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Green Party in Northern Ireland
Room 259 Parliament Buildings
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Our Ref: 12/PD/PLM/053

Dear Gareth

Please find enclosed the Commissioner's response to Mr Agnew's consultation on his Private Members Bill in relation to a statutory duty on all government departments to collaborate in the planning, commissioning and delivery of services to children in Northern Ireland.

As I stated in my meeting with Steven in April, I am very supportive of the Bill, and have called for a statutory duty to cooperate for some time.

Yours sincerely



Patricia Lewsley-Mooney
Commissioner



Response to Consultation Questionnaire on the Private Members Bill in relation to a statutory duty on all government departments to collaborate in the planning, commissioning and delivery of services to children in Northern Ireland.

Questions on the Principles of the Bill

Question 1

Do you believe that the introduction of a statutory duty on Government departments and agencies to collaborate in working to achieve the 6 high level outcomes and in the planning, commissioning and delivery of children's services would make collaboration more likely? Why/Why not?

Yes No Unsure

Comments:

A statutory duty on the departments should make it more likely that departments would collaborate to achieve the six high level outcomes.

Question 2

Do you agree that greater collaboration between Government departments and agencies is needed to improve the outcomes for children and young people in Northern Ireland?

Yes No Unsure

Comments:

Yes, this is needed.

Last year NICCY commissioned researchers at Queens University Belfast to investigate the barriers to effective government delivery for children in NI, and they found a lack of coordination in developing and delivering services for children was a major problem.

Recommendations from the report included the development of 'a statutory duty to cooperate at both central government and intra-agency level,' and 'the development of a vehicle to enhance opportunities for pooled funding between departments on cross-cutting children's issues. The report can be accessed at:

<http://www.niccy.org/article.aspx?menuId=12794>

Questions on Part 1 of the Bill

Question 3

Do you support, in principle, the introduction of a statutory duty on Government departments and agencies to work to achieve the six listed high level outcomes for children?

Yes No _____ Unsure

Comments:

Yes, the Commissioner is convinced that a statutory duty is required to ensure departments and agencies work together to meet the rights and best interests of children.

If you answered no to question 3, please proceed to question 7

Question 4

Do you agree that the duty to work towards achieving the high level outcomes should apply to all Government departments and agencies?

Yes No _____ Unsure

Comments:

It should apply to all Government Departments and Agencies in relation to any work that would impact on children and young people.

Question 5

Do you believe that the reporting up mechanism proposed in Part 1E of the key legislative proposals is the appropriate reporting up mechanism? Why/Why not?

Yes _____ No _____ Unsure

Comments:

The Commissioner has not considered models for reporting on the effectiveness of the statutory duty. The mechanism proposed would appear to be an appropriate mechanism.

Question 6

It is proposed that OFMDFM ought to be required to lay a report to the Assembly every 3 years. Do you agree with the frequency of this requirement?

Yes _____ No Unsure

Comments:

Reports should be laid every year to update on progress and to keep a focus on developing stronger integration between the work of the departments and agencies.

Questions on Part 2 of the Bill

Question 7

Do you believe that there is currently an adequate level of Government

- a) co-operation in the planning;*
- b) co-operation in the commissioning;*
- c) co-operation in the delivery; and*
- d) pooling of budgets;*

for children's services

Yes _____ No Unsure

Comments:

Again, we would refer you to the relevant parts of our report on 'Barriers to Effective Government Delivery for Children.'

Question 8

Can you provide examples and/or case studies of when the lack of cooperation between Government departments resulted in planning, commissioning and or delivery of children's services that was inefficient and/or ineffective?

Yes No _____ Unsure

Comments

Our report 'Barriers to Effective Government Delivery for Children' provides information on how the lack of cooperation between Government Departments has impacted on the planning and delivery of strategies for children.

Question 9

Do you support, in principle, the introduction of a statutory duty on (relevant) Government departments and agencies to collaborate in the

- a) Planning;*
- b) Commissioning; and*
- c) Delivery*

of children's services?

Yes

No

Unsure

Comments:

If you answered no to question 9, please proceed to question 15

Question 10

Which departments and organisations responsible for planning children's services should a statutory duty to cooperate apply to:

Comments:

All departments and government agencies. There should also be a requirement to cooperate with relevant bodies from other sectors in planning children's services.

Question 11

Which departments and organisations responsible for commissioning children's services should a statutory duty to cooperate apply to:

Comments:

All departments and government agencies. There should also be a requirement to cooperate with relevant bodies from other sectors in commissioning children's services.

Question 12

Which departments and organisations responsible for delivering children's services should a statutory duty to cooperate apply to:

Comments:

All relevant government agencies. There should also be a requirement to cooperate with relevant bodies from other sectors in delivering children's services.

Question 13

Do you believe that the reporting up mechanism proposed in Part 2D is an appropriate reporting up mechanism? Why/Why not?

Yes _____ No _____ Unsure

Comments:

It would seem appropriate that DHSSPS reports to the Assembly since the Health and Social Care Board has responsibility for coordinating the Children and Young People Strategic Partnership.

Question 14

It is proposed that the Health Minister ought to be required to lay a report to the Assembly every 3 years. Do you agree with the frequency of this requirement?

Yes _____ No _____ Unsure

Comments:

Three years is a long delay between reports, and it would be preferable for reports to happen annually. To ensure this doesn't become overly onerous, perhaps the information required for the annual reports could be limited.

Questions on Part 3 of the Bill

Question 15

Do you concur that this legislation ought to include an enabling power which would permit Government departments and agencies to pool budgets and jointly commission services?

Yes No Unsure

Comments:

The lack of joined up budgets was a critical finding of our 'Barriers to Government Delivery for Children and Young People report, and again we would refer you to the relevant findings and recommendations.

Additional Questions

Human Rights & Equality Implications

Question 16

How do you think the proposed legislation will impact on human rights?

Positively Negatively Not at all/not significantly Unsure

Comments:

It should ensure that government delivers more effectively on children's rights.

Question 17

How do you think the proposed legislation will impact on equality of opportunity?

Positively Negatively Not at all/not significantly Unsure

Comments:

It should help to address inequalities between groups of children.

Question 18

Do you have any comments on the likely savings / financial implications of the proposed legislation?

Arguably, more joined up delivery for children should result in a better use of resources, and better value for money.

Question 19

Do you have any other comments on the proposed legislation?