

# Common Core

of Skills and Knowledge for the Children's Workforce



Every Child Matters  
Change for Children





Skills for Learning Professionals



Children's Workforce Development Council



General Teaching Council for England



Association of Chief Police Officers



Creative & Cultural Skills









SKILLS for JUSTICE



Early Years National Training Organisation



# Contents

Introduction	4	
1 Effective communication and engagement with children, young people, their families and carers	6	
2 Child and young person development	10	
3 Safeguarding and promoting the welfare of the child	13	
4 Supporting transitions	16	
5 Multi-agency working	18	
6 Sharing information	21	
7 Glossary	24	
8 Annex 1 Relevant legislation	27	
9 Annex 2 Every Child Matters: Change for Children outcomes framework	30	

# 1. Introduction

The consultation on the Green Paper, *Every child matters*, strongly supported the proposition that everyone working with children, young people and families should have a common set of skills and knowledge.

The DfES has worked with a partnership of service user, employer and worker interests to develop this Common Core of Skills and Knowledge.

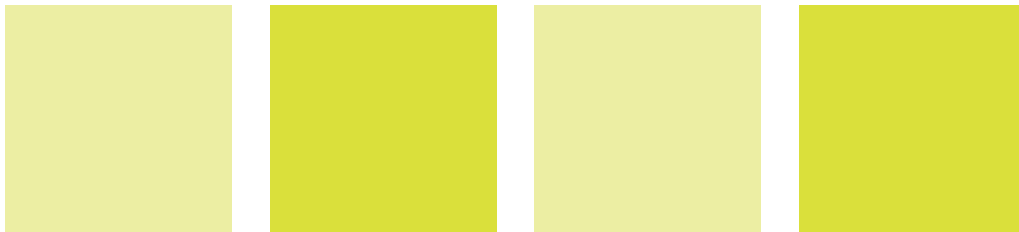
The prospectus sets out required knowledge and skills to practise at a basic level in six areas of expertise:

- effective communication and engagement
- child and young person development
- safeguarding and promoting the welfare of the child
- supporting transitions
- multi-agency working
- sharing information.

The Common Core reflects a set of common values for practitioners that promote equality, respect diversity and challenge stereotypes, helping to improve the life chances of all children and young people and to provide more effective and integrated services. It also acknowledges the rights of children and young people, and the role parents, carers and families play in helping children and young people achieve the outcomes identified in *Every child matters*.

The Government and partners who have endorsed the prospectus are looking to service managers to use the Common Core:

- in the design of induction and in-service and inter-agency training, building on existing practice. This will not only support strategies for enhancing front-line practice but will also help establish a greater shared language and understanding across different parts of the workforce;



- as a tool for training needs analyses that focus on supporting individual development;
- as a tool for workforce planning.

Looking ahead, as part of its strategy to build a world-class children's workforce, the Government is committed to the creation of a single qualifications framework to support career pathways. Over time, all qualifications for work with children, young people and families, and the occupational standards that underpin them, will include an appropriately differentiated Common Core.



# 1. Effective communication and engagement with children, young people, their families and carers

Good communication is central to working with children, young people, their families and carers. It is a fundamental part of the Common Core. It involves listening, questioning, understanding and responding to what is being communicated by children, young people and those caring for them. It is important to be able to communicate both on a one-on-one basis and in a group context. Communication is not just about the words you use, but also your manner of speaking, body language and, above all, the effectiveness with which you listen. To communicate effectively it is important to take account of culture and context, for example where English is an additional language.

Effective engagement requires the involvement of children, young people and those caring for them in the design and delivery of services and decisions that affect them. It is important to consult with them and consider their opinions and perspectives from the outset. A key part of effective communication and engagement is trust, both between the workforce, children, young people and their carers, and between and within different sectors of the workforce itself. To build a rapport with children, young people and those caring for them, it is important to demonstrate understanding, respect and honesty. Continuity in relationships promotes engagement and the improvement of lives.



The skills and knowledge highlighted here and throughout the prospectus are intended to provide a basic description of those areas you may need to develop through training, learning or experience in order to do your job well.

## SKILLS

### Listening and building empathy

- Establish rapport and respectful, trusting relationships with children, young people, their families and carers.
- Develop and use effective communication systems appropriate to the audience.
- Communicate effectively with all children, young people, families and carers.
- Be aware that some children and young people do not communicate verbally and that you need to adapt your style of communication to their needs and abilities.
- Understand the effects of non-verbal communication such as body language, and appreciate that different cultures use and interpret body language in different ways.
- Build rapport and develop relationships using the appropriate form of communication (for example, spoken language, play, body and sign language).
- Build open and honest relationships by respecting children, young people, parents and carers and making them feel valued as partners.
- Hold conversations at the appropriate time and place, understanding the value of day to day contact.
- Actively listen in a calm, open, non-threatening manner and use questions to check understanding and acknowledge that you have heard what is being said.
- Understand the role and value of families and carers as partners in supporting their children to achieve positive outcomes.

