

## **The Bury Directory**

The Bury Directory is an innovative solution to a legislative requirement set out by **three statutory services** (a statutory service is something the council **must** deliver as decreed by Parliament legislation). These services are the Care Act 2014, Children and Families Act 2014 and The Childcare act 2006.

### **Care Act 2014**

This comes from Part 1 the Care and Support section of the Care Act, point 4 Providing Information which reads:

1. A local authority must establish and maintain a service for providing people in its area with information and advice relating to care and support for adults and support for carers.
2. The service must provide information and advice of the following matters in particular –
  - a) the system provided for by this Part and how the system operates in the authority's area
  - b) the choice of types of care and support, and the choice of providers, available to those who are in the authority's area
  - c) how to access the care and support that is available
  - d) how to access independent financial advice on matters relevant to the meeting of needs for care and support, and
  - e) how to raise concerns about the safety or well-being of an adult who has needs for care and support
3. In providing information and advice under this section, a local authority must in particular –
  - a) Have regard to the importance of identifying adults in the authority's area who would likely benefit from financial advice on matters relevant to the meeting of needs for care and support, and
  - b) Seek to ensure that what it provides is sufficient to enable adults-
    - i. to identify matters that are or might be relevant to their personal financial position that could be affected by the system provided for by this Part,
    - ii. to make plans for meeting needs for care and support that might arise, and
    - iii. to understand the different ways in which they may access independent financial advice on matters relevant to the meeting of needs for care and support
4. Information and advice provided under this section must be accessible to, and proportionate to the needs of, those for whom it is being provided

5. "Independent financial advice" means financial advice provided by a person who is independent of the local authority in question
6. In cases where a local authority performs the duty under subsection (1) jointly with one or more other local authorities by establishing and maintaining a service for their combined area-
  - a) references in this section to a local authority are to be read as references to authorities acting jointly, and
  - b) References in this section to a local authority's area are to be read as references to the combined area

### **Children's & Families Act 2014 - SEND Local Offer**

This comes from Part 3 Information & advice, points 30 & 32 of the Children's & Families Act 2014 which reads:

#### 30 Local Offer

1. A local authority in England must publish information about-
  - a) the provision within subsection (2) it expects to be available in its area at the time of publication for children and young people who have special educational needs or a disability, and
  - b) the provision within subsection (2) it expects to be outside its area at that time for –
    - i. children and young people for whom it is responsible, and
    - ii. children and young people in its area who have a disability
2. The provision for children and young people referred to in subsection (1) is –
  - a) education, health care and provision
  - b) other educational provision
  - c) other training provision
  - d) arrangements for travel to and from schools and post-16 institutions and places at which relevant early years education is provided
  - e) provision to assist in preparing children and young people for adulthood and independent living
3. For the purposes of subsection (2)(e) provision to assist in preparation for adulthood and independent living includes provision relating to –
  - a) finding employment
  - b) obtaining accommodation
  - c) participation in society
4. Information required to be published by an authority under this section is to be known as its 'Local Offer'
5. A local authority must keep its local offer under review and may from time to time revise it.

6. A local authority must from time to time publish –
  - a) comments about its local offer it has received on or behalf of –
    - i. children and young people with special educational needs, and the parents of children with special educational needs, and
    - ii. children and young people who have a disability, and the parents of children who have a disability, and
  - b) the authority's response to those comments (including details of any action the authority intends to take).
7. Comments published under subsection (6)(a) must be published in a form that does enable the person making them to be identified.
8. Regulations may make provision about –
  - a) the information to be included in an authority's local offer
  - b) how an authority's local offer is published
  - c) who is to be consulted by an authority in preparing and reviewing its local offer
  - d) how an authority is to involve –
    - i. children and young people with special educational needs, and the parents of children with special educational needs, and
    - ii. children and young people who have a disability, and the parents of children who have a disability,in the preparation and review of its local offer
  - e) the publication of comments on the local offer, and the local authority's response, under subsection (6) (including circumstances in which comments are not required to be published)
9. The regulations may in particular require an authority's offer to include –
  - a) Information about how to obtain an EHC needs assessment;
  - b) Information about other sources of information, advice and support for –
    - i. Children and young people with special educational needs and those who care for them, and
    - ii. Children and young people who have a disability and those who care for them
  - c) Information about gaining access to provision additional to, or different from, the provision mentioned in subsection(2);
  - d) Information about how to make a complaint about provision mentioned in subsection (2)

