

report



NOTTINGHAMSHIRE CHILDREN & YOUNG PEOPLE'S BOARD MEETING

Date 21/09/09

Agenda Item 4

REPORT FROM Maggie Pape, Acting Partnership Unit Manager

Review of Governance Arrangements for the Children and Young People's Partnership

Purpose of report

To identify proposed changes to the governance arrangements for the Partnership, for the Board to consider for approval.

Information and Advice

Background

1. The Nottinghamshire Children and Young People's (CYP) Partnership operates as the Children's Trust for Nottinghamshire, and includes all commissioners and current or potential providers of services. Led by the local authority, its purpose is to improve the well-being of all children, improving their prospects for the future and reducing inequalities. It is a planning body, informing commissioning decisions by its partner members and ensuring that resources are made available to implement plans. It is underpinned by the duties in the Children Act 2004 to co-operate in making arrangements to improve well-being for local children. At present there is no legal requirement for a Children's Trust Board to exist, although statutory guidance creates an expectation that it should do so. Legislation in progress is likely to make this a requirement (see paragraph 6).
2. The governance arrangements for the CYP Partnership have been reviewed over the last six months, with the intention of making any changes needed to improve its effectiveness. This follows a joint meeting of the Partnership Board, the Children's Services Executive Group (CSEG) and the Nottinghamshire Safeguarding Children Board (NSCB) in March. Possible changes to governance arrangements were discussed at the June meeting of the Board, and at several meetings of CSEG. This paper brings together recommendations from these discussions, and proposes some changes to governance arrangements.

3. It is recognised that there is a need to rationalise the reporting arrangements for the Board, ensuring that all groups have a clear purpose and terms of reference and that relationships between groups are defined. The current arrangements have developed over several years, in response to immediate needs, and may not be best suited to current requirements. Some particular issues that have been identified are:
 - a) the Partnership Board has two groups reporting to it that each take on some aspects of an executive group: CSEG and the Pathway to Integrated Services Board (P2IS Board). There may be some duplication or fragmentation of work between these groups,
 - b) CSEG is currently defined as the executive group and has a large number of linked sub-groups, with differing reporting arrangements, that are not part of a formal reporting schedule,
 - c) the P2IS Board has taken on aspects of an executive group in relation to the development of integrated working, and has a number of sub-groups and project groups. While there are defined reporting arrangements between the P2IS Board and its sub-groups, there is some ambiguity about how it relates to the Partnership Board and to CSEG,
 - d) the relationship between the Partnership Board and the NSCB is not fully defined; there is a need to ensure that there are robust reporting and information sharing arrangements between these groups, while retaining their independence,
 - e) there are interdependencies and shared responsibilities between the CYP Partnership Board, the wider Nottinghamshire Partnership Board and district/borough LSPs, and some of their sub-groups. Governance arrangements for the CYP Partnership need to ensure that effective communication is maintained between these groups.
4. Recent national guidance further clarifies expectations on Children's Trusts, and legislation in progress is likely to strengthen their roles and responsibilities. This review of governance arrangements takes account of these national developments, which are outlined below.

National Context

5. The recently published document *Statutory Guidance: The Roles and Responsibilities of the Lead Member for Children's Services and the Director of Children's Services (DCSF 2009)* sets out the expectation that:
 - a) The Lead Member for Children's Service will:
 - provide political leadership within the Children's Trust, actively promoting the interests of children, young people and families and ensuring that all services effectively address their needs, satisfying his/herself that partner's are aware of their

responsibilities under the Children Act 2004 and challenging the Director of Children's Services and others where appropriate,

- set the overall vision of the Children and Young People's Plan (CYPP), and ensure that there are robust governance and monitoring frameworks in place for the Trust.
- b) The Director of Children's Services (DCS) will:
- drive joint working between organisations that commission, provide, or have an interest in services affecting children, young people or families, including encouraging the involvement of schools,
 - maintain strategic oversight of the production and publication of the CYPP and hold Children's Trust Board members to account for its implementation, including delivery of targets within the Local Area Agreement (LAA) and the statutory DCSF targets.
 - ensure that the annual review of the CYPP is completed.

These roles are only those that directly relate to Children's Trusts. A more comprehensive summary of the roles of the Lead Member and the DCS is in Appendix 1.