### Summarising and explaining

- Summarise situations in the appropriate way for the individual (taking into account factors such as background, age and personality).
- Understand how to present genuine choices to young people and how to obtain consent to sharing information.
- Explain to the child, young person, parent or carer what kind of information you may have to share with others.
- Explain what has happened or will happen next and check their understanding and where appropriate, their consent to the process.



### Consultation and negotiation

- Consult the child, young person, parent or carer from the beginning of the process.

- Inform, involve and help the child or young person to assess different courses of action, understand the consequences of each and, where appropriate, agree next steps.
- Understand the key role and value of parents and carers; know when to refer them to further sources of information, advice or support.
- Identify what each party hopes to achieve in order to reach the best possible and fair conclusion for the child or young person.
- Share reasons for action with the child or young person and those caring for them.
- Provide support and encouragement to children and young people.
- Know when and how to hand over control of a situation to others.

### KNOWLEDGE

#### How communication works

- Know that communication is a two-way process.
- Know how to listen to people, make them feel valued and involved, and know when it is important to focus on the individual rather than the group.
- Be aware of different ways of communicating, including electronic channels, and understand barriers to communication.

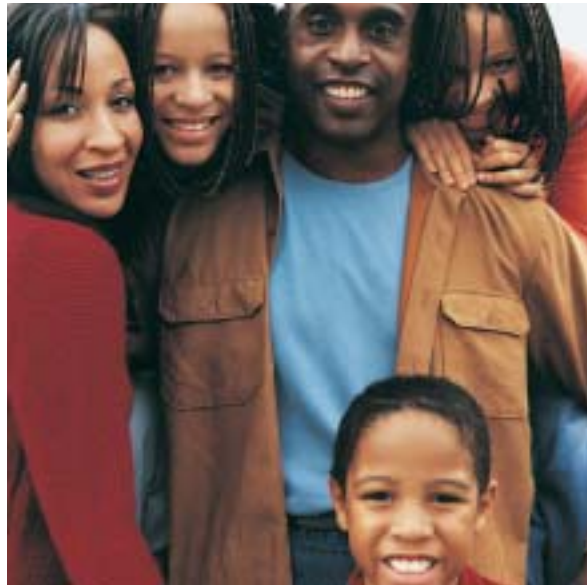
- Be aware that the child, young person, parent or carer may not have understood what is being communicated.
- Know how to report and record information formally and informally in the appropriate way for the audience concerned, including how the use of the Common Assessment Framework for Children and Young People (CAF) helps communication between practitioners.

### Confidentiality and ethics

- Remember and understand the procedures and legislation relating to confidentiality issues that apply to your job role.
- Understand the limits of confidentiality that apply to your job role and that sometimes it is necessary to go against a child or young person's expressed wishes in their best interests and, where this is the case, ensure that the child or young person understands what is happening and why.

### Sources of support

- Know where education and support services for parents and carers are available locally.
- Know when and how to refer to sources of information, advice or support from different agencies or professionals.



### Importance of respect

- Be self-aware: know how to demonstrate a commitment to treating all people fairly; be respectful by using active listening and avoiding assumptions.

## 2. Child and young person development

This core area covers the physical, intellectual, linguistic, social and emotional growth and development of babies, children and young people.

It is difficult to determine specific times when developmental changes occur, as these will differ from person to person. What is important is a basic understanding of those changes and how they can affect a baby, child or young person's behaviour. Parents and carers may be well placed to identify developmental and behavioural changes in their children but they may also find them difficult to cope with and seek reassurance, information, advice and support at various stages. It is therefore important that you have the ability to self-reflect and adjust your own behaviour appropriately.

### SKILLS

#### Observation and judgement

- Observe a child or young person's behaviour, understand its context, and notice any unexpected changes.
- Listen actively and respond to concerns expressed about developmental or behavioural changes.
- Record observations in an appropriate manner.
- Understand that babies, children and young people see and experience the world in different ways.
- Evaluate the situation, taking into consideration the individual, their situation and development issues.
- Be able to recognise the signs of a possible developmental delay.
- Be able to support children and young people with a developmental difficulty or disability, and understand that their families, parents and carers will also need support and reassurance.
- Make considered decisions on whether concerns can be addressed by providing or signposting additional sources of information or advice.



- Where you feel that further support is needed, know when to take action yourself and when to refer to managers, supervisors or other relevant professionals.
- Be able to distinguish between fact and opinion.

### **Empathy and understanding**

- Demonstrate your commitment to reaching a shared understanding with a child, young person, parent or carer by talking and listening effectively; make sensitive judgements about what is being said and what is meant by what is being said.
- Be able to support a child or young person to reach their own decisions (while taking into account health and safety and child protection issues).
- Encourage a child or young person to value their personal experiences and knowledge.
- Appreciate the impact of transitions on child development.

