or her parent) has instructed the institution not to disclose that information. These institutions must also give youth support services providers reasonable access to pupils and students.

182. Sections 127 and 128 set out the inspection arrangements for the youth support services. Section 127 provides for Her Majesty's Chief Inspector of Schools in Wales to advise the National Assembly on youth support services and, when requested by the National Assembly, to inspect and report on the provision of such services. Section 128 provides that the Chief Inspector will have a reasonable right of access to the premises of the providers being inspected, including access to information held on computers. Where the Chief Inspector publishes an inspection report, the service provider is required to prepare and publish an action plan setting out what is to be done and by when. The National Assembly has powers governing the publication and dissemination of such plans. Where a local authority is involved in the provision of an inspected service which has led to an adverse report by the Chief Inspector, it has a duty to ensure that the action proposed in the plan is sufficient to remedy the weaknesses identified and is taken within the time specified. Should the National Assembly consider that a local authority is failing to perform this duty, it may give directions to a local authority which must comply with them.

183. Section 129 defines the meaning of various terms used in sections 123 to 128 and clarifies that the powers set out in section 123 apply to Wales only.

Subsection 138: provision of information in Wales

194. Section 138 enables the public bodies listed to provide information about a young person to a local authority or any other person or body involved in the provision of youth support services in Wales under sections 123 to 129.

WORKING TOGETHER TO SAFEGUARD CHILDREN

1. The welfare of children and young people is the corporate responsibility of the entire local authority, working in partnership with other public agencies, the voluntary sector, and service users and carers. Local Authorities have a duty to plan services for children and young people in need and to publish the resulting children's services plans. The Local Authority should also take the lead in establishing an effective Area Child Protection Committee (ACPC) – the inter-agency forum which acts as a focal point for local co-operation to safeguard children and young people.

Area Child Protection Committees (ACPCs)

2. The specific responsibilities of an ACPC are:
- to develop and agree local policies and procedures for inter-agency work to protect children and young people within the national framework provided by this guidance;
 - to audit and evaluate how well local services work together to protect children and young people, for example, through wider case audits;
 - to put in place objectives and performance indicators for child protection within the framework and objectives set out in Children's Services Plans;
 - to encourage and help develop effective working relationships between different services and professional groups based on trust and mutual understanding;
 - to ensure there is a level of agreement and understanding across agencies about operational definitions and thresholds for intervention;
 - to improve local ways of working in light of knowledge gained through national and local experience and research, and to make sure that any lessons learned are shared, understood and acted upon;
 - to undertake case reviews where a child has died, or, in certain circumstances, been seriously harmed, and abuse or neglect are confirmed or suspected. To make sure any lessons from the case are understood and acted upon; to communicate clearly to individual services and professional groups their shared responsibility for protecting children and to explain how each can contribute;
 - to help improve the quality of child protection work and of inter-agency working through specifying needs for inter-agency training and development and ensuring that training is delivered; and

- to raise awareness within the wider community of the need to safeguard children and young people and promote their welfare and to explain how the wider community can contribute to these objectives.

3. Each Local Authority with social services responsibilities is required to produce a children's services plan which should bring together all aspects of local services for children and young people. Plans should look widely at the needs of local children and young people and the ways in which local services (including statutory and voluntary services) should work together to meet those needs. They should include specific priorities and proposal for improving children's services and details of what action will be taken by whom and how the outcomes will be monitored.

4. The Local Authority as a whole should consider how all its services promote the welfare of children. This includes the contribution which can be made by education, social services, housing, youth services, culture, leisure and other departments. Other services should work in partnership with Local Authorities to produce local children's services plans, especially the health service and youth justice services (including police and probation). The outcome should be a plan to which all local services are signed up and committed to putting into effect.

5. ACPCs should contribute to and work within the framework established by the children's services plan. ACPCs should have a clear role in identifying those children in need who are at risk of significant harm, or who have suffered significant harm, and in identifying resource gaps (in terms of funding and/or the contribution of different agencies) and better ways of working. Within the children's services planning framework, different services will also work together in different forums to plan co-ordinated action in areas relevant to children and young people and child protection. Examples include early years development, substance misuse, domestic violence, youth offending, and improving public health. The children's services plans should make links between these related activities. Informed by the plan, ACPC should be aware of and contribute to the work of others (and vice-versa).

Referrals to Social Services Departments where there are Child Welfare Concerns

6. If somebody believes that a child may be suffering, or may be at risk of suffering significant harm, then he/she should always refer his or her concerns to the Local Authority Social Services Department. In addition to the Social Services Department, the police and the NSCPP have powers to intervene in these circumstances. Sometimes, concerns will arise within the Social Services Department itself as new information comes to light about a child and family with whom the service is already in contact. While professionals should seek, in general, to discuss any concerns with the family and, where possible, seek their agreement to making

referrals to social services, this should only be done where such discussions and agreement-seeking will not place a child at increased risk of significant harm.

7. When a parent, professional, or another person contacts a Social Services Department with concerns about a child's welfare, it is the responsibility of the Social Services Department to clarify with the referrer (including self referrals from families):

- the nature of the concerns;
- how and why they have arisen; and
- what appears to be the needs of the child and family.

8. This process should always identify clearly whether there are any concerns about abuse or neglect, what is their foundation, and whether the child/ren may need urgent action to make them safe from harm.

9. Whenever the Social Services Department (or the NSPCC if relevant) encounters or has a case referred to it which constitutes or may constitute a criminal offence against a child, it should always inform the police at the earliest opportunity.

Sharing Information

10. Research and experience have shown repeatedly that keeping children safe from harm requires professionals and others to share information. Often, it is only when information from a number of sources has been shared and then put together that it becomes clear that a child is at risk or is suffering harm.

11. Personal information about children and families held by professionals and agencies is subject to a legal duty of confidence and should not normally be disclosed without the consent of the subject. However, the law permits the disclosure of confidential information necessary to safeguard a child or children in the public interest – that is, the public interest in child protection may override the public interest in maintaining confidentiality. Disclosure should be justifiable in each case, according to the particular facts of the case, and legal advice should be sought in cases of doubt.

12. Children are entitled to the same duty of confidence as adults, provided that, in the case of those under 16 years of age, they have the ability to understand the choices and their consequences relating to any treatment. In exceptional circumstances, it may be believed that a child seeking advice, for example on sexual matters, is being exploited or abused. In such cases, confidentiality may be breached, following discussions with the child or young person.

CRIME AND DISORDER ACT 1998

1. A group representing relevant sectors has developed a **PROTOCOL FOR INFORMATION EXCHANGE UNDER THE CRIME AND DISORDER ACT 1998** for use within the South Wales police Force area. This protocol was approved by the South Wales Overarching Leadership Group for Crime and Disorder in December 2001 and was implemented from January 2002. This protocol provides comprehensive information on the implications of the Crime and Disorder Act relating to information-sharing.
2. The above document is specifically drawn within the parameters of the Crime and Disorder Act and rests full square within the statutory enablement contained in Section 115. It has been afforded expert legal attention to secure recognition and declared compliance with Human Rights issues, EEC Directives and Data Protection criteria.
3. **Section 115** enables any person to disclose information for the purposes of any provision of the Crime And Disorder Act 1998 to a relevant authority or to a person acting on behalf of such and authority.
4. "Relevant Authority" means the Chief Officer of Police for a local area, a Local Authority, a Local Probation Board and a Health Authority, but does not include a National Health Service Trust. However, where the conditions of Section 115 are satisfied, a National Health Service Trust will have the power to disclose information to a relevant authority or to a person acting on behalf if such an authority.
5. Relevant provisions include:
 - strategy of the local authorities for the reduction of crime and disorder in the local authority area
 - anti-social behaviour orders
 - child safety orders
 - local child curfews
 - parenting orders
 - reprimands and warnings (and cautions and supported cautions in the interim period)
 - home detention curfews

6. However, existing protocols/memoranda of understanding between partner agencies that cover the public protection policy (i.e. dangerous offenders) sex offenders and mentally disordered sex offenders take precedence over the procedures outlined in the above protocol.

7. Although Section 115 **provides a lawful power** to disclose, it **does not impose a duty** to disclose. Designated officers within each agency must make an objective assessment of all the available information to determine whether the public interest justifies disclosure. Control, in terms of deciding whether to disclose, remains with the agency which holds the data. The requirement to process information fairly implies that designated officers should take an objective view of the circumstances in each case and act without bias. Only sufficient personal information should be disclosed to enable the recipient to carry out the relevant purpose.

8. Many of the data protection implications surrounding the disclosure of personal data can be avoided if the **written consent of the individual** has been sought and obtained. No details of witnesses, victims or complainants should generally be disclosed without their consent.

9. If consent has not been sought or has been sought and refused, the agency must consider if there is an overriding public interest which justifies the disclosure. If consent is denied, the person should normally be given an opportunity to state why he or she does not consider that disclosure should take place.

10. The crime prevention exceptions in the data Protection Act 1998 allow for personal data processed for the purposes of the prevention or detection of crime, or the apprehension or prosecution of offenders to be exempt in certain circumstances from the requirements of the first data protection principle and the right of access in Section 7 of the Data Protection Act (see Part 3 of the YPP information sharing guidance). Decisions must be made on a case by case basis.

11. Any request for information under these exceptions must make clear:

- why the information is necessary, e.g. why proceedings might fail without the information; and
- why it is envisaged that a successful action would prevent crime, e.g. what is the projected effect of successful proceedings.

12. The identity of the originator must be recorded against the relevant data, and no other use made of it unless the consent of the disclosing party to that secondary use is obtained.

13. It may be permissible for information to be disclosed to the members of a youth offending team (or local youth justice team) for the purposes of any provision of the Crime and Disorder Act.

THE DATA PROTECTION ACT 1998

1. Rationale

1.1 The Data Protection Act 1998, which came into force on 1 March 2000, provides the legal framework within which individuals' personal data must be handled.

Recommendation 14:

We recommend that all YPPs and individual organisations consider the implications of the Data Protection Act in particular in respect of aspects of their work which is included in the YPP plan.