6. Legislation in progress through the *Apprenticeship, Skills, Children and Learning Bill* is likely to further strengthen the role of Children's Trusts. This Bill is expected to receive Royal Assent in autumn 2009. This legislation will:
- make the Children's Trust Board a statutory body,
 - extend the number of 'relevant partners' with a duty to co-operate to promote children's well-being to include all schools, sixth form and further education colleges and Job Centre Plus,
 - give the Children's Trust Board responsibility for producing the CYPP (currently the Local Authority is responsible for producing the CYPP, working with partner organisations).
7. The '21st century schools' vision includes schools contributing to all aspects of children's well-being and taking a full role in the Children's Trust as well as their communities. The *New Relationships with Schools* paper describes Nottinghamshire's response to this, proposing a structure to enable the large numbers of schools in Nottinghamshire to be represented at county and district level. (This paper is attached for information.)
8. The commitment to the World Class Commissioning approach within health services has implications for how services are planned and commissioned, and work in the CYP Partnership to commission services will need to take account of this and of commissioning work being developed by PCTs in Nottinghamshire.

Proposals

9. These revised governance proposals have been developed following discussions in Nottinghamshire and considering the national context. In addition, the current economic climate emphasises the requirement for all public resources to be used effectively, with savings made where possible, and this has been considered as part of this review. In considering current arrangements, the effectiveness and efficiency of groups has been considered, by asking:
- Are groups outcomes-focused?
 - Do they make best use of resources?

Scope of these Proposals

10. These proposals discuss six key areas of governance:
- name of the CYP Partnership,
 - the function and structure of the CYP Board,
 - review of the executive for the Board,
 - establishment of a work programme for the Board and its executive,
 - review of sub-groups reporting to the Board and to its executive groups,
 - the relationship between the CYP Board and the NSCB.

Name of the CYP Partnership

11. In Nottinghamshire, the Children's Trust is named the 'Children and Young People's Partnership'. The similarity of the name to the Nottinghamshire Partnership may sometimes cause confusion, particularly to young people, families or the wider public. All national documentation uses the term Children's Trust, as do the majority of other local authority areas, and legislation in progress will create the requirement for a Children's Trust Board. It is therefore suggested that the CYP Partnership consider renaming itself the 'Nottinghamshire Children's Trust'.

The function and structure of the CYP Board

12. The main responsibilities of a Children's Trust Board are to develop integrated strategy, including joint planning and commissioning, and to pool or align budgets, ensuring that resources are available in partner organisations to carry out planned programmes. This role involves developing a vision for improving outcomes for children and young people through the CYPP, leading on the performance monitoring of achievement of targets, and responding to performance monitoring information. A Children's Trust should be a thematic partnership of the Local Strategic Partnership. The Board should ensure that children and young people's interests contribute to the setting of targets for the LAA, and that the CYPP is consistent with the vision of the Sustainable Community Strategy. *Children's Trusts: statutory guidance on inter-agency co-operation to improve well-being of children, young people and their families (DCSF 2008)*

13. In Nottinghamshire, the CYP Partnership is established as a thematic partnership of the wider Nottinghamshire Partnership. There are links between LAA and CYP groups, although there is scope to define these further and clarify the level at which communications should take place. The Board is chaired by the Lead Member for Children's Services; as this fits well with National guidance it is proposed that it continues.
14. The *Apprenticeship, Skills, Children and Learning Bill* is likely to create a 'duty to cooperate' on new partners, and the Board therefore needs to consider if it is structured in a way which will enable these new partners to become part of its strategic decision-making. The *New Relationship with Schools* paper proposes the creation of an 'Education Trust Board' which would represent schools, and would report to the CYP Board. This paper is in the process of consultation. Further education colleges might be represented through the 14-19 Partnership. The involvement of Jobcentre Plus perhaps needs further exploration, to consider direct representation on the CYP Board and/or representation at a more local level, for example through the 14-19 Partnership arrangements or District LSP groups.