## **KNOWLEDGE**

### **Understand context**

- Know and recognise the child or young person's position in a family or caring network, as well as a wider social context, and appreciate the diversity of these networks.
- Understand and take account of the effects of different parenting approaches, backgrounds and routines.
- Know and recognise that for some children and young people, delayed or disordered development may stem from underlying, potentially undiagnosed disability and is not a reflection of parenting skills.

### **Understand how babies, children and young people develop**

- Know that development includes emotional, physical, intellectual, social, moral and character growth, and know that they can all affect one another.
- Appreciate the different ways in which babies and children form attachments and how these might change.

- Recognise that play and recreation – directed by babies, children and young people, not adults – play a major role in helping them understand themselves and the world around them as well as helping them realise their potential.
- Know how to interact with children in ways that support the development of their ability to think and learn.

### Be clear about your own job role

- Know who the experts are and when they are needed.
- Remember that parents and carers almost always know their children best.
- Know how to obtain support and report concerns.
- Have a broad knowledge of the laws and key policy areas related to children.



- Know about the Child Health Promotion Programme and Common Assessment Framework for Children and Young People (CAF) and, where appropriate, how to use them.

### Know how to reflect and improve

- Know how to use theory and experience to reflect upon, think about and improve your practice.
- Highlight additional training and supervision needs to build on your skills and knowledge.
- Understand and behave appropriately for the baby, child or young person's stage of development.
- Be aware that working with children and young people may affect you emotionally and know some sources of help in dealing with the impact of this.
- Draw upon your experience and others' perspectives to enable you to challenge your thinking and assess the impact of your actions.
- Know your role in supporting and promoting development.
- Know how to motivate and encourage children and young people to achieve their full potential and how to empower and encourage parents and carers to do the same.

# 3. Safeguarding and promoting the welfare of the child



Those who work with children and young people have a responsibility to safeguard and promote their welfare. This is an important responsibility and requires vigilance. You will need to be able to recognise when a child or young person may not be achieving their developmental potential or their health may be impaired, and be able to identify appropriate sources of help for them and their families. It is important to identify concerns as early as possible so that children, young people, their families and carers can get the help they need. As well as ensuring that children and young people are free from harm, it is equally important to ensure their well-being and quality of life.

## SKILLS

### Relate, recognise and take considered action

- Establish rapport and respectful, trusting relationships with children, young people and those caring for them.
- Understand what is meant by safeguarding and the different ways in which children and young people can be harmed (including by other children and young people and through the internet).
- Make considered judgements about how to act to safeguard and promote a child or young person's welfare, where appropriate consulting with the child, young person, parent or carer to inform your thinking.
- Give the child or young person the opportunity to participate in decisions affecting them, as appropriate to their age and ability and taking their wishes and feelings into account.
- Understand the key role of parents and carers in safeguarding and promoting children and young people's welfare and involve them accordingly, while recognising factors that can affect parenting and increase the risk of abuse (for example, domestic violence).



- Understand that signs of abuse can be subtle and be expressed in play, artwork and in the way children and young people approach relationships with other children and/or adults.
- Make considered judgements about how to act to safeguard and promote a child or young person's welfare.
- Give the child or young person the opportunity to participate in decisions affecting them, as appropriate to their age and ability.

### **Communication, recording and reporting**

- Use the appropriate IT and language skills to effectively observe, record and report – making a distinction between observation, facts, information gained from others and opinion.
- Undertake (formal or informal) assessments and be alert to concerns about a child or young person's safety or welfare, including unexplained changes in behaviour and signs of abuse or neglect.
- Be able to recognise when a child or young person is in danger or at risk of harm, and take action to protect them.

### **Personal skills**

- Have self-awareness and the ability to analyse objectively.
- Have the confidence to represent actively the child or young person and his or her rights.
- Have the confidence to challenge your own and others' practice.
- Understand the different forms and extent of abuse and their impact on children's development.
- Develop appropriate professional relationships with children and young people.

### **KNOWLEDGE**

#### **Legal and procedural frameworks**

- Have awareness and basic knowledge, where appropriate, of the most current legislation.
- Know about Government and local guidance, policies and procedure and how they apply in the wider working environment.
- Be aware of the Local Safeguarding Children Board and its remit.

- Be aware of national guidance and local procedures, and your own role and responsibilities within these for safeguarding and promoting children and young people's welfare.
- Know about data protection issues in the context of your role.

### Wider context of services

- Know when and how to discuss concerns with parents and carers.
- Understand the roles of other agencies, local procedures on child protection and variations in use of terminology.
- Understand the necessity of information sharing within the context of children and young people's well-being and safety.
- Know about the Common Assessment Framework for Children and Young People (CAF) and, where appropriate, how to use it.
- Understand that different confidentiality procedures may apply in different contexts.

### Self-knowledge

- Know the boundaries of personal competence and responsibility, know when to involve others, and know where to get advice and support.
- Appreciate the effect of witnessing upsetting situations and know how to get support.



- Have an understanding of issues related to aggression, anger and violence, and know the appropriate responses to conflict – whether the situation involves an adult, a peer, or the child or young person themselves.
- Know that assumptions, values and discrimination can influence practice and prevent some children and young people from having equality of opportunity and equal protection from harm.