2. Definitions

2.1 'Data' is information which is processed by computers or other electronic equipment or manual data structured by reference to individuals, or by reference to criteria relating to individuals, in such a way that specific information relating to a particular individual is readily accessible. Under the terms of the Data Protection Act 1998, personal data includes any information about a living identifiable individual, including their name, address, and phone number, email address and any other information about the individual. If one includes such information in an email one is deemed to be 'processing' personal data. If one is the recipient of a multiple email each recipient sees the same message and a 'list of all the other addresses'. Thus, each recipient is given the email address (personal data) of all parties.

2.2 'Data controller' is the legal entity (who may or may not be a person) who determines the purposes and the manner in which any personal data is to be processed". The data controller must be a legal person, comprising organisations as well as individuals. Where more than one organisation determines how information may be used they may be joint data controllers.

2.3 'Data processor' means any person or organisation (other than an employee of the data controller) who processes personal data on behalf of the data controller.

2.4 'Data subject' is an individual who is the subject of personal data.

2.5 *'Processing'* means obtaining, recording or holding the data (which includes the information to be included in the data) or carrying out any operation or set of operations on it, including:

- organisation, adaptation or alteration;
- retrieval, consultation or use of the data;
- disclosure of the data in any way;
- alignment, blocking, erasure or destruction.

2.6 It is difficult to find any action involving data that does not count as processing according to this definition.

2.7 *'Third party'*: any person other than the data controller, data subject or data processor.

3. Types of Information

De-personalised and aggregate data

3.1 Information from which no individual person can be identified is outside the Data Protection Act and may be passed to relevant organisations for bona fide purposes. In most cases this information will be in aggregate form and those processing such information will need to ensure aggregation is sufficient to ensure that individuals cannot be identified. Individual level information may also be de-personalised (and therefore be outside the ambit of the Data Protection Act) by the removal of all identifying information. Partnerships should note, however, that information is still identifiable if it contains unique numbers or other keys that allow it to be separately merged with identifying information (e.g. names) or where identifying information can be looked up.

Personal data

3.2 Personal data relates to an individual who is identifiable from that data (or that data in conjunction with other data the data controller holds or is likely to obtain); a reference number is personal data if it can be linked with an individual's name elsewhere in an organisation. It includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual. All types of personal data are within the ambit of the Data Protection Act.

Sensitive personal data

3.3 Partnerships will need to have particular regard for whether the personal information they are processing is sensitive personal information, for which more stringent controls are needed. The categories of information that are defined in data protection terms as sensitive are set out in paragraph 4.3 in this Section. Partnerships will wish to be aware that in some cases simply the name and address of a young person will be sensitive, for example, if it arises from a source that in itself (e.g. YOT lists or some health lists) identifies a young person as having a characteristic that is included within the definition of sensitive personal information.

4. The Principles

4.1 The Data Protection Act 1998 sets out eight basic principles with which the Young People Partnerships must comply:

Principle 1.

4.2 Personal data must: be processed **fairly** and **lawfully**, subject to specified conditions. Principle 1 requires that the data controller should ensure that they have a legitimate basis for the processing of personal data. Processing must comply with one of the following conditions:

- the data controller has consent of the data subject, or
- the processing is necessary for:
 - the performance of contract with data subject
 - compliance with legal obligation to which data controller is subject
 - the protection of the vital interests of the data subject
 - the exercise of a public function
 - the pursuit of the legitimate interests of the data controller unless prejudicial to the interests of the data subject.

4.3 Further and more stringent conditions apply to sensitive data, which consists of information relating to:

- racial or ethnic origin
- political opinions
- religious or similar beliefs
- membership of a trade union

- physical or mental health
- sexual life
- commission or alleged commission by of any offence
- any proceedings for any offence committed or alleged to have been committed, the disposal of such proceedings or the sentence of any court in such proceedings.

4.4 Sensitive personal data cannot be processed unless one of the conditions for processing personal data is met **as well as** one of the conditions below:

- the data controller has the **explicit** consent of data subject, or
- the processing is necessary for
- compliance with a legal duty
- the protection of the vital interests of the data subject or another person
- legal proceedings or exercising legal rights
- the exercise of a public function
- medical purposes
- equal opportunities monitoring.

4.5 Having established a legitimate basis for processing, the Young People Partnerships must ensure that they are processing personal data **fairly** and **lawfully**.

4.6 To ensure that personal data is processed **fairly**, a data controller must provide individuals, as far as is practicable with the following information at the time he obtains personal data from them:

- the identity of the data controller
- the purpose(s) for which data will be processed
- any further information necessary to enable processing in respect of the data subject to be fair, given the specific circumstances of that processing. A data subject should be told about any aspect of the processing which might not be obvious and personal data should not be disclosed to a third party of which the data subject is unaware.

4.7 Section 120 of the Learning and Skills Act 2000 **enables** the **lawful** sharing of information by the bodies there mentioned for the purposes of the services specified in section 114 (1) of the Act "; that is services which [the Secretary of State] thinks will encourage, enable or assist (directly or indirectly) effective participation by young persons in education or training". It does not compel bodies to share information.

Principle 2.

4.8 Personal data must be held only for one or more **specified and lawful purposes**, which must be notified to the data subject or to the Information Commissioner in line with the provisions of the Act, and not be further processed in any manner **incompatible** with that purpose or those purposes. This includes any disclosure of the information that is not compatible with the stated purpose.

Principles 3, 4, 5 and 6

4.9 In relation to that purpose or purposes, it must::

- be **adequate, relevant** and **not excessive** in relation to the purposes(s) for which it is processed; only information that is strictly relevant to the purpose should be processed;
- be **accurate** and **kept up to date**;
- **not** be **kept longer than necessary**: the Connexions partnerships should have a clearly stated review and disposal policy to ensure that material is not kept longer than is relevant to the purpose;
- be processed **in accordance with the rights of data subjects** under the Act: these are set out below.

Principle 7

4.10 **Security**: appropriate technical and organisational measures must be taken against unauthorised or unlawful processing of personal data and against its accidental loss or destruction, or damage to it. The security measures need to be appropriate to the sensitivity of the data and the technology available.

4.11 In order to comply with the Act, when arranging for personal data to be processed by external contractors, a data controller must:

- choose a data processor providing sufficient guarantees in respect of the security measures they take;
- take reasonable steps to ensure compliance with those measures;
- ensure that the processing is carried out under a written contract under which the data processor is to act only on instructions from the data controller and with a degree of security comparable to that imposed on the data controller.

Principle 8

4.12 Personal data **must not be transferred** to a country or countries outside the European Economic Area unless that country ensures an **adequate level of protection** for the rights and freedoms of data subjects in relation to the processing of personal data.

5. Rights of Data Subjects

5.1 On satisfying the criteria that the Data Controller sets out as a condition for complying to a subject access request, the data subject is entitled to know that their personal data is being processed by the data controller, to be given a description of that data, the purpose(s) for which it is being processed and to whom the data is or may be disclosed.

5.2 Data subjects also have the right to be supplied with a permanent copy of the data in question, and an explanation of the data if it is not intelligible to them. They also have the right to be given information about the source of the data, though the data controller might not be obliged to make this available if this would identify another individual. If the provision of access to an individual's personal data would result in the disclosure of a third party's personal data, this should only happen if the third party consents or if it is reasonable in all the circumstances to do so (see Annex H).

5.3 Personal data relating to an individual must be provided promptly, and in any case, within forty days of the receipt of a written request and on receipt of the appropriate fee. The time period begins as soon as the request is received by the Data Controller. The maximum fee chargeable has been set by regulations at £10. The data controller must disclose information only to the right person. He is not obliged to comply with a subject access request until he has sufficient information to satisfy him as to the identity of the person making the request.

5.4 The data subject also has the right to

- prevent processing likely to cause them damage or distress, except where disclosure takes place under a legal obligation;
- prevent processing for direct marketing purposes;
- require the data controller to ensure that no decisions significantly affecting him is based solely on automatic processing;
- receive compensation for any contravention of the Act by the data controller;
- apply to the Court for rectification, blocking, erasure or destruction of inaccurate data;
- request the Information Commissioner to assess whether any provision of the Act has been contravened.

6. Exemptions

6.1 The Act lists a number of exemptions from some of its provisions. The following may be relevant:

- the prevention or detection of crime
- the apprehension or prosecution of offenders;
- secondary legislation partially exempts certain educational records, where the data controller is the governing body or proprietor of, or teacher at, a school, whose disclosure would seriously harm the physical or mental health of the data subject or another person;
- research, history and statistics, provided there is no detriment to the data subject, i.e. the collating, processing and dissemination of statistics based on an aggregation of personal data held, provided that data relating to an individual cannot be identified from the resulting analysis;
- disclosures required by law;
- confidential references given by the data controller;
- legal professional privilege.

7. Offences under the Act

7.1 There are a number of offences under the Act:

- processing without notification, or failing to notify any changes;
- failure to comply with any requirements of the Information Commissioner;
- unlawful obtaining or disclosure of personal data;
- unlawful selling of personal data.

8. Notification

8.1 The original Data Protection Act 1984 required organisations or individuals collecting or using personal data to register with the Data Protection Commissioner, describing the information to be collected, its purpose and how it would be processed. Registration has now been replaced by notification to the Information Commissioner.

8.2 Notification can be completed on-line, where a number of standard templates for notification are displayed. The standard template for Connexions Partnerships is available on the Data Protection website (www.dataprotection.gov.uk).

8.3 A handbook for notification and other useful documents are available on the website, and help is also available by post or telephone.

Information Commission
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

Notification help line: 01625 545740

Information on notification: mail@notification.demon.co.uk

Data Protection website: www.datprotection.gov.uk

Data Protection information line: 01625 545745
Fax: 01625 524510

THE CALDICOTT COMMITTEE REPORT 1997**Introduction**

1. December 1997 saw the publication of a report by the Caldicott Committee making a number of recommendations which aimed to improve the way in which the NHS handles and protects the patient-identifiable information it collects through its processes. The Committee was chaired by Dame Fiona Caldicott, and through its work, came up with 16 recommendations and 6 general principles.

2. Central to the work involved in implementing the report's requirements was the appointment of an individual to take responsibility for taking this work forward and overseeing its continual development, this strategic role is known as the Caldicott Guardian.

Implementation

3. Behind the report is a message of year on year improvement. This involves initially completing a management audit of the processes and procedures currently in place, resulting in the generation of a 'stock-take' report. Part of this process also involves reviewing the pathways taken by patient-identifiable information when flowing within and between organisations.