Review of the executive for the CYP Board

15. The discussions in Nottinghamshire about the role of the executive have identified that its key functions should be to:
 - ensure strategic decisions are implemented,
 - manage joint planning and commissioning, and a joint approach to financial planning,
 - drive forward the development and implementation of the CYPP,
 - oversee performance management and the achievement of targets, challenging other partnership groups/organisations where needed, and reporting on progress to the CYP Board,
 - oversee change management and risk analysis for the CYP Partnership.
16. There are currently two groups that each take on some functions of an executive: the Children's Services Executive Group (CSEG), chaired by the Head of Strategic Planning for Bassetlaw PCT, and the Pathway to Integrated Services (P2IS) Board, chaired by the Corporate Director for Children and Young People's Services. It is suggested that these two groups be amalgamated, to form one group known as the CYP Partnership Executive (or Children's Trust Executive, depending on which name is adopted for the Trust as a whole). Having one executive group would facilitate communication between the Board and its sub-groups, and make more efficient use of staff time. It would also reduce the risks of work being duplicated or fragmented across two groups.
17. It is further suggested that the Corporate Director for Children and Young People's Services takes on the role of Chair for this Group. This would ensure a strong link between the Board and its executive as the Director attends both meetings. It is also consistent with the recent statutory guidance on the role of the Director of Children's Services,

which expects the DCS to provide strong leadership in driving forward outcomes-focused joint working, planning and commissioning.

Establishment of a work programme for the Board and its executive

18. At present, the CYP Board considers a large number of items, and identifies actions from these. Some actions may be appropriate for the Board, but others may relate to the implementation of strategic decisions and therefore be best dealt with by the Executive.

Appendix 2 has a list of recent items discussed by the Board where further action is needed. It is suggested that the Board consider these items and use these as a basis for a draft work programme for the Board and its executive, identifying discussion items for the next few meetings of these groups.

Review of sub-groups reporting to the Board and its executive groups,

19. There are a large number of sub-groups which are linked to either the CYP Board or its executive groups. Some have formal reporting arrangements, and some may present reports on a more ad-hoc basis. Some of these groups also have reporting arrangements or communication links with partnership groups within the wider Nottinghamshire Partnership or with the NSCB.
20. Appendix 3 is a diagram mapping current sub-groups. It does not include all sub-groups, but illustrates the main reporting arrangements, including the main partnership groups and those groups responsible for implementing the CYPP.
21. There is a need to rationalise these sub-groups, considering if all groups need to exist in their current format. Work is likely to be more effectively and efficiently carried out by a smaller number of groups with clearer reporting arrangements. Creating a single executive would simplify sub-group reporting arrangements, but further rationalisation could be considered.
22. All of the sub-groups can be categorised into three types:
- Partnership 'Theme' Groups focusing on an area of work (e.g. Teenage Pregnancy Partnership, 14-19 Strategy Group),
 - Development Groups responsible for implementing aspects of joint work arrangements across the CYP Partnership (e.g. Workforce Development Group, Performance Sub-Group)
 - Project Groups set up for a defined time period (e.g. the Test Bed Project Boards reporting to the current P2IS Board).
23. At present, some of the Partnership 'Theme' Groups report directly to the Board and others through CSEG, with no identified overall rationale for this. This perhaps reflects some duality of purpose, where these groups are both influencing strategy (suggesting a link with the CYP Board) and responsible for its implementation (suggesting a link with its Executive).

24. Appendix 4 shows a possible restructuring of sub-group reporting arrangements, to create more consistency. These restructuring proposals have been developed following discussions at CSEG and will be discussed at its October 2009 meeting.

25. It proposed that:

- all Partnership 'Theme' Groups would be linked to both the Board and its Executive, enabling them to influence strategic planning through the Board, and to be held responsible for aspects of its implementation through the Executive,
- Development Groups responsible for carrying forward aspects of joint working would report to the Executive, and take direction from it. Some of these groups could be amalgamated, and Appendix 4 shows some suggestions for how this might be done,
- Project Groups set up for a defined time period would usually report to the Executive.

It is suggested that all permanent groups reporting directly to the Board or its Executive be chaired at Assistant Director/Service Director level, from the most appropriate partner organisation for the area of work.

26. Appendix 4 also shows how the Education Trust Board, proposed in the *New Relationship with Schools* paper, might fit into such a structure. The Education Trust Board would ensure that schools are represented in the CYP Partnership. It would be an executive board responsible for three phases of education (primary schools, secondary schools and special schools) with head teacher membership drawn from three phase-specific boards which would sit beneath it. The Education Trust Board would agree representatives to attend the CYP Board.

