

Children and Young People's Health Policy Influencing Group

Children and the Health and Care Bill House of Lords report stage briefing

About the Children and Young People's Health Policy Influencing Group

The Children and Young People's [Health Policy Influencing Group](#) (HPIG) is a membership group made up of over 70 leading voluntary organisations, Royal Colleges and professional associations who champion the needs of children in the health service.

HPIG members represent babies, children and young people aged 0-25. References to 'children' in this briefing includes babies, children and young people.

Government commitments relating to children at report stage

The government has brought forward a number of amendments relating to children at report stage and has offered a series of further commitments regarding statutory guidance. As a sector, we warmly welcome this progress and would like to thank officials from the Department of Health and Social Care and Department for Education who have engaged so constructively with us over the course of the past year.

However, while we welcome the steps that have been taken, we believe more should be done to provide assurances that the new system will work for all children. To this end, we are supporting an amendment tabled by Baroness Hollins which would provide additional accountability for Integrated Care Boards, as well as seeking further clarification on a number of issues.

1. Government Amendment – requirement on Integrated Care Boards to set out how they will meet the needs of children and young people in joint forward plans

Clause 21, line 25, at end insert –

"set out any steps that the integrated care board proposes to take to address the particular needs of children and young persons under the age of 25;"

Explanatory statement: This amendment requires the joint forward plan for an integrated care board and its partners to set out any steps that the integrated care board proposes to take to address the particular needs of children or young people under the age of 25.

Our position: Our members welcome this amendment which puts children on the face of the bill and addresses a key concern of the sector and Peers. Our



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experience has shown us that where there are no specific requirements to consider children in legislation, their needs are often ignored when it comes to implementation. We are pleased to see that this trend will not be replicated here and ICBs will be required to set out how they will meet children's needs in their forward plan. This is major step forward.

2. Government Amendment – commitment to lay a report before Parliament on information sharing and a single unique identifier for children

After Clause 164 - Insert the following the Clause –

"Child safeguarding etc in health and care: policy about information sharing

(1) The Secretary of State must publish and lay before Parliament a report describing the government's policy in relation to the sharing of information by or with public authorities in the exercise of relevant functions of those authorities, for purposes relating to—

(a) children's health or social care, or

(b) the safeguarding or promotion of the welfare of children.

(2) In this section, "relevant functions" means functions relating to children's health or social care, so far as exercisable in relation to England.

(3) The report must include an explanation of whether or to what extent it is the government's policy that a consistent identifier should be used for each child, to facilitate the sharing of information.

(4) The report must include a summary of the Secretary of State's views about implementation of the policy referred to in subsection (1), including any views about steps that should be taken to overcome barriers to implementation.

(5) The report must be published and laid before Parliament within one year beginning with the date on which this section comes into force.

(6) In this section "child" means a person aged under 18."

Explanatory statement: This amendment inserts a new clause requiring the Secretary of State to publish and lay before Parliament a report describing the government's policy in relation to information-sharing by or with authorities with health and social care functions, for purposes relating to children's health or social care or the safeguarding or promotion of the welfare of children.

Our position: We welcome the government's acknowledgement that there are serious and distinct challenges with sharing relevant information between the children's health and care system, and other systems, and that this requires specific attention. We also welcome the intention to look further at this matter



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and lay a report before Parliament within a year. However, we are concerned that the wording of the amendment may not go far enough.

In particular, the amendment tabled does not commit government to any specific action beyond publishing the report, nor does it clarify the intention to move towards a single unique identifier for children.

As Lord Warner and others set out during debates at Committee Stage, some of these issues have been the subject of government discussion and reports for over two decades. We are therefore hopeful to secure assurances from the minister that the government is:

- Committed to improving information sharing and moving towards a single unique identifier for children in the near future;
- Committed to acting on the findings of the report laid before Parliament;
- Committed to fully involving organisations representing children and young people in the production of the report.

3. Government commitment to ensure a children's lead on every Integrated Care Board

The government will confirm that statutory guidance issued by NHS England will set out that one of the ICB executive leads must act as a 'children's lead' with responsibility for championing the needs of babies, children and young people under the age of 25. Furthermore, to ensure appropriate accountability for duties on child safeguarding and children with special educational needs and disabilities (SEND) in ICBs, statutory guidance will set out that responsibility for these accountable functions should be delegated to an ICB executive lead.

Our position: We warmly welcome this commitment as a crucial way of ensuring children's needs are fully considered at the executive board level.

4. Baroness Hollins - amendment to create accountability for Integrated Care Boards

Clause 20, page 25, line 31, at end insert –

"In conducting a performance assessment, NHS England must include assessment of the steps the integrated care board has taken to meet the needs of children and young persons under the age of 25, including

- steps taken to integrate services and share relevant information with partners
- duties to promote the welfare and safeguarding children
- duties relating to children and young people with SEND"

Explanatory statement: This amendment would require NHS England to assess how well each integrated care board is meeting the needs of babies, children and young people aged 0-25, creating accountability for delivery of ICB duties for children

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Our position: Clause 20 of the bill gives NHS England a crucial role in holding local systems to account: new section 14Z57 will require NHS England to conduct and publish an annual performance assessment of each Integrated Care Board. This assessment must include how well the integrated care board has discharged its duties concerning the improvement in quality of services, on reducing inequalities, and the extent of its public involvement and consultation.

While we welcome the significant progress that has been made relating to children, we believe the final piece of the puzzle is accountability. There is a strong case for including an emphasis on meeting the needs of children in this annual performance assessment, and we are hoping for specific commitments from the minister that children will be fully included in the performance and accountability frameworks under development by NHS England.

For more information, please contact:

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