4. From the report organisations are then required to put in place an improvement plan for the following year. At the end of the year the management audit is repeated once again (forming an out-turn report) and is used to generate a new yearly improvement plan.

The 16 Recommendations

- Every dataflow, current or proposed, should be tested against basic principles of best practice. Continuing flows should be re-tested regularly.
- A programme of work should be established to reinforce awareness of confidentiality and information security requirements amongst all staff within the NHS.
- A senior person, preferably a healthcare professional should be nominated in each health organisation to act as a guardian responsible for safeguarding the confidentiality of patient information.
- Clear guidance should be provided for those individuals/bodies responsible for approving uses of patient-identifiable information.

- Protocols should be developed to protect the exchange of patient-identifiable information between NHS and non-NHS bodies.
- The identity of those responsible for monitoring the sharing and transfer of information within agreed local protocols should be clearly communicated.
- An accreditation system which recognises those organisations following good practice with respect to confidentiality should be considered.
- The NHS number should replace other identifiers wherever practicable, taking account of the consequences of errors and particular requirements for other specific identifiers.
- Strict protocols should define who is authorised to gain access to patient identity where the NHS number or other coded identifier is used.
- Where particularly sensitive information is transferred, privacy enhancing technologies (PET's) must be explored.
- Those involved in developing health information systems should ensure that best practice principles are incorporated during the design stage.
- Where practicable, the internal structure and administration of databases holding patient-identifiable information should reflect the principles developed in this report.
- The NHS number should replace the patients name on items of service claims made by General Practitioners as soon as practically possible.
- The design of new systems for the transfer of prescription data should incorporate the principles developed in this report.
- Future negotiations on pay and conditions for General Practitioners should, where possible, avoid systems of payment which require patient-identifying details to be transmitted.
- Consideration should be given to procedures for General Practice claims and payments which do not require patient-identifying information to be transferred, which can then be piloted.

The 6 Principles

Principle 1 – Justify the purpose

Every proposed use or transfer of patient identifiable information within or from an organisation should be clearly defined and scrutinised, with continuing uses regularly reviewed, by an appropriate Guardian.

Principle 2 – Don't use this information unless absolutely necessary

Patient identifiable information items should not be included unless it is essential for the specified purpose(s) of that flow. The need for patients to be identified should be considered at each stage of satisfying the purpose(s).

Principle 3 – Use the minimum necessary identifiable information

Where use of patient identifiable information is considered to be essential, the inclusion of each individual item of information should be considered and justified so that the minimum amount of identifiable information is transferred or accessible as is necessary for a given function to be carried out.

Principle 4 – Access should be on a strict need-to-know basis

Only those individuals who need access to patient identifiable information should have access to it, and they should only have access to the information items that they need to see. This may mean introducing access controls or splitting information flows where one information flow is used for several purposes

Principle 5 – Everyone should be aware of their responsibilities

Action should be taken to ensure that those handling patient identifiable information – both clinical and non-clinical staff – are made fully aware of their responsibilities and obligations to respect patient confidentiality

Principle 6 – Understand and comply with the law

Every use of patient identifiable information must be lawful. Someone in each organisation handling patient information should be responsible for ensuring that the organisation complies with legal requirements

Caldicott Guardians

5. The Caldicott Guardian is primarily a strategic role, and requires a senior member of staff to take on the responsibilities associated with the role. Typically this can be a member of the management board, a senior healthcare professional or an individual with lead responsibility for clinical governance. Many of the duties will have guiding elements to them, with the Guardian providing input into policy creation, improvement plans, reports and presentations at Board or its equivalent level. Providing guidance will also be central to this role as there may be issues

requiring resolution if they have conflicting elements to them. In support of taking this work forward at a 'ground roots' level the Guardian could also be called upon to agree protocols to support the requirements of any points on the management audit.

Management Audit

6. The audit is structured around a matrix of 18 points. Each point addressing an aspect surrounding patient confidentiality and information security. Each point is further 'graded' from 0 to 2 enabling organisations to work towards strengthening their protocols and procedures etc to the highest level – level 2.

7. Examples of some of the points covered by the audit matrix include:

- Information to patients;
- Induction procedures;
- Training for staff;
- Security Policies;
- Information Flows;
- Contracts; and
- Access controls.

SUBJECT ACCESS REQUESTS AND THIRD PARTY INFORMATION

1. The Data Protection Act 1998 (the 'Act') provides a right of access to individuals in respect of personal data of which they are the subject. Having satisfied the conditions for complying with such a request, the individual is entitled to receive, in an intelligible form, the information, constituting personal data, held about them. Thus the organisation is obliged to provide the data subject with:

- a) the information which forms any such personal data,
- b) any information available to the data controller as to the source of those data, and
- c) a copy of the personal data requested.

2. In some circumstances, responding to such a request may involve providing information relating to another individual who can be identified from that information ('third party information'). This can give rise to conflict between the data subject's right of access and the third party's right to respect for his / her private life. When dealing with such a request, the data controller should be sensitive to, and give proper consideration to, this potential conflict before deciding whether to disclose third party information.

3. In making his decision, the data controller should consider to what extent it is possible to communicate the information sought without disclosing any third party information. In considering this, the data controller should give as much information as possible, as the organisation is obliged to disclose, to the data subject without revealing the identity of the third party. This might be achieved by editing the information to remove names or other identifying details. However, in such cases, there will always be residual third party information. So in all such cases, the data controller will need to consider further factors before they are in a position to establish whether they are obliged to comply with the request in respect of the excised residual third party information.

4. Where the third party has consented to the disclosure to the person making the request, the data controller is obliged to do so. It is important to note the third party approval (consent) is only being sought for disclosure of personal data relating to the third party and not to the disclosure of personal data relating to the data subject.

5. Where consent has not been given for disclosure of the third party information (for whatever reason), the data controller is nevertheless required by the data subject access provisions to comply with the request and disclose third party information if it is reasonable in all circumstances to disclose without consent. In principle, whilst the Act does not expressly

state that the data controller is obliged to seek consent, the data controller should consider whether:

- (a) consent has already been given; or
- (b) he/she ought to obtain consent

6. Key questions for data controllers when dealing with subject access requests involving third party information include :

- a) Does the information being accessed contain information about a third party?
- b) If so, would its disclosure reveal the identity of the third party?
- c) Does the third party consent to disclosure? if not,
- d) To what extent can the information be edited so it can be given promptly without revealing the third party's identity? N.B. Bearing in mind the second bullet point of paragraph 1 above, this does not overcome the data controller's obligation to comply with the request by disclosing third party information where it is reasonable to comply without the consent of the third party.
- d) Is it reasonable to disclose the third party information without consent?
- e) Is the third party information confidential or sensitive or harmful?
- f) Is the third party information of particular importance to the data subject?

7. If the data controller decides not to comply with the data subject access request (in whole or in part), it may lead to a challenge, to the Information Commissioner, that the Assembly is in contravention of the 6th data protection principle. The 6th principle require that personal data shall be processed in accordance with the rights of data subjects (which include subject access right). The Information Commissioner may investigate the matter and ultimately issue an enforcement order against the Data Controller for disclosure of the personal data. In addition, where the individual suffers damage or damage and distress as a result of the failure to respond, he/she may seek compensation from the data controller.

THE CHILDREN'S COMMISSIONER FOR WALES

1. The Assembly has established an independent, statutory Children's Commissioner for Wales with a wide-ranging remit covering all children in Wales. This reflects the Assembly's commitment, following the principles of the United Nations Convention on the Rights of the Child, to the rights of all children and young people to be treated as valued members of the community, whose voices are heard and needs considered across the range of policy-making.

2. The Assembly has appointed Peter Clarke as the first Children's Commissioner for Wales and he took up office on 1 March 2001. His full statutory powers were commenced on 26 August 2001. He can be contacted at:

Head Office

The Children's Commissioner for Wales
Oystermouth House
Phoenix Way
Swansea Enterprise Park
Llansamlet
Swansea SA7 9FS

Tel: 01792 765600
Fax: 01792 765601

E-mail: post@childcomwales.org.uk
Website: www.childcomwales.org.uk

North Wales Office

The Children's Commissioner for Wales
Penrhos Manor
Oak Drive
Colwyn Bay
Conwy
LL29 7YW

Tel: 01792 523320
Fax: 01792 523321

The Role of the Commissioner

3. The Commissioner is an independent children's champion, who has been set up on a statutory basis to:

- make sure that the views of children are heard and understood about everything that affects them;
- fight for and protect their rights;
- make sure that they can complain effectively;
- offer advice and information or tell children and young people where to find it;

- review the effect on children and young people of any activity or proposed activity of the Assembly, a local authority, health trust or Assembly Sponsored Public Body; and
- Assist in individual cases if appropriate.

The Commissioner's independence

4. The Commissioner is an independent, statutory body and, within the framework provided by the primary and Assembly legislation, the mainly permissive nature of his functions will allow him to decide whether it is appropriate for him to exercise his functions. However, his ongoing consultative programme, especially with children and young people, will inform his decisions.

5. In terms of scrutiny by and accountability to the Assembly, the Children's Commissioner enjoys an independent position, which is similar but not identical to the Welsh Administration Ombudsman. Although appointed by the First Minister and funded by the Assembly, the Commissioner is not accountable to the Assembly in the same way as Assembly-sponsored Public Bodies as his powers extend to reviewing the exercise of functions by the Assembly itself. These arrangements have been established to underpin the Commissioner's independence from the Assembly.

The Commissioner's functions

6. The Commissioner's functions derive from Part V of the Care Standards Act 2000, as amended by the Children's Commissioner for Wales Act 2001, and from Assembly legislation. Apart from his right to require information from third parties in support of exercising specific functions, the Commissioner has no power of compliance or enforcement. The Commissioner's functions are generally permissive in nature; it is for him to decide whether he should exercise them. However his principal statutory aim in exercising any of his functions is to promote and safeguard the rights and welfare of children in Wales and, in doing so, he has a duty to have regard to the United Nations Convention on the Rights of the Child, as ratified by the UK Government.

7. The general definition of children for the purposes of the Commissioner's exercise of his functions is children and young people under the age of 18 years. However, his remit extends to 18-24 year olds in respect of young people who are care leavers within the definition of the Children (Leaving Care) Act 2000.