### 32 Advice and information

1. A local authority in England must arrange for children and young people for whom it is responsible, and the parents of children for whom it is responsible, to be provided with advice and information about matters relating to the special educational needs of the children or young people concerned

2. A local authority in England must arrange for children and young people in its area with a disability, and the parents of children in its area with a disability, to be provided with advice and information about matters relating to their disabilities of the children or young people concerned
3. The authority must take such steps as it thinks appropriate for making the services provided under subsections (1) and (2) known to-
  - a) the parents of children in its area
  - b) children in its area
  - c) young people in its area
  - d) the head teachers, proprietors and principals of schools and post-16 institutions in its area
4. The authority may also take such steps as it thinks appropriate for making the services provided under subsections (1) and (2) known to such other persons as it thinks appropriate

### **The Childcare act 2006 - Family Information Service**

The statutory duty for the Family Information Service comes from Section 12 of The Childcare act 2006 - Information, advice and assistance which reads:

1. An English local authority must establish and maintain a service providing information, advice and assistance in accordance with this section.
2. The service must provide to parents or prospective parents information which is of a prescribed description and relates to any of the following:
  - a) the provision of childcare in the area of the local authority
  - b) any other services or facilities or any publications, which may be of benefit to parents or prospective parents in their area
  - c) any other services or facilities, or any publications which may be of benefit to children or young persons in their area.
3. In prescribing information for the purpose of subsection (2), the Secretary of State must have regard to the needs of the parents of disabled children or young persons for information relating to –
  - a) the provision of childcare which is suitable for disabled children, and
  - b) other services or facilities, or publications, which may be of particular benefit to the parents of disabled children or young persons or to disabled children or young persons
4. The service may, in addition to provide information which it is required to provide under sub section (2), provide information relating to any of the matters

mentioned in paragraphs (a) to (c) of that subsection to such persons as the local authority considers appropriate.

5. The service must provide advice and assistance to parents or prospective parents who use, or propose to use, childcare provided in the area of the local authority.
6. The service must be established and maintained in the manner which is best calculated to facilitate access to the service by persons in the local authority's areas who may benefit from it, including, in particular persons who might otherwise have difficulty in taking advantage of the service
7. In exercising their functions under this section, a local authority must have regard to any guidance given from time to time by the Secretary of State
8. For the purposes of this section, a child or young person is disabled if he has a disability for the purposes of the Disability Discrimination Act 1995 (c.50).
9. In this section-
  - 'parent' means a parent of a child or young person and includes any individual who –
    - a) has parental responsibility for a child, or
    - b) has care of a child;
  - 'prospective parent' means a pregnant woman or any other person who is likely to become, or is planning to become a parent;
  - 'young person' means a person who has attained the age of 18 but has not attained the age of 20.

## Summary

All information and advice must be provided in formats that help people to understand, regardless of their needs

<p><b>The Childcare act 2006</b></p> <p><b>Family Information Service</b></p> <p>Section 12 Information, advice and assistance</p>	<p>Family Information Service provides a range of information, advice and assistance on services available to parents, including parents of disabled children. Information includes childcare and any other services or facilities which may be of benefit to parents.</p>
<p><b>Children's &amp; Families Act 2014</b></p> <p><b>SEND/Local Offer</b></p> <p>Part 3 Information &amp; advice, points 30 &amp; 32</p>	<p>The Children and Families Act (2014) aims to ensure that all children, young people and their families are able to access the right support and provision to meet their needs. The Act outlines a new Code of Practice for children and young people with special educational needs and disabilities (SEND)</p>
<p><b>Care Act 2014</b></p> <p><b>Adult Care</b></p> <p>Part 1 the Care and Support section point 4 Providing Information</p>	<p>Local authorities need to provide comprehensive information and advice about care and support services in their local area. This is to help people to understand how care and support services work locally, the care and funding options available, and how people can access care and support services</p> <p>Local authorities must also help people to benefit from independent financial advice so that they can get support to plan and prepare for the future costs of care.</p> <ul style="list-style-type: none"><li>• Local councils must have good information to help people choose the right care and support.</li><li>• councils must give information and advice to everyone who wants it, not just people who have their care and support paid for by the council</li><li>• which people might need information and advice</li><li>• what councils can tell people about paying for care</li><li>• how to plan to give local people the type of information they need.</li></ul>