27. Another recommendation is the creation of a Children and Young People's Health and Well-being Group. This has been discussed at CSEG and approved in principle. There are a large number of partnership groups responsible for the health of children and young people, and other groups within the wider Nottinghamshire Partnership that are responsible for all-age health issues. One group responsible for children and young people's health and well-being would provide a focus for this work within the CYP Partnership, and simplify communications with health-related groups across the wider partnership. Appendix 4 shows how such a group might fit into reporting arrangement for the CYP Partnership.

28. It is suggested that the Board consider these restructuring proposals in principle, with the Executive taking responsibility for developing them further. This work would involve reviewing membership and terms of reference for all these groups, plus reporting arrangements and meeting calendars, to ensure that information is shared between groups at the right times to support key decisions.

29. As part of this work, further consideration may need to be given to how CYP Partnership groups relate to the wider Nottinghamshire Partnership, including its other thematic partnerships, and to district-based groups including LSPs and their theme groups.

The relationship between the CYP Board and the NSCB

30. Recent Government guidance stresses the importance of the Children's Trust Board and the Local Safeguarding Children's Board (LSCB) operating independently, so that each may challenge the activities of the other, but with ongoing communication to avoid duplication or gaps in policies or services. The Children's Trust should consult the LSCB on issues affecting safeguarding and must consult the LSCB during the development of the CYPP. The Lead Member is expected to be able to challenge the activities of the LSCB, from a well-informed position, and guidance states that the Lead Member should be a 'participant observer' of the LSCB. This entails attending meetings, receiving all written reports and taking part in discussions, but not being part of the decision-making process. The LSCB should be chaired by someone independent of local statutory agencies, to enable it to be able to challenge local activities. (DCSF 2008, DSCF 2009).
31. The NSCB has already appointed an independent chair. It is proposed that the Lead Member attends NSCB meetings as a participant observer. A reciprocal arrangement where the Chair of the NSCB is a participant observer of the CYP Board might be appropriate. To ensure that the two Boards work effectively together, a 'Memorandum of Understanding' is to be developed. This was a recommendation from the joint meeting of both boards in March 2008, and work is in progress on this.
32. As part of the review and restructuring of sub-groups reporting to the Board and its executive, the relationship between these groups and the NSCB or its sub-groups would need to be considered. Some groups already have reporting arrangements with the NSCB, and new arrangements may need to be considered as part of any restructuring.

RECOMMENDATIONS

It is recommended that the Board:

1. Agrees on the name for the Children's Trust for Nottinghamshire, deciding either to adopt the name 'Nottinghamshire Children's Trust' or to maintain the existing name 'Nottinghamshire Children and Young People's Partnership',
2. Approves the proposed restructure of the Board and its executive groups,
3. Approves the chairing arrangements for the Board and its executive,
4. Agrees an initial work programme for the Board and its executive,
5. Comments on the proposals for the further rationalisation of sub-groups reporting to the Board or its Executive, enabling the Executive to develop these proposals further,
6. Agrees to the approach outlined for work with the NSCB.

APPENDIX 1: Summary of the roles of the Lead Member for Children's Services and the Director of Children's Services

This document summarises the key roles of the Lead Member and Director of Children's Services as set out in the document *Statutory Guidance: The Roles and Responsibilities of the Lead Member for Children's Services and the Director of Children's Services*, DCSF (2009).

The guidance covers 34 pages and has an introductory section (Section 1) followed by sections on the roles and responsibilities of the Lead Member for Children's Services (Section 2) and the Director of Children's Services (DCS) (Section 3). There is a final section (Section 4) on complementary working between the Lead Member and the DCS. Appendix 1 provides information on legislative underpinnings, and Appendix 2 provides Useful Links.

The guidance also refers to the responsibilities of the Council Leader and Chief Executive in ensuring that the importance of improving outcomes for children and young people is reflected across the full range of business for the Council and the local strategic partnership.