Review of functions

8. The Commissioner may review the effect on children in Wales of the exercise or proposed exercise by the Assembly of any function, including the making or proposed making of subordinate legislation; or of the exercise or proposed exercise of any function of any of the other public bodies which have functions in Wales in devolved areas of responsibility of the Assembly, as listed in Schedule 2A to the Children's Commissioner for Wales Act 2001. These include Local Authorities, Health Authorities and Assembly Sponsored Public Bodies. He does not have the right to require information in support of this function but the expectation is that the bodies concerned will want to be as helpful as possible in this respect.

9. The fundamental point about this function is that its exercise is not confined to issues that have an obvious relevance for children, such as social care and education, but encompasses any devolved issue that has an effect on children.

GUIDANCE TO SOCIAL SERVICES ON DATA PROTECTION ACT 1998

1. The purpose of this Guidance, aimed at Local Authority Social Services, is to provide information about how the Data Protection Act 1998 works in relation to giving access to social work records.

The Guidance also gives:

- guidance on good practice in compiling and maintaining records;
- advice on the need for policies covering the retention and disposal of other records; and
- guidance on confidentiality and social services records.

2. The Guidance also refers to the Data Protection (Subject Access Modification)(Social Work) Order 2000. This Order provides for the partial exemption from the provisions of the Data Protection Act 1998 of the rights of subjects to gain access to data held about them where the exercise of those rights would be likely to prejudice the carrying out of social work by causing serious harm to the physical or mental health or condition of the data subject or another person.

LIST OF STANDARD TERMS FROM THE CHILDREN ACT 1989

- "adoption agency" means a body which may be referred to as an adoption agency by virtue of section 1 of the Adoption Act 1976;
- "bank holiday" means a day which is a bank holiday under the Banking and Financial Dealings Act 1971;
- "care order" has the meaning given by section 31(11) and also includes any order which by or under any enactment has the effect of, or is deemed to be, a care order for the purposes of this Act; and any reference to a child who is in the care of an authority is a reference to a child who is in their care by virtue of a care order;
- "child" means, subject to paragraph 16 of Schedule 1, a person under the age of eighteen;
- "child assessment order" has the meaning given by section 43(2);
- "child minder" has the meaning given by section 71;
- "child of the family", in relation to the parties to a marriage, means-
 - a child of both of those parties;
 - any other child, not being a child who is placed with those parties as foster parents by a local authority or voluntary organisation, who has been treated by both of those parties as a child of their family;
- "children's home" has the same meaning as in section 63;
- "community home" has the meaning given by section 53;
- "contact order" has the meaning given by section 8(1);
- "day care" has the same meaning as in section 18;
- "disabled", in relation to a child, has the same meaning as in section 17(11);
- "district health authority" has the same meaning as in the National Health Service Act 1977;
- "domestic premises" has the meaning given by section 71(12);
- "education supervision order" has the meaning given in section 36;
- "emergency protection order" means an order under section 44;
- "family assistance order" has the meaning given in section 16(2);
- "family proceedings" has the meaning given by section 8(3);

- "functions" includes powers and duties;
- "guardian of a child" means a guardian (other than a guardian of the estate of a child) appointed in accordance with the provisions of section 5;
- "harm" has the same meaning as in section 31(9) and the question of whether harm is significant shall be determined in accordance with section 31(10);
- "health authority" means any district health authority and any special health authority established under the National Health Service Act 1977;
- "health service hospital" has the same meaning as in the National Health Service Act 1977;
- "hospital" has the same meaning as in the Mental Health Act 1983, except that it does not include a special hospital within the meaning of that Act;
- "ill-treatment" has the same meaning as in section 31(9);
- "independent school" has the same meaning as in the Education Act 1944;
- "local authority" means, in relation to England and Wales, the council of a county, a metropolitan district, a London Borough or the Common Council of the City of London and, in relation to Scotland, a local authority within the meaning of section 1(2) of the Social Work (Scotland) Act 1968;
- "local authority foster parent" has the same meaning as in section 23(3);
- "local education authority" has the same meaning as in the Education Act 1944;
- "local housing authority" has the same meaning as in the Housing Act 1985;
- "mental nursing home" has the same meaning as in the Registered Homes Act 1984;
- "nursing home" has the same meaning as in the Act of 1984;
- "parental responsibility" has the meaning given in section 3;
- "parental responsibility agreement" has the meaning given in section 4(1);
- "prescribed" means prescribed by regulations made under this Act;
- "privately fostered child" and "to foster a child privately" have the same meaning as in section 66;
- "prohibited steps order" has the meaning given by section 8(1);
- "protected child" has the same meaning as in Part III of the Adoption Act 1976;
- "registered children's home" has the same meaning as in section 63;
- "registered pupil" has the same meaning as in the Education Act 1944;

- "relative", in relation to a child, means a grandparent, brother, sister, uncle or aunt (whether of the full blood or half blood or by affinity) or step-parent;
- "residence order" has the meaning given by section 8(1);
- "residential care home" has the same meaning as in the Registered Homes Act 1984;
- "responsible person", in relation to a child who is the subject of a supervision order, has the meaning given in paragraph 1 of Schedule 3;
- "school" has the same meaning as in the Education Act 1944 or, in relation to Scotland, in the Education (Scotland) Act 1980;
- "service", in relation to any provision made under Part III, includes any facility;
- "signed", in relation to any person, includes the making by that person of his mark;
- "special educational needs" has the same meaning as in the Education Act 1981;
- "special health authority" has the same meaning as in the National Health Service Act 1977;
- "specific issue order" has the meaning given by section 8(1);
- "supervision order" has the meaning given by section 31(11);
- supervision order, mean respectively the child who is (or is to be) under supervision and the person under whose supervision he is (or is to be) by virtue of the order;
- "upbringing", in relation to any child, includes the care of the child but not his maintenance;
- "voluntary home" has the meaning given by section 60;
- "voluntary organisation" means a body (other than a public or local authority) whose activities are not carried on for profit.

(2) References in this Act to:

- a child whose father and mother were, or (as the case may be) were not, married to each other at the time of his birth must be read with section 1 of the Family Law Reform Act 1987 (which extends the meaning of such references).

(3) References in this Act to-

- a person with whom a child lives, or is to live, as the result of a residence order; or
- a person in whose favour a residence order is in force,
- shall be construed as references to the person named in the order as the person with whom the child is to live.

- (4) References in this Act to:
- a child who is looked after by a local authority have the same meaning as they have (by virtue of section 22) in Part III.
- (5) References in this Act to:
- accommodation provided by or on behalf of a local authority are references to accommodation so provided in the exercise of functions which stand referred to the social services committee of that or any other local authority under the Local Authority Social Services Act 1970.
- (6) In determining the "ordinary residence" of a child for any purpose of this Act, there shall be disregarded any period in which he lives in any place-
- which is a school or other institution;
 - in accordance with the requirements of a supervision order under this Act or an order under section 7(7)(b) of the Children and Young Persons Act 1969; or
 - while he is being provided with accommodation by or on behalf of a local authority.
- (7) References in this Act to:
- children who are in need shall be construed in accordance with section 17.
- (8) Any notice or other document required under this Act to be served on any person may be served on him by being delivered personally to him, or being sent by post to him in a registered letter or by the recorded delivery service at his proper address.
- (9) Any such notice or other document required to be served on a body corporate or a firm shall be duly served if it is served on the secretary or clerk of that body or a partner of that firm.
- (10) For the purposes of this section, and of section 7 of the Interpretation Act 1978 in its application to this section, the proper address of a person:
- in the case of a secretary or clerk of a body corporate, shall be that of the registered or principal office of that body;
 - in the case of a partner of a firm, shall be that of the principal office of the firm; and
 - in any other case, shall be the last known address of the person to be served.

Part 5: Acknowledgements

Following the model used in developing Extending Entitlement and the Directions and Guidance, this Additional Guidance document has been developed in collaboration with representatives with experience and expertise in this field from all sectors providing youth support services.

We would like to express our gratitude to the members of the working group who included:

Elizabeth Williams	Head of the Assembly's Youth Policy Team
Mark Christopher	National Assembly's Youth Policy Team
Malcolm Horlock	National Assembly's Policy Unit
Karin Phillips	National Assembly's Statistics Unit
Paul Hard	National Assembly's Data Protection Office
Julia Rooney	Youth Worker
Euros Evans	Higher Education Careers Services in Wales
Harrold Jones	Carmarthenshire County Council
Carl John	Carmarthenshire County Council
Malcolm King	Wrexham County Borough Council
Ken Dicks	Careers Wales Mid Glamorgan
Mair Watkins	South East Wales Special Needs Co-ordinator
Rob Alderman	Employment Service
Dyfrig Morgan	Urdd
Angus Dunphy	Fitzalan High School
Margaret Jervis	Valleys Kids

Russell Ward	Cardiff C. C. Leisure & Lifelong Learning Dept.
Gary Foreman	Pen y Waun Partnership
Jacci McCaw	Employment Service
Mal Gay	Bridgend Youth Offending Team (YOT) Manager
John Graystone	fforwm
Alison Cowell	Conwy Local Health Group
Sian Hughes	Swansea County Council Social Services Dept.
Simon Shaw	North Wales Drug And Alcohol Team (DAAT)
Richard Brustrum	North Wales Police Authority
Kath Edwards	Rhondda Cynon Taff Education Welfare Officer
Grenville Jackson	National Council – ELWa
Ros Granger	National Council – ELWa

We would also like to thank members of the External Reference Group (ERG), made up of over 35 further representatives from all sectors and all parts of Wales, for their comments.

We have also made reference to the interim guidance produced for the Connexions Partnerships in England and the Protocol for Information Exchange under the Crime and Disorder Act 1998, produced for the South Wales Police area, and are grateful for these contributions.

Youth Policy Team

Part 6: REFERENCES

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KEEPING IN TOUCH

Local Young People's Partnerships (YPPs) set up under the "Extending Entitlement Direction and Guidance are required to produce a 5-year rolling strategy which includes, amongst other things, the YPP's proposals for keeping in touch with young people. (Annex 7 para 17 refers).

The task and finish group

The group was set up to advise the Welsh Assembly Government on the content of this section of the Guidance and to consider what issues local YPPs need to have regard to in developing their keeping in touch proposals.