## 4. Supporting transitions

Children and young people naturally pass through a number of stages as they grow and develop. Often, they will also be expected to cope with changes such as movement from primary to secondary school and for children with disabilities or chronic ill health, from children's to adult services. Such changes are commonly referred to as transitions. Some children may have to face very particular and personal transitions not necessarily shared or understood by all their peers. These include: family illness or the death of a close relative; divorce and family break-up; issues related to sexuality; adoption; the process of asylum; disability; parental mental health; and the consequences of crime.

As recognised in effective communication and child development, it is important to understand a child or young person in the context of their life, to recognise and understand the impact of any transitions they may be going through. It is also vital to recognise the role of parents and carers in supporting children at points of transition and to understand the need for reassurance, advice and support that parents and carers may express at these points.

### SKILLS

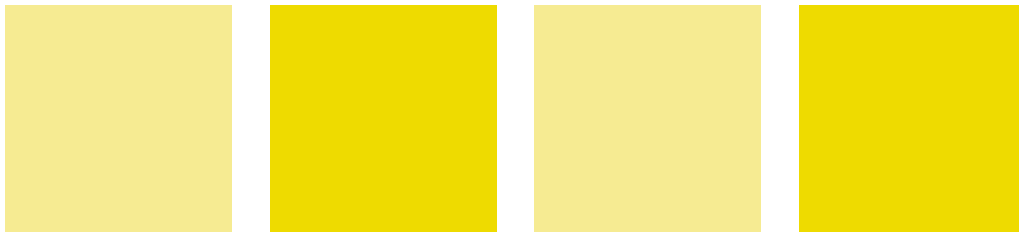
#### Identify transitions

- Listen to concerns; recognise and take account of signs of change in attitudes and behaviour.
- Build open and honest relationships using language appropriate to the development of the child or young person and the family culture and background.

- Manage the process of transition in a timely way and help the child or young person reach a positive outcome.

#### Provide support

- Empathise by communicating simple, reassuring messages about key transitions.
- Reassure children, young people and those caring for them by explaining what is happening, and by exploring



and examining possible actions to deal with new and challenging situations.

- Identify opportunities to discuss the effects and results of transition.
- Act to ensure that information transfers ahead of the child or young person, when appropriate, and respect other professionals when sharing information.
- Provide information relating to the facts surrounding the transition.
- Where appropriate, illustrate the benefits of transition.
- Make effective links with other practitioners should further support be necessary.
- Operate effective cross-agency referral processes.

## KNOWLEDGE

### How children and young people respond to change

- Consider issues of identity, delayed effects of change and be aware of possible signs that someone is going through a particular transition.
- Know about the likely impact of key transitions, such as divorce, bereavement, family break-up, puberty, move from primary to secondary

school, unemployment, and leaving home or care.

- Understand patterns of transition from childhood to adulthood, and appreciate that it may be different from your own or past experiences.
- Understand that children and young people with disabilities or special educational needs may need additional support to manage transitions, and know when to seek specialist advice.
- Know that children and young people can be influenced by peer group behaviour and that this may vary according to culture.

### When and how to intervene

- Know about organisational procedures and relevant legal frameworks, as well as appropriate referral routes within your own organisation and to other agencies.
- Know about local resources and how to access information including, where appropriate, a common assessment.
- Understand your own role and its limits, and the importance of providing care or support.

# 5. Multi-agency working



Multi-agency working is about different services, agencies and teams of professionals and other staff working together to provide the services that fully meet the needs of children, young people and their parents or carers. To work successfully on a multi-agency basis you need to be clear about your own role and aware of the roles of other professionals; you need to be confident about your own standards and targets and respectful of those that apply to other services, actively seeking and respecting the knowledge and input others can make to delivering best outcomes for children and young people. These behaviours should apply across the public, private and voluntary sectors.

## SKILLS

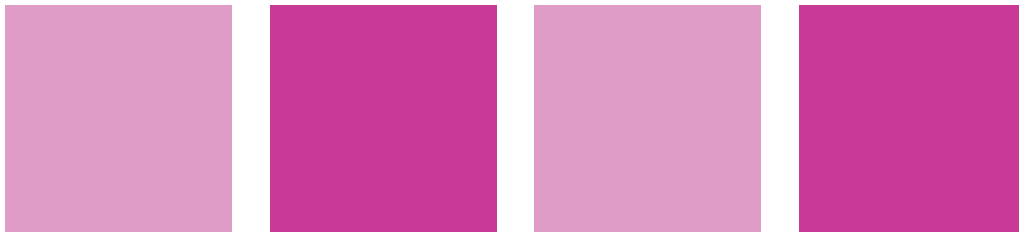
### Communication and teamwork

- Communicate effectively with other practitioners and professionals by listening and ensuring that you are being listened to.
- Appreciate that others may not have the same understanding of professional terms and may interpret abbreviations such as acronyms differently.
- Provide timely, appropriate, succinct information to enable other practitioners to deliver their support to the child or young person, parent or carer.

