

By: Jenny Whittle, Cabinet Member for Specialist Children's Services

Marisa White, Business Strategy and Support

To: Cabinet -19 September 2011

Subject: **Review of the Kent Children's Trust Board**

Classification: Unrestricted

Summary: This report sets out the methodology and outcomes of the strategic review of the current Kent Children's Trust Board arrangements. It makes recommendations for changed arrangements in order to meet statutory responsibilities and to put in place arrangements that focus on joint commissioning to improve outcomes for vulnerable children and young people.

Recommendations: Cabinet approval is sought for the following actions:

- to cease the Kent Children's Trust Board and replace it with a Children and Young people's Joint Commissioning Board.
- agree the membership and chairmanship arrangements as proposed in section 3.2 of the report.
- agree to the establishment of a stakeholder advisory group, taking account of the stakeholder engagement requirements of other key strategic Boards and groups.
- review the new arrangements in 12 months time.

1. Introduction

1.1 Changes to our partnership architecture in Kent, the need to take a more robust commissioning approach to services for children, young people and families and issues arising from the Ofsted inspection of Safeguarding and Looked After Children's services required a thorough review of the Kent Children's Trust (KCT) strategic partnership.

1.2 In conducting this review, the views of current KCT Board members were sought (Appendix 1), information on strategic partnership arrangements for oversight of the children, young people and families agenda in other local authorities was gathered (Appendix 2) and an analysis of other Kent strategic groups with an interest in priority areas for children and young people was undertaken. (Appendix 3)

1.3 Children's Trust arrangements were introduced through The Children Act 2004 which placed a statutory duty to cooperate on key agencies and a leadership role for upper tier authorities to lead effective partnership

arrangements. Through the Apprenticeships, Skills, Children and Learning (ASCL) Act 2009, the previous government introduced additional requirements to make the Children's Trust Board a statutory body responsible for agreeing a Children and Young People's Plan (CYPP). The previous government also introduced highly prescriptive guidance on the development of the CYPP. These additional requirements have been repealed; however the original statutory duty to cooperate remains (Appendix 4), as does the requirement for a Director of Children's Services and a Lead Member with accountability for the partnership arrangements.

1.4 The government has been very clear that it expects local authorities to develop highly effective partnership arrangements to improve outcomes for children, young people and their families. Removing the requirements of the ACSL Act was intended to give more freedom to design local partnerships and deliver the "duty to co-operate" in ways that suit local arrangements and not to undermine the fundamental principle of working in partnership. This principle is underlined in Professor Munro's Review of Child Protection 2011 which highlights the importance of effective and co-ordinated multi-agency working through the Children's Trust to secure better outcomes for children and young people. This is further emphasized in the current consultation around proposals for revised inspection arrangements for Children's Services.

2. Key Findings

2.1 As a result of national changes 24 local authorities approached through our survey are reviewing or refreshing their Children's Trust partnerships. Across these authorities, there is a general move to streamline and ensure a tighter focus on prevention and early intervention for vulnerable children, although the approach to membership ranges from the very broad and all encompassing to a clear focus on commissioners and a commissioning agenda.

Where revised partnerships have taken action to reduce their membership, they have at the same time set out their intention to meet with a wider stakeholder group once or twice a year to involve them in joint planning and review. It should be noted, however, that no authority is planning to remove its strategic partnership arrangements for children, young people and families completely.

2.2 KCT Board and Executive Members were invited to share their views. There was recognition from the majority of interviewees that the current Board was too large to carry out its business effectively and that its role and remit had been too wide – making it difficult to ensure that it focused on the right things at the right time. Board members lacked clarity as to what should be the business of the Board and what should be the business of one agency or two agencies working in partnership. This led to very full agendas and insufficient time to focus and take the necessary decisions. The overall messages were that any revised arrangements need to have:

- Stronger leadership and links to Kent Forum and other key partnerships- the benefits of an independent chairperson were emphasised;
- Clearer accountability, rigorous performance management and scrutiny processes;
- Streamlined membership with a clear sense of purpose;
- More openness and transparency;
- Clearer processes to enable aligning of resources to deliver outcomes;
- Improved communications and connections between all stakeholders strategically and locally.