Its **terms of reference** were:

To define a distinctive "light touch" approach (helping hands at different stages) for Wales.

To agree national guidance on finding out who and where, the approximate 10% of young people who disappear from records are, what they are doing, and how they can be brought back into education, training or employment

To provide guidance for partnerships about positive and supportive approaches for working effectively with these young people

To provide good practice examples of arrangements to reach out helping hands which YPPs may wish to consider for adoption in their areas.

Its **membership** was drawn from the Extending Entitlement External Reference Group to reflect a broad range of knowledge and experience. Those who have participated are listed on page 142. The Assembly Government is grateful for the contribution of those who attended meetings and for that of all others who have commented during the development process.

The draft "Keeping in Touch" guidance will be circulated to the External Reference Group for their consideration, and, following receipt of their comments, incorporated in the Guidance on Extending Entitlement which will be issued by the Assembly Government in summer 2002.

Information Sharing

The Assembly Government has recently developed, via a similar route, parallel guidance on the protocols applicable to sharing information between partners with regard to issues of data protection and confidentiality. Partnerships should refer to this guidance when establishing keeping in touch systems.

DRAFT GUIDANCE FOR KEEPING IN TOUCH WITH YOUNG PEOPLE

Identification of potential difficulty

1. The vast majority of young people aged 11-25 will remain within education or training or will enter employment. A light touch only will be necessary for them. This guidance focuses primarily on the remainder (currently approximately 10% of the total cohort, of which a small percentage will have complex problems.) Each YPP will need to develop systems to reliably establish the number, and identity, of these young people at any one time, where they are and what they are doing.
2. YPPs will need to ensure their keeping in touch system provides for the inclusion of:
 - young people who do not always appear on the usual records eg travellers
 - young people who "disappear" in transition from primary to secondary school
 - young people who "disappear" during their last years of compulsory schooling
 - young people who will not engage voluntarily
 - young people who are excluded from school
 - young people who truant from school post-registration
 - looked after children and young people,
 - young people who are not educated for various reasons within the state school system.
 - young people who are homeless
 - young people who do not live with their parents
 - those young people who disengage with the labour market
 - young people within the criminal justice system
 - 16 and 17-year old young people who are not in education, training or employment.

3. YPPs will primarily focus on providing services and support to young people in the 11-18 age group. The ethos of "Extending Entitlement" is, however, to put in place a universal service for all young people from age 11 up to age 25. Partnerships should ensure that consideration is given to the development of effective and flexible ways of keeping in touch with those aged 18-25 who are seeking and entitled to support and services. Jobcentre Plus will be the primary contact agency for this age group but particular efforts must be made to identify and re-engage those who are outside the labour market and may not be claiming benefit.

4. In some geographical areas, Communities First Partnerships may be able to provide valuable information on how to reach those young people who might otherwise be missed. Subject to agreement on information-sharing protocols, the Unique Pupil Identifier system may be valuable to YPPs in this connection.

5. Much more needs to be done in terms of early identification of young people who are showing signs of potentially forming part of the 10% cohort. The local Children and Young People's Framework Partnership has a part to play in ensuring there is a smooth transition for young people moving through age 11. The local Children's partnership is responsible for the coordination of service planning for the 0-10s and will have an interest in this preventative approach. Services need to be alert to the early identification of potential problems as early as Year 5 or 6, if not before. Trends are recognisable at primary school level; quality transition to high school varies and, unless great care is taken, information can be lost at this point. High school systems tend to be more anonymous and can lead to pupils getting lost from view. An early warning system to detect those at risk of disaffection at Year 5, 6, 7 or earlier would almost certainly be effective, followed up with careful monitoring in the following years. The Group recommends that the Assembly Government gives consideration to funding pilot schemes addressing the effectiveness of early identification and improving transition.

6. For some young people, there may be difficulties with the school environment which exacerbate their problems. YPPs will need to be sensitive in identifying a number of possible alternative pathways to support the return of these young people to universal provision.

7. Sharing of more and better information particularly during the sensitive period of transition from primary to high school, and at other key transition points needs to be formalised and improved. Assessment procedures which are already in place, for example in the case of looked after children, children with Special Educational Needs etc should be drawn on. Good communications by and between all agencies (not just schools) is important at this point; financial, physical and human resources will need to be identified locally to support this activity. YPPs should build on any structures already in place for this purpose, eg pastoral support programmes, if they are effective. The appointment of "assessment managers" by schools or LEAs needs to be explored.

Distinctive Welsh approach

8. YPPs will be expected to establish systems at local level which make timely, supportive interventions, helpful to and valued by young people rather than anything more heavy-handed. The approach in Wales is essentially bottom-up, building on existing structures and provision.

Information coordination

9. YPPs will need to develop systems for coordinating the activities of a number of agencies. Whilst all the local agencies (both members of the YPP and the wider local partnership) should be fully engaged in any agreed procedures, one agency identified within the Partnership by common consent should take the lead responsibility for managing the YPP's keeping in touch procedures. Each YPP should identify the most appropriate agency, depending on local circumstances, to act as information coordinator. YPPs may find it helpful to set up a sub-group of the Partnership which focuses specifically on this aspect of their responsibilities.

10. A young person may talk to workers in a number of agencies. Local information-sharing protocols need to be in place which ensure that, with the prior approval of the young person, any worker the young person engages with can access all updated information about what is happening in the young person's life that the worker needs to know to deal effectively with the matter in question.

11. A key factor in bringing young people back into the system appears to be the identification of one or more people (adults or older young people) who:

- are non-judgemental
- can spend time with them
- how they respect.

Where such a person is provided from within an agency, the agency needs to be sensitive to the impact on the young person which may result from staffing changes and develop strategies for providing seamless cover for the worker's caseload in the event of absences such as maternity leave or staff movement.

12. YPPs will need to adopt a system of individual action plans for keeping in touch purposes. The information coordinator will be responsible for ensuring that there is one individual action plan for each young person rather than several action plans with different agencies which may have conflicting objectives. The plan will need to include input from all the agencies involved in the young person's life, and demonstrate a shared understanding of the issues affecting the young person. The plan must be developed jointly and updated as a collaborative exercise

between an appropriate worker and the young person to ensure the young person has ownership of its contents at all stages.

13. The YPP information coordinator will also need to regularly monitor what is going on in the life of each young person to whom the procedures apply, identify times when an intervention might be appropriate, and invite whichever agency is best placed to provide support and report back.

14. YPPs need to include in their keeping in touch arrangements details of the provision they will make for young people returning to the area after a period in secure accommodation, and for travelers and others who move between areas.

Staffing issues

15. At present, many employees in both the statutory and voluntary sectors are employed on short-term contracts. This can lead to high staff turnover, which in turn diminishes the likelihood of credibility and trust being established between hard-to-reach young people and their workers. For the keeping in touch system to be effective, there needs to be a reduction in the present levels of staff turnover, together with good employment conditions to promote staff retention. Over time, this will lead to a greater number of workers in Wales across a range of agencies with appropriate skills, personal qualities and capacity to effectively support young people to whom these procedures apply.

16. The Assembly Government will consider setting long-term targets for YPPs in this policy area, and with its national partners look to ways of encouraging more young people to move into this type of work as a real and viable career choice. Traineeships, modern apprenticeships, the New Deal, greater support for and use of organisations such as Community Service Volunteers (which provide both peer mentors and role models), and investment in the development of mentoring skills in young people are all viable routes. The Group's view is that a national lead is required.

Flexible Provision

17. The emphasis for YPPs should be on supporting more young people to remain engaged in education, training, employment and volunteering. As well as focusing on early detection of potential problems, resources should be directed towards the development of a more diverse and flexible range of learner-centred provision, aimed at keeping more young people engaged and therefore reducing the number who "disappear". Provision should be customised to meet the needs of the individual but also labour-market and/or civil society focused. The Assembly

Government is currently developing proposals for consultation on a new approach to educational provision for 14-19 year olds, which may be of assistance to YPPs in this context.

18. "Alternative curriculum" can be regarded by some schools as expensive as the returns are not always realised in the short term. An investment in it can mean significant positive outcomes in the longer term, however such as savings on benefits and the costs of crime. A clear message needs to be given to staff in schools that the alternative curriculum is a valued and valuable part of school provision. aimed at ensuring that all young people are afforded the opportunity to reach their full potential. Clear lines of communication both within school and with external partners is an essential component for success. Consideration is necessary at national and local level of ways in which links between Extending Entitlement and other strategies such as Crime Reduction, Youth Offending, Drugs and Alcohol etc can be strengthened.

19. There is evidence that the provision of "flexible pathways" (providing for example a week which includes one day at tertiary college, one day project-based, two days at school and one with mentoring support activity) can be successful in re-engaging many young people who might otherwise disappear.

20. Flexible provision needs to include opportunities for community service, volunteering and active citizenship. YPPs may be able to identify a range of mentor-type roles and opportunities for older young people as well as adults together with organisational support at neighbourhood level. Closer cooperation with voluntary organisations which have experience in this area, such as the Prince's Trust Cymru and Community Service Volunteers may lead to innovative developments. Further consideration needs to be given to ways in which the entrepreneurial abilities which some disaffected young people have might be supported to provide them with a positive future direction.

21. The Group recommends that consideration needs to be given by the Assembly Government and LEAs to means by which the per capita funding delegated to schools for each pupil including the finance ringfenced to support pupils with SEN might be more demonstrably used to meet their needs via flexible provision. Performance indicators and targets might be used as evidence of achievement.

Accreditation of achievement

22. The Assembly Government sets targets for LEAs, schools, ELWa and Careers Wales. Further guidance from the Assembly Government is therefore vital regarding the value of targets in relation to a range of different forms of accreditation for this group of young people. Giving attention to building young people's self-esteem, confidence, and direction may

sometimes be equally as important as a more formal learning agenda for some young people, and may often be a necessary pre-requisite before they can engage effectively with that agenda. [The findings of a study funded by the Assembly Government into the impact of Youth Gateway in helping clients achieve successful transitions, available in Spring 2002, may provide additional information for inclusion here.]

23. Care needs to be taken with regard to accreditation of achievement. Whilst quick recognition of even the smallest achievement is important, young people need to understand the status of certificates they are given as a step towards other attainable qualifications more universally recognised and accepted by employers.