- Record, summarise, share and feed back information, using IT skills where necessary to do so.
- Work in a team context, forging and sustaining relationships across agencies and respecting the contribution of others working with children, young people and families.
- Share experience through formal and informal exchanges and work with adults who are parents/carers.

### Assertiveness

- Be proactive, initiate necessary action and be able and prepared to put forward your own judgements.



- Have the confidence to challenge situations by looking beyond your immediate role and asking considered questions.
- Present facts and judgements objectively.
- Identify possible sources of support within your own working environment.
- Judge when you should provide the support yourself and when you should refer the situation to another practitioner or professional.
- Develop your skills and knowledge with training from experts, to minimise the need for referral to specialist services, enabling continuity for the family, child or young person while enhancing your own skills and knowledge.
- Have a general knowledge and understanding of the range of organisations and individuals working with children, young people and those caring for them, and be aware of the roles and responsibilities of other professionals.

## KNOWLEDGE

### Your role and remit

- Know your main job and responsibilities within your working environment.
- Know the value and expertise you bring to a team and that brought by your colleagues.

### Know how to make queries

- Know your role within different group situations and how you contribute to the overall group process, understanding the value of sharing how you approach your role with other professionals.

### Procedures and working methods

- Know what to do in given cases, e.g. for referrals or raising concerns.
- Know what the triggers are for reporting incidents or unexpected behaviour.
- Know how to work within your own and other organisational values, beliefs and cultures.
- Know what to do when there is an insufficient response from other organisations or agencies, while maintaining a focus on what is in the child or young person's best interests.



- Understand the way that partner services operate – their procedures, objectives, role and relationships – in order to be able to work effectively alongside them.
- Know about the Common Assessment Framework for Children and Young People (CAF) and, where appropriate, how to use it.

### **The law, policies and procedures**

- Know about the existence of key laws relating to children and young people and where to obtain further information.
- Know about employers' safeguarding and health and safety policies and procedures, and how they apply in the wider working environment.

# 6. Sharing information



Sharing information in a timely and accurate way is an essential part of helping to deliver better services to children, young people, their families and carers. Indeed, sometimes it will help save lives. Practitioners in different agencies should work together and share information for the safety and well-being of children. It is also important to understand and respect issues and legislation surrounding the control and confidentiality of information.

It is important to build trust from the outset by clarifying issues and procedures surrounding confidentiality and information sharing. Practitioners must adopt the right approach to information sharing – by following the correct procedures and by ensuring that the child or young person, parent or carer understands the process.

## SKILLS

### Information handling

- Make good use of available information, for example whether a common assessment has been completed – appraise content and assess what else might be needed.
- Be able to bring together relevant information about clients either by completing paperwork or using IT skills.
- Be able to assess the relevance and status of information (for example, whether it is observation or opinion) and to pass it on when appropriate.
- Be able to identify gaps in information.

### Clear communication

- Be able to use clear language to communicate information unambiguously to others including children, young people, their families and carers.
- Listen carefully to what is said and check understanding.

### Engagement

- Create an environment of trust, by seeking consent where possible and appropriate, and in this way emphasising respect for the child or young person and their family or carer. Respect the skills and expertise of other professionals.



- Encourage children, young people and their families to share information where appropriate, ensuring that they understand why it is important to do so.
- Engage with children, young people and those caring for them and involve them in decision-making.

## KNOWLEDGE

### Importance of information sharing

- Understand the importance of sharing information, how it can help and the dangers of not doing so.
- Understand that consent is not always necessary to share information; even where information is confidential in nature, it may be shared without consent in certain circumstances (for example, where the child is at risk of harm or there is a legal obligation to disclose).
- Know that inference or interpretation can result in a difference between what is said and what is understood.
- Understand that it is not always necessary to collect information directly from children, young people

and families as it may frustrate them if they are being asked to provide the same information repeatedly. Be aware that information can often be gathered from other sources.

### Role and responsibilities

- Know who to share information with and when; understand the difference between information sharing on individual, organisational and professional levels.
- Know how to share information – in writing, by telephone, electronically or in person.
- Know what to record, how long to keep it, how to dispose of records correctly and when to feed back or follow up.
- Be aware of own (and others') professional boundaries.
- Know about the Common Assessment Framework for Children and Young People (CAF) and, where appropriate, how to use it.

### Awareness of complexities

- Be aware that different types of information exist (for example, confidential information, personal

data and sensitive personal data), and appreciate the implications of those differences.

- Appreciate the effect of cultural and religious beliefs; refrain from making assumptions about certain cultures or backgrounds.
- As far as possible, make clear to the child or young person, parent or carer how the information they provide will be used.