The Role of the Lead Member

The guidance identifies the following key roles:

a) being politically accountable, through leadership of discussions with Cabinet and other members, for the effectiveness, availability and value for money of all local authority children's services;

b) providing political leadership within, and in partnership beyond, the local authority in order to improve outcomes for all children and young people and narrow the outcomes gap for vulnerable groups of children and young people, by:

- engaging and encouraging local communities and representative organisations to contribute suggestions, comments and ideas on the quality of children's services and how these might be improved;
- setting the overall vision of the Children & Young People's Plan;
- being satisfied that services delivered within the local area are planned, designed, delivered and quality-assured with the involvement of children, young people and their families; and
- challenging the DCS and others, where appropriate;

c) championing the interests of children, young people and their families within the local authority's area (including all those receiving services who do not live in the area) by:

- ensuring that the local authority celebrates and showcases examples of children and young people's achievements;
- purposeful engagement with local schools, including through visits and dialogue with pupils and staff; and
- political engagement with any elected members on the Local Strategic Partnership/s or the Children's Trust, with members of the Local Safeguarding Children Board, and
- with local community organisations;

- d) ensuring that the authority's paid officers maintain a clear focus on effective safeguarding arrangements and promoting the safety and welfare of children across all agencies;
- e) ensuring that officers are effectively monitoring education arrangements, including standards of achievement, in the local area;
- f) championing early intervention and prevention in delivering services for children, young people and families;
- g) exercising political leadership that emphasises the importance of reducing child poverty in the local area;
- h) contributing to and being satisfied that the local authority demonstrates high standards of corporate parenting, in particular by encouraging Members to promote the educational achievement and health and well-being of looked after children and children leaving care; and
- i) being politically accountable for the audit arrangements adopted by the Council for ensuring data on children's services (which may come from a range of sources) is reliable.

The Role of the Director of Children's Services

The guidance identifies the following key roles:

a) leadership:

- to promote the importance of improving outcomes for all children and young people, and narrowing the gaps for those in disadvantaged groups, throughout the local authority's services and activities;
- to encourage all services to contribute to improving outcomes for all children and narrowing gaps within the Children's Trust and other partnerships, such as the Local Strategic Partnership;
- to work with local head teachers collectively to drive up standards in schools and ensure that they work together and with others to improve children's well-being;

b) championing children, young people and their families within the local area, in particular through:

driving joint working with and between bodies which commission, provide, or have an interest in services affecting local children, young people and families;

- interacting with and supporting local schools and encouraging them to play their full part as relevant partners of the Children's Trust * and to work productively with other services;
- maintaining strategic oversight of the production and publication of the Children and Young People's Plan;
- holding the Children's Trust Board members to account for the implementation of the Children and Young People's Plan (CYPP), including in particular delivery of the relevant targets within the Local Area Agreement and the statutory DCSF targets;

- ensuring that the annual report on the CYPP is published and that appropriate action is taken to revise the plan;
- ensuring services are available for all children within the local authority area, including those attending all types of early years settings or schools (including independent schools), unaccompanied asylum-seeking children and other vulnerable children and young people;
- ensuring, in partnership with the Lead Member, that everyone within the local authority and each of their Children's Trust partners is aware of their shared responsibility for improving outcomes for the children looked after by the authority, regardless of where they are placed.

* This is subject to Parliamentary approval; the Apprenticeships, Skills, Children and Learning Bill is expected to receive Royal Assent in autumn 2009.

c) management of the local authority's children's services, with professional responsibility and accountability for their effectiveness, availability and value for money. In particular:

- securing a high quality and appropriately skilled and supported multi-professional children and young people's workforce with adequate resources committed;
- providing all members of the workforce, including social workers, with strong support, focusing on:
 - improving retention and recruitment;
 - enhancing and maintaining morale;
 - helping staff cope with the emotional stress of their jobs
 - delivering good systems for line management, appraisal, supervision, career development and continuous professional development;

d) safeguarding and promoting the welfare of children, in particular by:

- safeguarding and promoting the safety and welfare of all children, especially looked after children, across all agencies; and
- engaging effectively as a member of the Local Safeguarding Children Board;

e) supporting looked after children, in particular by:

- promoting strong corporate parenting;
- focusing on improving their outcomes, including health and educational attainment;

f) ensuring there are effective arrangements for school improvement in the area, for instance by:

- performance managing school improvement partners and arranging good quality training for them;
- setting challenging but achievable targets for schools;
- ensuring a clear and costed menu of support for school improvement;
- using powers to address underperformance quickly, including:
 - warning notices,

- structural improvement models, the creation of Interim Executive Boards and other alternative governance arrangements, and,
 - where necessary, school closures.
- g) ensuring effective delivery of the authority's responsibilities for 14-19 commissioning and provision, and all aspects of 16-19 provision;
- h) promoting early intervention and prevention in delivering services for children, young people and families; and
- i) emphasising and ensuring all plans and strategies reflect the importance of reducing child poverty in the local area.

APPENDIX 2: List of items recently discussed / actions agreed by the Children and Young People's Partnership Board

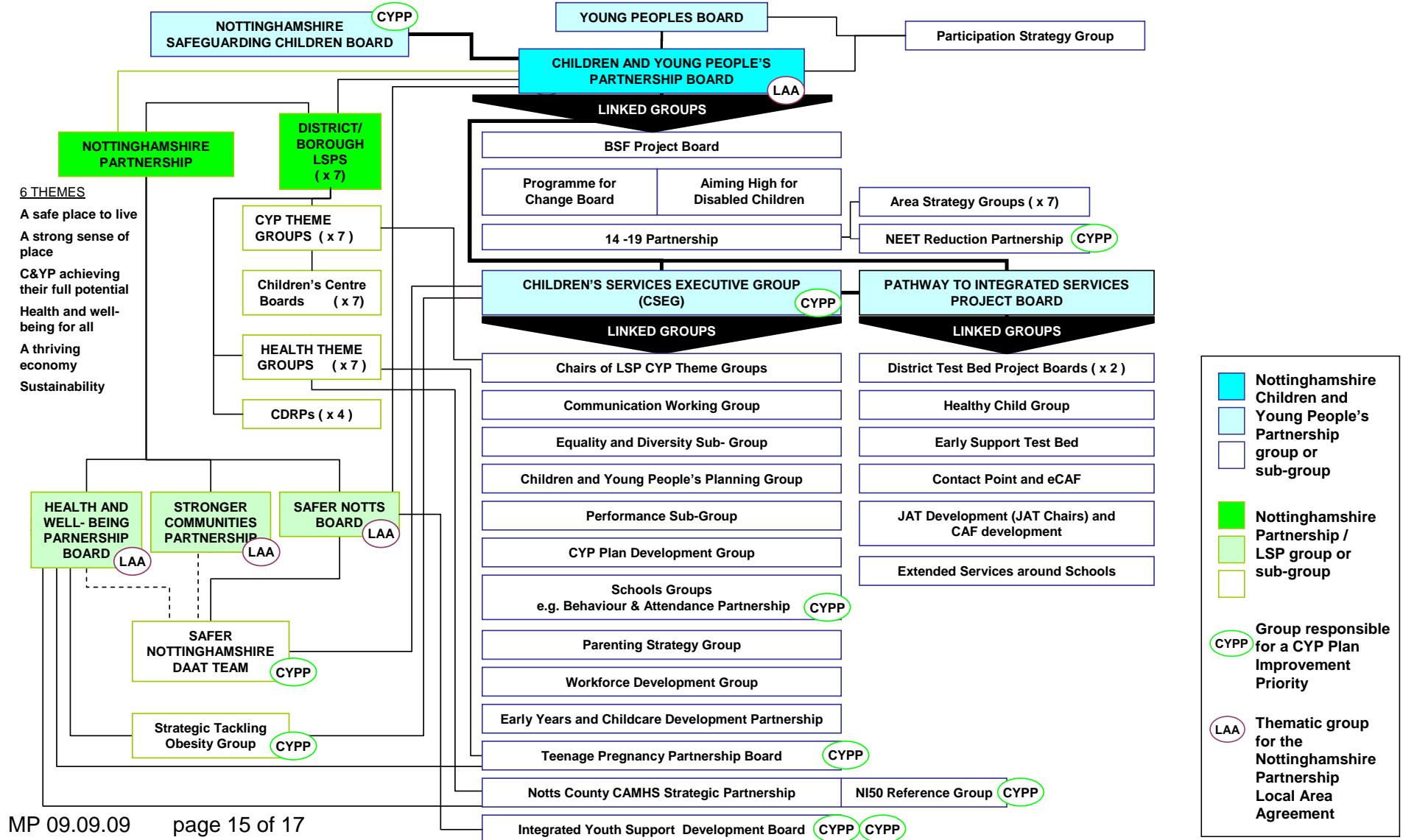
This document provides an overview of CYP Partnership Board meeting key agenda items that appear to be outstanding to date. They were identified by an analysis of minutes from meetings between May 2008 and June 2009, including the March 2009 joint meeting between the Board, CSEG and Nottinghamshire Safeguarding Children Board. Some items may have been completed but are not identified as such within the minutes.