24. Partnerships may wish to consider ways in which young people can be supported to develop and maintain an individual "progress file" showing their achievements across the board which could be used as the basis for conducting job interviews.

25. Consideration needs to be given locally by YPPs, and also by the Assembly Government, to getting large and small employers to better understand the value of transferable skills, practical qualifications, and NVQs as well as GCSE qualifications in potential employees.

Support for young people

26. YPPs will need to set up a range of personal support mechanisms depending on each young person's needs. Good examples include:

- the leaving care agenda (where very intensive support is provided at one point in time)
- the Youth Gateway approach in some areas (where young people can drop in if they want to)
- Youth Access Initiative (where a youth worker provides outreach support.)

Some young people may benefit from access to trained counsellors.

Greater focus on young person

27. It is vital that all national and local agencies, focus on the fact that young people are their customers and promote and reinforce the view that providing support for each individual young person they interact with is the primary reason for their existence.

Existing good practice initiatives

28. Good practice which some geographical areas are already engaged in should be shared much more widely. The Assembly Government working with its partners and YPPs needs to

- "Promoting Positive Behaviour" (Swansea) operates as a partnership between external agencies and schools. It has increased Year 11 attendances in some schools to 97%.
- "The Gap Project" (Swansea) has dramatically improved attendance and achievements between years 10 and 11.
- The St Mellons Intro Project (Cardiff) has supported over 200 young people per year to become more independent, develop their key skills and access education.
- Fitzalan High School alternative curriculum provision years 7-11 helps pupils develop social skills, anger management, and higher self-esteem as well as gaining accreditation and exam success. Older pupils also gain experience of the world of work.
- Careers Wales Cardiff and Vale Mentoring Programme targets young people in full time education providing mentoring support from Year 8 through to Year 11. Pupils entering the programme have been identified by the school as in danger of becoming disengaged. The programme has helped to improve the attendance, behaviour and motivation of pupils whilst supporting transition into employment, training or education post compulsory education.
- "On Track" is a two year motivational programme aimed at disengaged pupils in Year 10 and 11. It consists of 2 hours' class room teaching/enterprise activities per week and monthly individual mentoring sessions. Mentoring continues two years post compulsory education. The programme has been running for 5 years in Cardiff and the Vale of Glamorgan with a 100% success rate in placing young people into employment, training or education and in sustaining those placements.
- Youth Gateway.(across Wales). This programme aims to re-engage young people whilst in education or in the labour market through a programme of enhanced guidance and enterprise activities. The programme aims to widen access to Careers Wales services, focusing on the need of the individual to support transition into employment, training or further education. Each young person is allocated a personal adviser who will offer mentoring support until they are suitably placed.
- Pen-y-Dre, Merthyr. The Gurnos Community workshop and Pen-y-Dre High School work in partnership through the "Bridges to Work" programme to ensure that all those known to be at risk of disengagement are contacted personally soon after they leave school, and persuaded to join a customised personal development programme. The programme has been operating successfully since 1999.

consider what incentives (such as targets/ performance indicators as well as financial) will be conducive to greater enthusiasm for local initiative and innovation. Some examples are given below. Further examples, together with additional details of the above are provided in Annex 10 [of the Extending Entitlement Guidance] and on the Welsh Assembly Government's website.

Future Pilot projects

26. The Group recommends that the Assembly Government considers the means by which YPPs might be invited to apply for funding for small-scale time-limited carefully evaluated pilot projects developing any of the areas of work identified above. This will both encourage innovative approaches and send a clear message about the commitment at national level to supporting imaginative practice in this area of work.

PARTICIPANTS IN THE TASK AND FINISH GROUP ON KEEPING IN TOUCH PROCEDURES

Huw Jones	Principal Youth Officer
Mike Money	Cardiff Local Education Authority
Sally Ellis	ADSS representative
Rob Cornwall	Gurnos Workshops
Dave McNicholl	Wrexham Adventure Playground
Jan Jones	Careers Wales
Shirley Rogers	Careers Wales (Cardiff and the Vale)
Howard Williamson	Academic, Cardiff University
Wyngrrove Brown	All Wales Ethnic Minority Association
Eddie Isles	Swansea Youth Offending Team Manager
Anne Mears Rees	Disability Wales
Lyndsay Evans	ELWa
Sarah Lloyd Jones	People and Work Unit
Angus Dunphy	Headteacher, Fitzalan High School, Cardiff
Lesley Williams	City and County of Swansea
Julia Rooney	Youth Worker (trainee)

Suzanne Chisholm	Youth Policy Team, Welsh Assembly Government
Siân Williams	Youth Policy Team, Welsh Assembly Government
Mark Christopher	Youth Policy Team, Welsh Assembly Government
Mike Moss	Training, Skills, Careers Policy, Welsh Assembly Government
Peter Greening	Training, Skills, Careers Policy, Welsh Assembly Government
Jane McMillan	Training, Skills, Careers Policy, Welsh Assembly Government
Eleanor Jones	Children and Families Division, Welsh Assembly Government (observing only)
Malcolm Horlock	Policy Unit, Welsh Assembly Government

EXAMPLES OF GOOD PRACTICE

i) **An Example of School-Based alternative curriculum (Fitzalan High School, Cardiff)**

Cardiff Local Education Authority's Schools Services having examined "Estyn", "NFER" and local research undertaken by Careers Wales undertook to introduce a model of "Alternative Curriculum" that was clearly established within the school context. Research clearly showing that those young people offered an alternative way of learning within school are more likely to achieve better results both in those subjects they continue GCSE's, / GNVQ's or other work related accredited skills.

Major benefits are that pupils feel included, apart of the school, whilst those who are permanently on outside programmes with little or no school contact feel isolated and excluded often from society in general.

The very best programmes research has shown are those that have:

- Clear rationale
- Well defined criteria for admission
- Seen as an integral part of the school curriculum
- Astutely planned and thoroughly monitored
- Used recognised accreditation
- Involved close relationships with other partners, employers and other organisations etc

Whole school approach.....vital

- Senior staff are closely involved and support the programme co-ordinator
- Well defined relationships and efficient communications with all teachers and other agencies, careers and parents
- Understanding of the purpose of work placements and the supervision of pupils is shared
- Monitoring and evaluation are well established

Other key features of the model are:

- A designated co-ordinator committed to the work and given time to manage it

- Programme seen as part of the schools overall curriculum plan not just a response to disaffection
- Defined relationships and regular communications with providers and agencies
- Good record of pupils attainment, progress, attendance, behaviour and closely monitored
- Evaluation of the programme in the light of evidence

How the approach works at Fitzalan

Aim:

To develop a whole school approach to identifying and supporting pupils at risk of dropping out of the educational system; to support and promote inclusion.

Alternative Curriculum Provision year 7 - 9

15 pupils per year group, supported by Youth and Community staff, 3 hours per week – in and out of school time. To focus on behaviour modification (especially anger management) and social skills.

Alternative Curriculum Provision year 10 – 11

Purpose:

- Counter truancy, disaffection and underachievement
- Promote competency on core skills. IT and social skills
- Provide stepping stones into further education / training / the job market
- To employ an integral approach through Youth and Community mechanisms to facilitate above

School based provision:

- Pupils can opt to participate in the programme with the full consent, understanding and agreement of all parents / guardians
- Pupils will be taught strategies for developing their self-esteem and social interaction with pupils and adults
- On 2 to 3 days a week pupils follow courses in English, Maths, ICT to examination / certificate standards. There is a lead lesson, morning and afternoon by teachers in each of the specialist curriculum areas.

- There is a minimum of 2 staff per cohort (approx. 6 – 8 pupils per cohort)
- Parents are invited to review progress with staff and son / daughter every term.

Out of school provision: (wide range of training providers private and voluntary sector)

- Pupils offered training or experience of work from a range of established venues
- Training/experience of work developed to link with targeted areas and open to review and evaluation by staff, pupils and parents
- Non or poor attenders at school are offered an opportunity to work out of a local "Internet Café" (Community Education operated) one day a week supported by school and community education staff – to examination / certificate standard

Specifically identified individuals needs catered for by targeted agencies to promote "Inclusion" (Southern Arc Project (Children and Youth Partnership funded, Neway Training provider

ii) St Mellon's (Cardiff) Intro Project : An example of post-16 working with disengaged young people

Background

St Mellons experiences multiple deprivation and high levels of child density. Truancy and a lack of personal achievement, academically and otherwise, are evident. The project works with young people at risk of social exclusion who are experiencing at least one of the following:

- Poverty and low income
- Feeling isolated in their own community
- Lacking support within their own community
- Not in touch with mainstream services
- Precluded by cost from accessing centralised services and other provision
- Not achieving
- De-motivated, low expectations and at risk of long term unemployment
- Not accessing education, training or employment opportunities
- Involved in or on the fringes of criminal activities

Project Objectives:

- To enable young people aged 16 – 25 years to access education, training and employment opportunities

- To make and maintain contact with and build relationships with young people in the target group
- Support young people through transition periods in their lives
- To use Youth Work methodologies to enhance ongoing work
- To develop a network of contacts with other professionals and agencies that work with young people
- To link young people with other professionals and agencies and to make / take referrals as appropriate
- To offer young people negotiated motivational and challenging opportunities and experiences
- To develop each young person's Key Skills in supportive and encouraging settings

Intended Outcomes:

- Young people access the "Intro" project
- Young people's needs are identified and met
- Individual action plans are negotiated and agreed
- Each young person has a Curriculum Vitae
- Young people develop further their Key Skills
- Young people are engaged in motivational and challenging programmes
- Increase in young people's confidence and self esteem
- Young people gain accredited qualifications
- Young people are in touch with mainstream services
- Appropriate referrals are made
- Young people access education, training and employment opportunities
- Young people are supported to stay in education and training
- Young people take up volunteering opportunities

The project:

Gives access to young people 9:30 – 4:00 during the day and 6:30 – 9:00 evenings. The project has a multi agency approach and has links with a wide range of organisations:

1. Careers Wales – 2 outreach advisers work alongside the project with access to current vacancies
2. Employment Service – links with local service and Cardiff Bay office with updated job cards daily
3. ELWa
4. St Mellons Healthy Living Project – opportunities for young people to become involved in motivational programmes and training eg outdoor pursuits
5. Community Education – core provision including the Youth Service – targeted work to meet individual needs through supportive learning
6. Training Provider network including – IMTECH, ITEC, CITB, WEA, Friary centre and the Parade
7. Surestart Project – opportunities for young parents including training.
8. Local High Schools
9. Health Service – Family Planning
10. Save the Children Wales
11. Local Employers
12. Right On / The Cardiff Youth Network
13. Cardiff Young Peoples Forum

The centre offers advice and guidance on current education, training and employment opportunities through 1 to 1 and groups plus Internet and ICT programmes. The service being offered free to young people and therefore young people are not excluded by costs of telephone calls, photocopying or other administration costs.