### Awareness of laws and legislation

- Have awareness and basic knowledge of current legislation and the common law duty of confidentiality.
- Have awareness of any legislation which specifically restricts the disclosure of certain information.
- Know that the Data Protection Act can be a tool to enable and encourage information sharing.
- Understand legislation governing own profession; different policies and procedures surrounding confidentiality issues.
- Understand the principles governing when young people are considered sufficiently mature to give consent to their information (in particular, taking into account the Gillick test of competence).

- Understand the difference between permissive statutory gateways (where a provision permits the sharing of information) and mandatory statutory gateways (where a provision places a duty upon a person to share information) and their implications for sharing information.
- Know that the website [www.everychildmatters.gov.uk](http://www.everychildmatters.gov.uk) provides further information about Children, Young People and Families services and practice.



# 7. Glossary



## **Abuse**

A deliberate act of ill-treatment that can harm or is likely to cause harm to a child's safety, well-being and development.

## **Agency**

An organisation in the statutory or voluntary sector where staff, paid and unpaid, work with or have access to children and/or families.

## **Child Health Promotion Programme**

The Child Health Promotion Programme is delivered by multi-agency child, young person and family support services, and addresses the needs of children from pre-conception through to transition to adulthood. It offers a structure for the provision of essential activities to promote the health and development of children.

## **Child or young person**

Someone up to the age of 19 (up to the day before their 19th birthday), care leavers up to the age of 21 (up to the day before their 21st birthday or beyond if they are continuing to be helped with education or training by their Local Authority) or up to 25 (up to the day before their 25th birthday) if they have learning difficulties or disabilities.

## **Child and young person development**

How babies, children and young people grow and develop – physically, intellectually, linguistically, socially and emotionally.

## **Common Assessment Framework for Children and Young People (CAF)**

The CAF is a nationally standardised approach to help practitioners in any agency assess and decide how to meet the unmet needs of a child. As part of a wider programme of work to provide more integrated services to families, the CAF will support earlier intervention, improve multi-agency working, and reduce bureaucracy for families, reducing the number of inappropriate inter-agency referrals, separate assessments and different agencies working with the child. Where the child has urgent or complex needs, requiring specialist assessment and intervention, the common assessment information will feed into the specialist assessment process.

## **Communication**

The exchange of thoughts, messages or information – using spoken language, body language, tone of voice and gestures that demonstrate listening and understanding.

## **Concern**

A suspicion or a belief that a child may be in need of help or protection.

## **Context**

The circumstances that are relevant to a situation.

## **Developmental delay**

Developmental delay refers to a lag in development rather than to a specific condition causing that lag. It represents a slower rate of development, in which a child exhibits a functional level below the norm for his or her age. A child may have an across-the-board developmental delay or a delay in specific areas.

## **Empathy**

Being able to understand and identify with another person's feelings.

## **Engagement**

Involving the customer (namely children, young people and their families) in the design and delivery of services and decisions that affect them.

## **Ethics**

A code of behaviour agreed to be correct, especially that of a particular group, profession or individual.

## **Inclusion**

Identifying, understanding and breaking down barriers to participation and involvement.

## **IT**

Information Technology, for example the internet and email.

## **Information sharing**

Passing on relevant information to other agencies, organisations and individuals that need it in order to deliver better services to children and young people.

## **Knowledge**

Awareness or understanding gained through learning or experience.

## **Multi-agency working**

Agencies, organisations and individuals working together.

## **Neglect**

Failing to provide for, or secure for a child, the basic needs of physical safety and well-being.

## **Parents**

Includes those who have parental rights as defined in law and those who have care of a child, for example foster carers and co-habitees.

## **Practitioners**

Staff who work directly or indirectly with children, young people and/or families and can include (but is not exclusive to) police officers, doctors, nurses, teachers, nursery staff, social workers, therapists, dentists, youth leaders, leisure

and recreational workers, housing staff, and staff who work in criminal justice, mental health or drug and alcohol services. It can also refer to volunteers who come into contact with children.

### **Safeguarding children**

Safeguarding is taken to mean that all agencies working with children, young people and their families take all reasonable measures to ensure that the risks of harm to children's welfare are minimised; and where there are concerns about children and young people's welfare, all agencies and individuals take all appropriate actions to address those concerns.

### **Skill**

The ability to do something, usually developed through training or experience.

### **Special Educational Needs (SEN)**

A child has special educational needs if he or she has a learning difficulty which calls for special educational provision to be made for him or her. A child has a learning difficulty if he or she:

- a.** has a significantly greater difficulty in learning than the majority of children of the same age;
- b.** has a disability which either prevents or hinders the child from making use of educational facilities of a kind provided for children of the same age

in schools within the area of the local education authority;

- c.** is under five and falls within the definition at (a) or (b) above or would do if special educational provision was not made for the child.

A child must not be regarded as having a learning difficulty solely because the language or form of language of the home is different from the language in which he or she is or will be taught.

### **Transition**

A change of passage from one stage or state to another.

# 8. Annex 1

## Relevant legislation



The Acts outlined here do not constitute an exhaustive list and are intended as an introduction to some of the legislation you may encounter. The Acts (from 1987 onwards) can be accessed via <http://www.hmso.gov.uk/acts.htm>. If you do not have access to the internet, please contact The Stationery Office on 0870 600 5522 who will also be able to supply any legislation made prior to 1987.

