

Youth (Service and Provision) Bill

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CONTENTS

General duties of the Secretary of State

- 1 Duty to secure a sufficient youth services and provisions

General duties of local authorities

- 2 Duty to provide a youth service
- 3 Youth strategy and partnership
- 4 Monitoring and evaluation

The youth service, provisions for young people and youth workers

- 5 Functions of the youth service and provision for young people
- 6 Youth service workers

Miscellaneous and final provisions

- 7 Interpretation
- 8 Orders and regulations
- 9 Expenses
- 10 Short title, commencement and extent

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TO

Give a duty to the Secretary of State to promote and secure a sufficient youth services and provision and to impose a duty on local authorities to provide youth services and establish local youth service partnerships to promote youth provisions through participation and engagement of young people.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows: —

General duties of the Secretary of State

1 Duty to promote and provide a youth service

- (1) It shall be the duty of the Secretary of State to promote, provide and secure a sufficient youth provision and services.
- (2) The Secretary of State shall establish and/or mandate a National Youth Board, including young people's organisations, to advise on the development of professional and service standards for the youth service and young people's provision, receive reports from local partnerships and to monitor sufficient funding for local youth partnerships and other relevant activities.

General duties of local authorities

2 Duty to provide a youth service

- (1) It shall be the duty of every local authority to provide youth provision, services and facilities to be available to young people resident within the area of the local authority in line with section 3(3) in this bill.
- (2) The purposes of the youth service provided in pursuance of the duty under subsection (1) shall be to—
 - (a) ensure the personal and social development of young people secure active involvement by young people in relevant activities and local decision-making, and
 - (b) assist young people to realise their full potential and play a full part in the community.

3 Youth strategy and partnership

- (1) In pursuance of its duty under section 2(1), it shall be the duty of each local authority to establish a local youth partnership to prepare and provide a youth strategy.
- (2) A youth strategy shall be prepared in partnership with—

- (a) young people resident within the area of the local authority, including relevant youth councils and other representative groups,
 - (b) parents and guardians of those young people,
 - (c) voluntary and community organisations operating within the area of the local authority and providing youth services to young people, and
 - (d) other stakeholders providing youth services and facilities to young people.
- (3) A youth strategy shall include, in particular—
- (a) an analysis of youth provision in the area and measures to be taken to increase this provision where appropriate.
 - (b) steps, including the allocation of resources, to secure the involvement in relevant activities of those young people who would (but for the steps taken in accordance with the provisions of this Act) be least likely to participate in such activities,
 - (c) steps to improve the availability and usage of the resources specified in
 - (d) section 7(4) for relevant activities.
 - (e) steps to ensure that, wherever practicable, due account is taken of best practice adopted by other local authorities and voluntary bodies.
- (4) Each local youth partnership shall revise its youth strategy from time to time, and at least every three years, having particular regard to—
- (a) monitoring and evaluation work undertaken by it in accordance with the provisions of section 4(1), and
 - (b) reports published under section 4(3) (whether by the local youth partnership itself or by other partnerships or local authorities).
 - (c) the views of young people.
- (5) A youth strategy prepared or revised under this section shall be published in such manner as the local youth partnership concerned considers appropriate to enable the strategy to be brought to the attention of bodies, organisations and person concerned.

4 Monitoring and evaluation

- (1) It shall be the duty of each local youth partnership to monitor and evaluate the performance of functions and the provision of services under this Act. Young people will be integral to this process at all levels and stages.
- (2) In the course of each year after that in which sections 1 and 2 of this Act come into force, each local authority shall prepare a report of its monitoring and evaluation work under subsection (1) during the relevant period.
- (3) A report under subsection (2) shall be submitted to the National Youth Board and published in such manner as the local youth partnership considers appropriate to enable the report to be brought to the attention of bodies, organisations and persons concerned.