Young people also have the social space to develop and build up relationships without pressure to do more. The centre also offer accredited training opportunities and activity programmes.

The whole team adopt an anti-discriminatory and non judgemental approach throughout the work.

Outcomes to date include: (200+ per year)

- Young people becoming more independent, claiming correct benefits and earning money

- Young people accessing the project – making and maintaining contacts
- Youth workers re-engaging young people and giving support and encouragement on a daily basis to access services within their own communities (inter agency programme)
- Youth workers also supporting young people in accessing centralised services, providing bus fares etc
- A range of opportunities in place to give young people experiences that have led to personal achievement and enhanced motivation and self esteem leading to social inclusion
- Accredited qualifications from programmes

iii) Promoting Positive Behaviour : Pontarddulais Comprehensive School, Swansea

Pontarddulais School is an 11 – 16 school on the edge of the City and County of Swansea. There are 780 pupils on the roll. Pontarddulais has been part of the Promoting Positive Behaviour Initiative since 1999 and prides itself in putting people at the centre of its policy and practice. Thus staff and pupils participate in ongoing consultation on a variety of topics and practice around the acquisition of key skills through effective teaching and learning which is at the top of their agenda.

Crucially, Pontarddulais is a key focal point within the community and has achieved a great deal in moving this role forward. Thus pupils needs are considered as paramount and the skills of staff, support agencies and members of the wider school community are engaged to support the development of all its young people.

Strategies used by the school to promote an ethos of ongoing support and inclusion at a range of levels within the context of school and community working together are: -

- On going transition links with primary partner schools, including cross phase units of work, sports and arts events feed back opportunities to track pupil's progress.
- On-going opportunities for consultation with pupils, staff and the wider community.
- The regular celebration of success in class and in a wider context of school and community e.g. reward systems for attendance, effort and achievement. Work –related activities, behaviour, celebration events, pupil participation in assemblies
- Opportunities for peer education through mediation, mentoring and 'buddy' schemes, reading partners, circle time etc.

- Multi-faceted school-based support for pupils in need of individualised programme and intervention.
- Use of a range of pathways to support individual young people e.g. Alternative curriculum, links with the local college, supported work experience, multi-agency support through Family Group Conferencing and flexible timetables.
- Preparation for Further Education and the world of work through interview preparation, use of records of achievement and positive links with employers and Careers Wales.
- On-going support for young people post 16.

The underpinning values of Pontarddulais School seek to ensure that all young people are valued and that systems are manipulated to meet individual need, rather than individuals being manipulated to fit systems. This is not to say that there are no difficulties. It does however help to ensure that young people feel supported and that finite resources are utilised effectively within a context of partnership and an awareness of the needs of the young person before, during and, crucially, after their time as a pupil.

Lessons Learned

The following were vital elements in ensuring positive outcomes:

- A shared ethos between everyone within the school community
- The commitment of senior managers within the school to drive policy forward
- A commitment to partnership working
- Ongoing support for staff and partner agencies
- Shared ownership of targeted work with young people
- The establishment of relationships at the heart of learning
- Involvement of young people in the decision-making processes
- Tracking and monitoring of young people over an extended period of time

iv) The Ladder Project [Mountain Ash]

Is an experimental approach to meeting the needs of disadvantaged young adults in their own communities. It works with 16-25 year olds who have few or no qualifications and who frequently have multiple problems and provides support, information and practical help to enable them to access and sustain employment, training and education. The Ladder's staff are recruited from within the community they are working in and are engaged in their own professional development, training to Diploma level, whilst working.

The project aims to:-

- Provide powerful role models through its workers and their achievements
- Take time to help participants identify their needs and meet them
- Draw participants into society and support them to maintain their inclusion.

v) Gurnos Bridges to Work Programme

The Gurnos Community Workshop and Pen-Y-dre High School work in partnership through their Bridges to Work Programme to ensure that all those known to be at risk of disengagement are contacted personally soon after they leave school and persuaded to join a customised personal development programme. The programme has been operating successfully since 1999.

Lessons learned

1. A significant number of the young people concerned have a range of personal, emotional and psychological "baggage" that takes a considerable amount of time to unravel. Very often they see themselves as failures and anything to do with learning or training is to be avoided like the plague.
2. The processes for assessing the underlying needs of young people most at risk of disengagement/disaffection are rather weak and hazy both in school and after leaving.
3. The role of programme tutor is critical and the person appointed must be able to develop mutual respect and trust with participants very quickly. Working with these young people is extremely demanding on the tutor and he/she needs regular respite from the group. (This is well documented in the DfEE/NIACE publication *Only Connect*.)
4. Participants ARE able to learn, the challenge for us as providers is to find the spark that ignites their interest and build learning strategies around this. Sport appears to be a major interest for most young people.
5. Most participants have a VERY short attention span and access to transport (minibus) is essential to provide the range and variety of activities to maintain interest.
6. Most participants require professional support, e.g. counselling and this needs to be integrated into the programme – as opposed to referring participants to external provision. There is a chronic shortage of such specialist support in this area.
7. There is a design fault in existing training provision for these young people. This has come about because almost all training provision is now work based, e.g. Skillbuild. The typical participant on Bridges to Work needs a considerable amount of intensive support and guidance before they can be safely placed with an employer.

8. There is a weakness in roles and responsibilities for the welfare and wellbeing of such young people, in that there appears to be no one agency that is responsible for ensuring that these young people secure suitable employment. (The Careers Service provide information, advice and guidance and the Employment Service are not involved until the young person reaches the age of 18 – and then only if he or she chooses to register at the Jobcentre). Some young people have such a negative experience of officialdom that they choose to find other ways of earning a living until they experience a significant event in their lives that causes them to re-think their strategy for earning money.

Contact details

Rob Cornwall
Gurnos Workshops
17-20 Penydre
Gurnos,
Merthyr
CF47 9DY
Tel. 01685 377577
Email: gurnos@communityworkshop.fsnet.co.uk

vi) Promoting Prevention: A multi-agency initiative of youth crime prevention in Swansea

Promoting Prevention is a cross-cutting, multi-agency partnership in Swansea involving the statutory and voluntary sectors, with the central aim of preventing youth offending (i.e. 10-17 year olds) through educational and economic inclusion. A range of corporate and strategic interventions address factors known to place young people at risk of offending (e.g. school exclusion, truancy and pupil disaffection, lack of training and employment opportunities, drug and alcohol misuse, social exclusion), as well as a range of interventions based in equal measure on restorative justice and social inclusion. Methods to protect against exposure to risk factors¹ include whole school interventions, detached youth work, alternative curriculum, direct and indirect reparation, anger management, family group conferencing and mentoring.

The initiative is incorporated into an evidence-based, problem-solving local authority strategy (Safer Swansea), building upon existing local resources, including informal support networks (Bright 1997). Promoting Prevention aims to deliver multiple, durable services and involve target groups in its design and implementation. The cross cutting nature of the initiative facilitates

1. Promoting Prevention is theoretically undepinned by the risk factor prevention paradigm, which identifies risk factors for offending and implements preventative measures designed to counteract them, as well as enhancing protective factors that prevent exposure to these risk factors.

access to the wider base of resources across participating agencies, unifying the aspirations of the Youth Offending Team (YOT), Crime and Disorder Partnership and the Drug and Alcohol Action Team (DAAT), to tackle the underlying factors of youth criminality.

Promoting Prevention as an entity is far more than just a programme of criminality prevention initiatives housed within a multi-agency partnership project. Instead, it exists as a philosophical movement and commitment to higher principles, recognising the universal rights and responsibilities of young people within a framework of entitlement, empowerment, and engagement. The key objective is to produce a dynamic cultural shift within the City & County of Swansea such that Promoting Prevention exists as a strategy and a structure which binds local agencies into a co-ordinated and comprehensive approach focused on enfranchising the local youth population and targeting disaffection. This requires commitment from all parties if Promoting Prevention is to supersede a more traditional 'signposting' role in order to empower young people's access to and knowledge of services.

Computer-interactive questionnaire

Ongoing evaluation of Promoting Prevention includes a risk auditing and attitude survey using a multi-media, computer-interactive questionnaire. This is far more economical than paper-based surveys in speed of feedback and cost, whilst eliciting more honest responses to sensitive topics in a more user-friendly, engaging format (see Spotlight 87 - Haines et al 2001). Young people are consulted and encouraged to participate at every stage of the research process, having their voices heard and needs considered (Better Wales 2000). The subsequent findings address needs and issues that have been identified by the subjects as priorities, producing practical conclusions and outcomes such as service improvement (Sample 1996).

Key Issues Identified by the Promoting Prevention Evaluation

- Ongoing evaluation indicates that multiple exposure to risk factors in the key domains of the young person's life (school, family, neighbourhood, peers) significantly increases the likelihood that a young person will become involved in school exclusion, drug taking and offending, whilst exposure to multiple protective factors decreases the likelihood of these problem behaviours.
- This indicates that the multi-agency, multiple intervention Promoting Prevention programme, spanning all areas of the young person's life, is the most effective way of addressing youth criminality prevention in Swansea.