### **The Children Act 1989**

The 1989 Children Act brings Britain closer to the objectives in the UN Convention on the Rights of the Child. It came into force on 14 October 1991 and is about the care and upbringing of children. It is concerned with families and care of children, Local Authority support for children and their families, foster homes, childminding, day care and supervision.

### **The Children Act 2004**

The Green Paper *Every child matters* proposed changes in policy and legislation in England to maximise opportunities and minimise risks for all children and young people, focusing services more effectively around the needs of children, young people and families. The Act gives effect to the legislative proposals set out in the

Green Paper to create clear accountability for children's services, to enable better joint working and to secure a better focus on safeguarding children.

### **The Crime and Disorder Act 1998**

The purpose of the Act is to tackle crime and disorder and help create safer communities. The Act places obligations on Local Authorities, the police, police authorities, health authorities and probation committees (amongst others) to co-operate in the development and implementation of a strategy for tackling crime and disorder in their area. These organisations have to consider changed working practices, internal priorities and their relationships both with other agencies and with the wider community.

### **The Data Protection Act 1998**

The 1998 Act applies to computerised personal data and personal data held in structured manual files. It applies to anything at all done to personal data ("processing"), including collection, use, disclosure, destruction and merely holding personal data. The Act gives significant rights to individuals in respect of personal data held about them by data controllers.

### **The Disability Discrimination Act 1995**

The 1995 Disability Discrimination Act says unlawful discrimination occurs when, without good reason, a disabled person is treated less favourably than someone else because of their disability. The full introduction of the Disability Discrimination Act means that organisations must take reasonable steps to change practices, policies and procedures which make it impossible or unreasonably difficult for disabled people to use a service; and to provide auxiliary aids for services by a reasonable alternative method which would enable disabled people to use a service and overcome physical barriers.

### **The Education Act 2002**

The Act implements the legislative commitments set out in the White Paper "Schools - Achieving Success". It is a substantial and important piece of legislation intended to raise standards, promote innovation in schools and reform education law.

### **The Freedom of Information Act 2000**

The Freedom of Information Act 2000 came fully into force on 1 January 2005. Under the Act, anybody may request information from a public authority which has functions in England, Wales and/or Northern Ireland. The Act confers two statutory rights on applicants: to be told whether or not the public authority holds that information; and if so, to have that information communicated to them.

### **Health and Safety at Work Act 1974**

The Health and Safety at Work Act 1974 places a duty on employers to ensure, so far as is reasonably practicable, the 'health, safety and welfare' at work of all their employees. The Act set up the Health and Safety Commission, and an inspectorate, the Health and Safety Executive. The Act introduced new powers and penalties for enforcement against employers and put occupational safety at the heart of official policy and future Regulations.

### **The Human Rights Act 1998**

The Human Rights Act 1998 came fully into force on 2 October 2000. The Act incorporates the rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) into domestic law. All public authorities (and private authorities when they are exercising public functions) in the UK are required to act compatibly with ECHR.

### **Learning and Skills Act 2000**

The Act is a significant piece of legislation which, amongst other reforms, established the Learning and Skills Council, setting out its duty to secure provision of education and training for young people and adults and to encourage employers and individuals to participate.

### **The Special Educational Needs (SEN) Code of Practice 2001**

In November 2001 a revision of the Code of Practice was issued, replacing the code of 1994. This came into force on 1 January 2002. This revision includes new rights and duties introduced by the SEN and Disability Act 2001. The purpose of the Code is to give practical advice to LEAs, Head Teachers and Governors of schools and early education practitioners on carrying out their statutory duties to identify, assess and make provision for children's special educational needs. The advice is also aimed at other interested parties such as social services and health professionals.

### **The Special Educational Needs and Disability Act 2001**

The Special Educational Needs and Disability Act (SENDA) amends the Disability Discrimination Act 1995 (DDA). The DDA makes it unlawful to discriminate against disabled people in employment, the provision of goods and services, and the selling and letting of property. Education was not originally covered by the DDA although the provision of other services by educational institutions was covered. The SENDA amends the DDA to make it unlawful to discriminate against disabled people in the provision of education. The relevant provisions came into force in September 2002.