2.3 An analysis of Kent's strategic partnerships that impact or have the capacity to impact on the delivery of improved outcomes for children, young people and families was carried out and is attached as Appendix 3. This was undertaken in order to identify whether another Board or multi-agency strategic partnership could take on the role and remit of the Kent Children's Trust.

It is clear that although there is a mutual interest in improving outcomes for children and young people, the role and remit of these partnerships is very specific, focusing on particular priorities and outcomes. Expanding their remit to take on a broader agenda including the joint commissioning of early intervention and prevention services would pose a considerable risk.

Both the evolving Health and Wellbeing Board and the Ambition Boards of the Kent Forum are at a very early stage of development and would not have the capacity at this point in time to take on additional business without compromising their own focus.

The unique contribution of a revised strategic partnership would be to agree and ensure appropriate commissioning around the three or four top priority areas for our vulnerable children and young people in Kent, where the joint action and focus of three or more agencies is required to tackle the issues and improve outcomes in a sustained way.

3. Conclusions:

3.1 The Children's Trust to cease and be replaced by a Children's Joint Commissioning Board. It is recommended that the new Joint Commissioning Board would:

- Set the direction for joint action to improve outcomes for vulnerable children and young people in Kent, ensure implementation and scrutinize progress and outcomes;
- Focus on joint commissioning;
- Oversee integrated workforce development to support the delivery of the agreed priority areas;

- Ensure participation of vulnerable children, young people and their families in agreeing and shaping of priorities for joint action and in reviewing the effectiveness of jointly commissioned programmes;
- Set the planning, delivery and outcomes framework around joint commissioning, communicate this clearly to the Local Children's Trust Boards and ensure that LCTBs have what they require to fulfill their role and remit .¹
- Ensure active involvement of stakeholders, in particular those set out within the "duty to co-operate", in the shaping of priorities, the approach to delivery and evaluation of outcomes.

3.2 Working on the premise that the new partnership would be a joint strategic commissioning board, bringing together increasingly limited resources across the system to tackle shared priorities and supporting the DCS and Lead member in carrying out their statutory roles of securing better outcomes for children and young people in Kent, the recommendation is that the revised board should be streamlined, comprise of commissioners and have the ability and authority to carry out the business as set out above, with a membership as follows:

- Lead Member for children's services (Chair of the revised Board)
- The statutory Director for Children's Services (Corporate Director of Families and Social Care).
- Independent Chair of KSCB
- Director of Child Health Commissioning
- Chairman of the Board of the Kent Association of Schools
- Representative of Borough and District Council Chief Executives.
- Police.
- Representative Independent Chair from the Local Children's Trust Boards

As and when the agenda dictates the involvement of another key agency, or a particular individual they can be invited to contribute.

• ¹ *of enacting and oversight/scrutiny of strategic priorities and delivery at a local level; championing of children, young people and family issues and engagement within their locality; promoting integrated workforce approaches and capacity building; ensuring smooth running of access, assessment and referral processes for children, young people and their families; working with and supporting universal service providers and ensuring the locality voice in the interests of children, young people and families is represented at the strategic as well as at the local- level building on their current work.*

Members of the revised Board will be senior officers (or members) of their respective bodies. As such, they will have existing mechanisms for reporting back and securing formal approvals when necessary.

Statutory accountability for the Board will be through the Director of FSC (DCS) and Lead Member, reporting through to Cabinet. The Board will ensure productive relations with other key partnerships to secure improving outcomes for children and young people. A key relationship will be with the Kent Safeguarding Children Board and the current protocol will be strengthened to ensure effective links. The Board will also develop a working relationship with the Health and Wellbeing Board and with Ambition Board 2 as they develop.

Schools will also remain as key partners on the Local Children's Trust Boards. Involvement of Further and Higher Education will be through engaging with them as stakeholders through our current strategic partnership arrangements for 14-19 planning.

Board members will be expected to report back to the bodies or partners they represent e.g. Chairs of LCTBs, Kent's district, borough and city councils, Police Authority etc, and to represent back to the Trust the views of those bodies they represent.