Lessons Learnt So Far

- Promoting Prevention is delivering targeted, action-focused initiatives based upon a corporate philosophy and effective, cross-cutting principles.
- Previously autonomous and isolated agencies are now committed to resource-sharing and open practice, which has resulted in a more positive image for their organisation, both internally and amongst other agencies.
- Strong working relationships have developed and systems of partnership in the City & County of Swansea have become more effective as diverse and connected agencies are working together with a common goal.
- Measures to reduce and prevent crime are not seen as the responsibility of one agency, but the responsibility of all agencies working together within a coherent and agreed strategic plan.
- Further work is needed to establish robust monitoring and evaluation processes as part of organisational culture, but all partners are committed to improving their practices in order to feed back into and modify Promoting Prevention and its implementation.
- Measures to reduce and prevent crime are responsive to the real needs of young people and local problems. These measures are systematic and comprehensive.
- Simple or single solutions to the reduction and prevention of crime are avoided and the approach adopted makes use of a wide variety of strategies and programmes.
- The long-term approach is recognised as necessary and quasi quick-fix solutions are avoided.
- Consequently, each partner agency within Promoting Prevention has committed to a process of sustainable funding for the foreseeable future.
- Promoting Prevention is functioning as a consultative and empowering methodology for effective work with young people.

Contact Details

Steve Case
Senior Researcher
University of Wales, Swansea
c/o Swansea Youth Offending Team
Cockett Rd
Swansea SA2 0FJ
Tel. 01792 522800
Email: steve.case@swansea.gov.uk

ROLE OF THE CHILDREN'S COMMISSIONER

1. Whilst the Children's Commissioner has no direct role in the activities set out in the Direction and Guidance, he does have powers to investigate any complaint raised with him by any young person in relation to the activities of local Young People's Partnerships.

Initial Functions under the Care Standards Act 2000

2. The Commissioner's statutory office, appointment and initial functions were established under Part V of the Care Standards Act 2000. They extend to all of the social care services regulated or to be regulated by the Act ie. children's homes, residential family centres, local authority fostering and adoption services, fostering agencies, voluntary adoption agencies, domiciliary care, private and voluntary hospitals/clinics, the welfare aspects of daycare and childminding services for all children under the age of eight, and the welfare of children living away from home in boarding schools.

3. The functions include:

- the review and monitoring of arrangements for dealing with complaints, whistleblowing and advocacy;
- the examination of the cases of particular children;
- the provision of assistance, including financial assistance, and representation, in respect of proceedings or disputes or in relation to the operation of procedures and arrangements monitored by the Commissioner;
- the provision of advice and information;
- making reports, including an annual report on the exercise of his functions to the National Assembly; and
- the power to require the provision of information and the disclosure of documents.

New and extended functions under the Children's Commissioner for Wales Act 2001

4. The 2001 Act amends Part V of the Care Standards Act 2000 by introducing new functions and extending his existing functions. The 2001 Act:

- provides that the principal aim of the Commissioner in exercising his functions is to safeguard and promote the rights and welfare of children;
- confers on the Commissioner a power to consider, and make representations to the National Assembly for Wales about, any matter affecting the rights or welfare of children in Wales. (This means the Commissioner will have a statutory role in matters that do not lie within the functional fields devolved to the Assembly);
- confers on the Commissioner a new power to review the effect on children in Wales of any existing or proposed legislation of the Assembly, or of any other function of the National Assembly for Wales or a public person exercising statutory functions or providing statutory services in Wales in a functional area devolved to the Assembly. It is this power to review the effect of policies and delivery of services across the board that is expected to support the bulk of the Commissioner's activity;
- extends the Commissioner's functions under the Care Standards Act to a wide range of public bodies operating in Wales, including the Assembly, who have statutory functions or provide statutory services relating to functional fields devolved to the Assembly.

5. The Children's Commissioner for Wales Act and National Assembly for Wales Regulations, giving the Commissioner his full powers, came into force in August 2001. Peter Clarke came into post on 1 March, 2001.

6. He can be contacted at :

Tel : 01792 765600

Email : post@childcomwales.org.uk

GOOD PRACTICE IN PARTNERSHIP WORKING

1. The Welsh Assembly Government has commissioned a research project, the findings of which are due to be published towards the end of 2002. Further information is available in the Framework Planning Guidance (Annex B) and the Communities First Guidance.
2. The following summary was prepared by Children in Wales within the report commissioned by the Welsh Assembly Government reviewing the Children's Partnership Programmes.

Attitudes/process

- Shared vision
- Mutuality and respect
- Transparent, democratic decision-making process
- Effective leadership
- Sharing of valued resources
- Willingness to innovate and be adventurous

Strategic approach

- Good links with other initiatives and programmes funding children's services
- multi-agency involvement, including voluntary sector
- Commitment and support at senior level
- Joint training on roles and responsibilities

Monitoring and evaluation

- Systems for assessing and recording evidence of outcomes for users
- Systems for monitoring progress towards targets
- Procedures for reflecting on the effectiveness of relationships between partners

Representation/inclusiveness

- Support to enable a diverse range of partners to be included and work together (e.g. funding, childcare)
- Involvement of users, including young people, in shaping and influencing design of services

Activities

- evidence-based services
- coordinated services addressing all aspects of children's needs ('whole-child' approach)
- appropriate targeting (intensive services for those most in need, other initiatives targeted geographically or universally available)
- appropriate location (non-stigmatising and accessible, e.g. schools as base for support activities)
- appropriately trained and qualified staff.

GOOD PRACTICE IN THE PROVISION OF INFORMATION TO YOUNG PEOPLE

Info Outlets: A strategy for a national network of local information services for young people in Wales.

1.There is an acute need for "information outlets" appropriate to community needs, for example mobile units, information shops, and information points. All outlets need to be well publicised, accessible and non-intimidating, offering unbiased advice, guidance and information. The outlets should form part of the support services provided by local authorities. (`Extending Entitlement` : supporting young people in Wales Sept.2000)
2. Since January 2001, Canllaw Online, supported by the National Assembly for Wales, has continued on the earlier work of the Wales Youth Agency with the development of a blueprint with a structural and service specification for Info Outlets. This specification is underpinned by a benchmark registration scheme to ensure common quality standards of delivery across Wales. Info Outlets work towards a quality mark as part of the registration scheme, thereby ensuring that they commit to providing appropriate information services for young people in their community.
3. In order to achieve this national network, Canllaw Online has engaged with partners (statutory and voluntary) in each of the 22 local authorities. This has the purpose of looking at a strategic delivery of Information Services for Young People at a local level. The key concepts and guiding principles of what Canllaw Online delivers nationally heavily underpins the desired process for local models of delivery.
4. In the way that Canllaw serves as a `hub` for the delivery of a national information service for young people, so too, there is a necessity for authorities to have a main `hub` as a central facility for support to a number of strategic info outlets in the community. This central `hub` becomes the co-ordinating point for the delivery of information services to young people and ensures that all Info Outlets in their locality receive a comprehensive and cohesive service in terms of support, communication, and staff development.
5. There are four levels at which projects can enter the national registration scheme for Info Outlets

a) Info Points

6. These are areas/displays of Information for young people which are located in high profile areas for young people e.g. Youth Clubs, Libraries, Schools, Leisure Centres, Career Shops, and any other areas identified locally as frequented by young people. Information relating to each of the ten Canllaw Info-Index system is displayed in a specified format making it instantly recognisable as part of the National Info Outlet Scheme. This is the basic level of the scheme and requires only a minimum investment from local partners to set up.

b) Info Zones

7. These are areas/rooms in a building which have been designated as Info Zones and have free access to Internet, free use of telephone, access to trained staff, Euro-desk service, and a display of information relating to each of the ten Canllaw Info-Index headings. These Zones offer a much more comprehensive service to young people and will be able to help the young person from the start of their enquiry to the finish. The Zones are also required to meet specific service and structural criteria as part of the Registration Scheme.

c) Info Mobiles

8. This level is for the mobile services that could be operated to serve areas that are service-poor e.g. rural communities, isolated housing estates, and outlying towns. To register as a mobile provision under the scheme there must be a minimum of 5 visits per week to offer a service to outlying areas and projects must be able to meet the structural and service criteria outlined in Appendix A.

d) Info Shops

9. This is the highest level in the scheme and is for designated information projects that operate `Shops` in high profile locations. The shops offer all the services of the other levels on a daily basis and are able to act as a focal point for the delivery of information services to young people.

10. Criteria for registration are a minimum requirement; we expect that many of the outlets will be able to operate a service that is much higher than the required level.

11. The desired model of Info Outlet provision for a local authority area will be for a combination of the above levels as determined appropriate, to serve across the whole community. The common logo and corporate identity has been developed so that wherever young people are in their locality they can be entitled to expect access to a high-quality and reliable information and advice service.

12. The crucial element in delivery at local level is the designation of an information team/worker (ie the central hub) with strategic development responsibility for the Information Services for Young People for that authority. The local designated team/person are then able to plan and develop the most appropriate service for the geographical area to be covered. Consideration of how to involve all information providers from all relevant sectors must be included. Support for this process is available from Canllaw Online. This will enable a flow of support and information (both ways) from Canllaw Online to central hubs in each authority and via these hubs to all other registered Info Outlets in the area.

Working Examples of Good Practice

13. Newport Local Authority has set up a full Info Shop, delivered by a highly skilled staff team, in the centre of the city offering a central focus for information services for young people, extended further by the Youth service in the Authority.

14. Bridgend Local Authority have designated one of their Youth and Community Staff and the premises at which the post is based as the Canllaw Link and this post has been charged with the responsibility of coordinating a strategy for Information provision to young people in the authority, and the job description for this post gives a specific reference to developing as part of the Canllaw Online Info Outlet Scheme for Wales. The premises in Maesteg are registering as an Info Zone and this will act as a support `hub` to a proposed 27 Info Points to be established across Bridgend. Other Zones are also planned that will eventually become regional `hubs` to the Info Points nearest to them.

15. In Wrexham a new town centre Info Shop is being developed along with an Info Point in Yale College.

Contact : Mick Conroy, Canllaw Online tel : 029 2088 7868

Email: mickconroy@canllaw-online.com

ACKNOWLEDGEMENTS

The National Assembly for Wales is grateful for the support and assistance we have been given by many organisations and individuals in developing this Direction and Guidance.

In particular, we wish to record our appreciation of the contribution made by the "Extending Entitlement" Expert Advisory Group, the External Reference Group, Margaret Jervis (Director, Valleys Kids, Rhondda Cynon Taf), Huw Jones (Principal Youth Officer, Caerphilly CBC) Jan Jones (Director, Careers Wales Association) and their colleagues.

We also appreciate the comments we have received from many people across Wales during the consultation process which preceded publication.

Some of the people who have helped play a part in developing Extending Entitlement







Thanks to Canllaw Online and photography students from Glamorgan Centre for Art and Design Technology