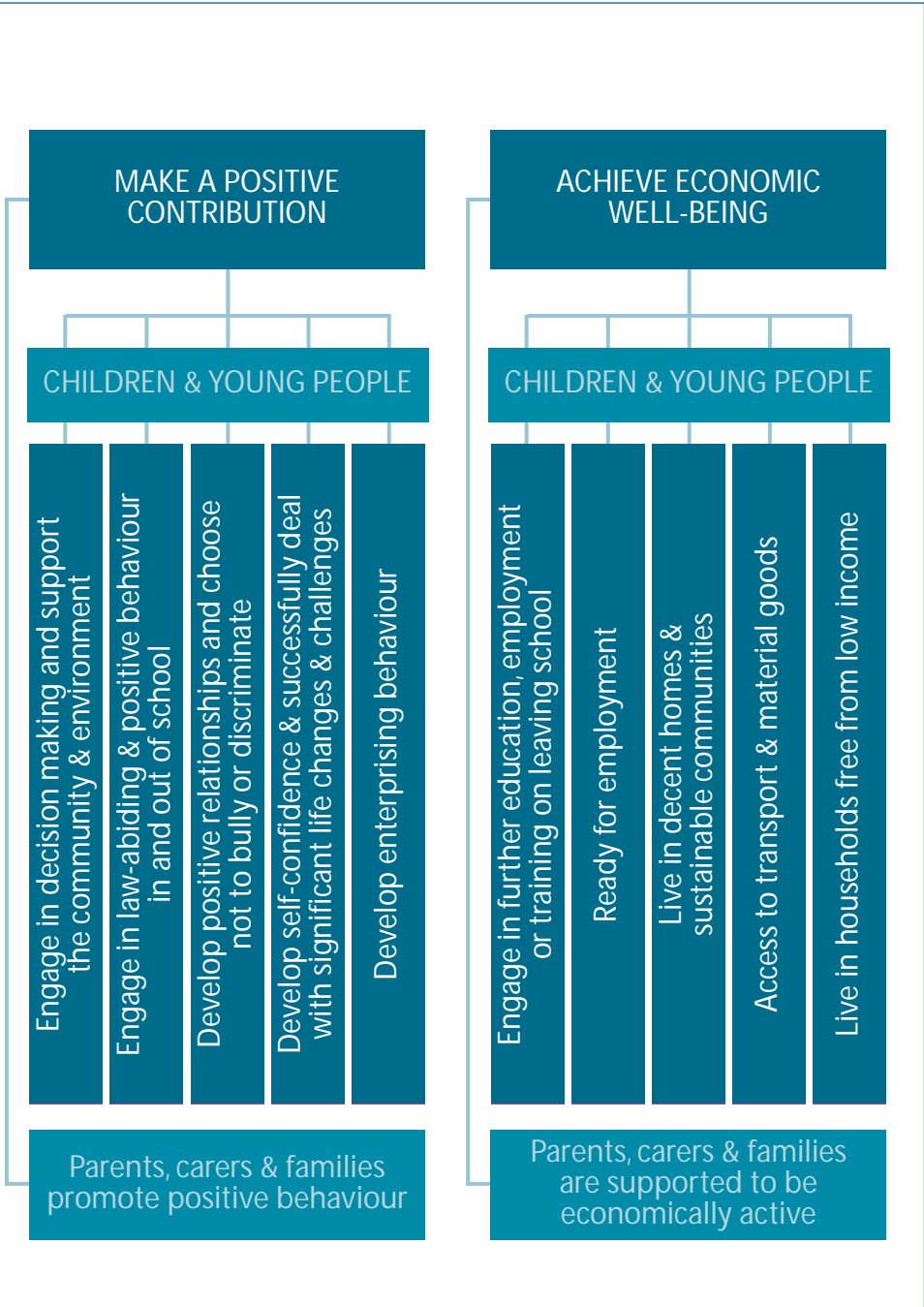
### **The UN Convention on the Rights of the Child 1989**

The UN Convention on the Rights of the Child was adopted by the UN General Assembly on 20 November 1989. It identifies that children need special care and protection and that the family is the main form of protection for children. It emphasises the need for legal protection for the child before and after birth and the importance of respecting the cultural values of a child's community. It emphasises the important role that international co-operation can play in achieving children's rights.

# 9. Annex 2

## Every Child Matters: Change for Children outcomes framework





4Children Charity No. 288285; Barnardo's Charity No. 216250; NCMA Charity No. 295981; Topss England Charity No. 1079836; NSPCC Charity No. 216401; Royal College of Nursing Charitable Trust Charity No. 273463; SkillsActive Charity No. 1098336; Relate Charity No. 207314; NCVCCO Charity No. 1044239; The Parenting Education & Support Forum Charity No. 1076942

You can download this publication or order copies online at [www.teachernet.gov.uk/publications](http://www.teachernet.gov.uk/publications) and you can also download this at [www.everychildmatters.gov.uk](http://www.everychildmatters.gov.uk)

Search using the ref: DfES/1189/2005

Copies of this publication can also be obtained from:

DfES Publications  
PO Box 5050  
Sherwood Park  
Annesley  
Nottingham NG15 0DJ.

Tel: 0845 60 222 60  
Fax: 0845 60 333 60  
Textphone: 0845 60 555 60  
email: [dfes@prolog.uk.com](mailto:dfes@prolog.uk.com)

ISBN: 1-84478-375-8

PPOAK/D33/0105/14  
© Crown copyright 2005

Produced by the Department for Education and Skills

Extracts from this document may be reproduced for non commercial education or training purposes on the condition that the source is acknowledged.