The youth service, provision for young people and youth workers

5 Functions of the youth service and provision for young people

Without prejudice to the generality of its duties under sections 2 and 3, each local youth partnership shall, in discharging those duties and functions, have particular regard to the desirability of—

- (a) ensuring the active participation of young people in the specification, governance, delivery and scrutiny of services;
- (b) enabling and encouraging young people to set up and run their own activities and organisations;
- (c) securing the provision of appropriate information, advice and counselling;
- (d) enabling and encouraging young people to be involved in the community, including in community service and projects to promote active citizenship;
- (e) assisting young people to make the most of education and employment opportunities;
- (f) maintaining equal opportunities as under the Equalities Act 2015;
- (g) promoting international visits and a greater understanding of cultural diversity;
- (h) promoting creativity and participation in arts and culture;
- (i) promoting participation in sport; and
- (j) co-operating with other public services in the interests of young people.

6 Youth service workers

- (1) Each local authority shall take reasonable steps to secure through local youth partnership that—
 - (a) a sufficient number of persons are available to work with young people through or in connection with the youth services provided in accordance with the provisions of this Act;
 - (b) those persons are suitably qualified;
 - (c) appropriate opportunities are available for the training of those persons; and
 - (d) that those persons are persons in respect of whom an enhanced disclosure and barring service certificate has been duly issued in accordance with the relevant provisions.
- (2) A person shall be regarded as suitably qualified for the purposes of subsection (1) if they hold a suitable qualification.
- (3) In this section “a suitable qualification” has the meaning prescribed by the Secretary of State by regulations.
- (4) The Secretary of State shall, from time to time, review the exercise of his/her power under subsection (3).

Miscellaneous and final provisions

7 Interpretation

- (1) For the purposes of this Act—
 - “local authority” means any unitary authority, or any county council so far as they are not a unitary authority;
 - “relevant activities” has the meaning given by section 7(4);
 - “unitary authority” means—
 - (a) the council of any county so far as they are the council for an area for which there are no district councils,
 - (b) the council of any district comprised in an area for which there is no county council,
 - (c) the council of a county borough,
 - (d) the council of a London borough,

- (e) the Common Council of the City of London;
- (2) In this Act “young people” means—
 - (a) any person who has attained the age of 13, but has not yet attained the age of 19, and
 - (b) others aged between 11 and 25 who require the support of the youth service.
- (3) The resources specified in this subsection are the facilities, buildings, services and other resources of—
 - (a) the local authority,
 - (b) voluntary organisations,
 - (c) community organisations providing youth services or provisions to young people, and
 - (d) other providers of youth service activities.
- (4) In this Act, “relevant activities” means activities that—
 - (a) are carried on using the resources specified in subsection (4) or otherwise,
 - (b) involve the participation of young people, and
 - (c) in the view of the local youth partnership, promote or secure, or assist in promoting or securing, the purposes set out in section 2(2).

8 Orders and regulations

- (1) The power to make regulations or an order under this Act is exercisable by statutory instrument.
- (2) A statutory instrument containing regulations made by the Secretary of State under section 6(3) is—
 - (a) to be laid before Parliament after being made, and
 - (b) subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) The power conferred on the Secretary of State under this Act to make regulations or an order includes power—
 - (a) to make different provision for different cases (including different provision in respect of different areas);
 - (b) to make provision subject to such exemptions and exceptions as the Secretary of State thinks fit; and
 - (c) to make such incidental, supplemental, consequential and transitional provision as the Secretary of State thinks fit.

9 Expenses

- There shall be paid out of money provided by Parliament—*
- (a) *any expenditure incurred by the Secretary of State by virtue of this Act; and*
 - (b) *any increase attributable to this Act in the sums payable out of money so provided under any other enactment.*

10 Short title, commencement and extent

- (1) This Act may be cited as the Youth Act 2018.
- (2) This Act shall come into force on such date as the Secretary of State may by order determine.
- (3) This Act extends to England only.