Theme	Outstanding item	Meeting where raised
Governance	<ul style="list-style-type: none"> • Consider relationship with LSP at county & district level and JATs • Clarify how CYPP relates to LAA • Review and simplify governance structures, including Executive • Engagement with new statutory partners – schools, colleges, Job Centre Plus • Engagement with parents, GPs and private sector • Develop formal relationship with Nottinghamshire Safeguarding Children's Board, including memorandum of understanding • Consider involvement of Children and Young People in the Board and broader partnership, including providing partners with existing participation arrangements • Consider Board's role in relation to Pathways to Integrated Services –review progress via structured feedback reports on each test bed at agreed intervals – still to be agreed • Formalise agreement of delivery and accountability between SNB and CYPP Board 	<p>May 08, Jan 09, 20th March 09</p> <p>May 08 & Jan 09</p> <p>May 08 & 20 March 09</p> <p>Jan & 9 March 09</p> <p>Jan & 9 March 09</p> <p>May 08, Jan 09 & 20 March 09</p> <p>Oct 08 and Jan 09</p> <p>Oct 08 and Jan 09</p> <p>20 March 09</p>
Performance	<ul style="list-style-type: none"> • Development and implementation of Performance Reporting and Management Cycle and Framework, linked to CYP Plan • Executive group to take on regular performance management role, with reports to Board on an exception basis and annual performance report taken to 	<p>July 08 & 20 March 09</p> <p>May 08, Jan 09, 9 March 09</p> <p>9 March 09</p>

	<p>the Board (CYP Plan)</p> <ul style="list-style-type: none"> • Quarterly report on top 12 indicators (contradicts the above point?) • Examination of definition of accountability – what does it mean in practice? 	Jan 09
Development	<ul style="list-style-type: none"> • Produce 10 year development plan/set milestones for next 5 years, based on outcomes focus • Audit Commission Self-Assessment to be used as a work Plan for the Board and subgroups – Executive group to drive this • Board member induction/training/Toolkit • Work plan for the Board, including collaborative working outside of meetings 	<p>May 08 & 20th March 09</p> <p>9 March 09, 20th March 09</p> <p>20th March 09 20th March 09</p>
Communication	<ul style="list-style-type: none"> • Develop Communication Strategy • Communication with LSPs and adult services, e.g. share minutes 	<p>May 08 & 20 March 09</p> <p>20 March 09</p>
14-19 Partnership	<ul style="list-style-type: none"> • JAR Update - develop view on how to allocate £70 million transfer from LSC to LA 	July 08
Building Schools for the Future	<ul style="list-style-type: none"> • BSF detailed work for Strategic Stakeholder Reference Group, but brief progress update at each Board meeting 	Jan 09
Finance	<ul style="list-style-type: none"> • Financial strategy discussion to be pursued in context of CYP Plan • Joint funding arrangements 	<p>Jan 09</p> <p>20 March \09</p>

APPENDIX 3: Existing Reporting Structure for Nottinghamshire Children and Young People's Partnership

This is a simplified structure to illustrate current arrangements, including the main groups reporting to the Board or its executive and those sub-groups that have a key role in implementing the Children and Young People's Plan. Other sub-groups exist.



APPENDIX 4: Proposed New Reporting Structure for Nottinghamshire Children and Young People's Partnership

This is a simplified structure to illustrate possible new arrangements, including the main groups reporting to the Board or its executive and those sub-groups that have a key role in implementing the Children and Young People's Plan. Other sub-groups exist.