3.3 The role of Chair would need to encompass: championing the interests of children and young people across all boundaries; leading the development of the strategic vision and agreement around priorities; promoting effective partnership working in the interests of improving outcomes for children and young people; ensuring mutual challenge and support across all partners.

Looking at the requirements of this role, it became clear that there was a considerable overlap with the statutory role of the Lead Member for Children's Services which is set out under the "Safeguarding Vulnerable Groups Act 2006" and in the supporting statutory guidance.

The Lead Member has a pivotal role in championing the interests of children across functional boundaries with a particular focus on early intervention and prevention, has clear top-line accountability with the DCS for children's wellbeing whilst remaining free from detailed day to day service delivery issues, has strategic responsibility for developing the local vision and driving improvements and has a parallel role to the DCS in promoting effective partnership working. It has therefore been agreed with the Lead member that she will take on the chairmanship of the new Children and Young People's Joint Commissioning Board.

3.4 It will be crucial to ensure that all key stakeholders are actively engaged and are able to influence decisions around strategic priorities, align their own work- where appropriate- to support key strategic agendas, provide intelligence and feedback from front line work with families, provide support and challenge and contribute to evaluation of outcomes. A list of stakeholders is attached as Appendix 4. This list is not exclusive and can be revised as the

pattern of organizations working with children, young people and families across Kent changes and develops.

The proposed Children and Young People's Joint Commissioning Board will consult on and set up a stakeholder advisory group.

4. Financial Implications

The recommendations will not have any direct impact on the capital or revenue budgets of the Authority. The indirect impact should be through improved joint commissioning and value for money services delivering better outcomes for Kent children and young people.

5. Bold Steps for Kent and Policy Framework

The proposals support the commitment within Bold Steps to transform how we procure and commission services to support new models of service delivery and Big Society and will support the development of a consistent single process for all contracting and procurement for children's services.

6. Legal Implications

All legal requirements, including ensuring the "duty to co-operate" have been referred to within the main body of this report. In order to ensure that all partners set out within the "duty to co-operate" are involved in working with the Authority to deliver improved outcomes for children and young people, including those not represented on the Children and Young people's Joint Commissioning Board, it is vital that the recommended stakeholder advisory group is set up to support the work of the new Joint Commissioning Board.

7. Equality Impact Assessments

An initial assessment has been undertaken. The intention of the recommended new arrangements is to ensure an improved focus on vulnerable groups and an improvement in the joint commissioning of appropriate services for those groups that are better targeted and delivering improved outcomes.

8. Risk and Business Continuity Management

8.1 Changing the size of the Board alone will not deliver a more effective partnership. The effectiveness of any new arrangements will rely on the commitment of all members, their ability to prioritize, the robustness of communication and engagement with key stakeholders, the ability to commit resources to joint commissioning and to set the direction of and connection with local action through the 12 Local Children's Trust Boards.

8.2 There is a risk that we could lose the “buy in” of key agencies that we need to work with to deliver improved outcomes for children and young people if we are unable to gain support for these proposals and do not communicate with sensitivity and set up stakeholder arrangements with some urgency.

9. Consultation and Communication

Consultation has taken place both at the start of the review and on the proposals set out within this report. Appendix 1 and Appendix 5 refer. Local Children’s Trust Boards (including local and KCC members) and their partners were also communicated with and invited to respond and the specification for the review and updates on the progress of the review were placed on the Children’s Trust website. Local Children’s Trust Boards are commencing their autumn round of meetings and a briefing has been prepared for them that can provide the basis for an agenda item if they so wish.

10. Sustainability and Rural Proofing Implications

The recommendations do not have any impact for sustainability or climate change. The local delivery through Local Children’s Trust Boards allows for local response to priorities, to include the ability to respond to rural issues.

11. Are there any Personnel or Health and Safety Issues which are relevant ?

There are no personnel or health and safety implications.

10. Alternatives and Options

Appendix 3 sets out an analysis of other strategic partnership groups and the assessment of their ability and/or capacity to take on the children and young people’s joint commissioning agenda.

11. Recommendations: Members are requested to agree/endorse the recommendation(s) as printed on page 1 of this report.

Background Documents

N/A

Contact details:

Marisa White, Business Strategy Manager, Children’s Services

marisa.white@kent.gov.uk

01622 696583