



## Report of the Director Of Children's Services

### Executive Board

9<sup>th</sup> December 2009

### Children's Trust Arrangements: Area and Locality Governance Arrangements.

<p><b>Electoral Wards Affected:</b></p>          <input type="checkbox"/> Ward Members consulted (referred to in report)	<p><b>Specific Implications For:</b></p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
<p>Eligible for Call In <input type="checkbox"/></p>	<p>Not Eligible for Call In (Details contained in the report) <input type="checkbox"/></p>

### Executive Summary

- 1.0 Leeds developed its current children's trust arrangements in response to the original requirements of the Children Act 2004. These were approved by the Council's Executive Board in September 2006 and February 2007. Since then the understanding and requirements of these arrangements has evolved with a particular emphasis in Leeds on more local ownership and involvement in service delivery planning to improve outcomes. This is in line with the recent government direction of travel around improved partnership working and particularly the role of schools.
- 2.0 A number of initiatives has been used to test and develop more effective partnership approaches for area and locality working. It is now important to move these developments into formal governance and partnership arrangements bringing them clearly within the wider Children's Trust arrangements. The proposals in this paper focus on completing the "bottom-up" dimension of the wider children's trust governance arrangements by supporting effective partnership working and ensuring appropriate governance and democratic engagement.
- 3.0 The report proposes that five Area Children Leeds Partnerships are established based on the current inner/outer area committee wedge model. The five Area Children Leeds Partnerships will provide a strong bridge between city wide structures and more local arrangements through extended services clusters. Appendix 1 to the report sets out an initial draft of the terms of reference and constitution for an Area Children Leeds Partnership.

- 4.0 The report also proposes that local children and young people partnerships are established based upon extended services clusters including schools, children's centres and a range of partners. These local partnerships will have a key role in enabling local services to work better to improve outcomes for children, young people and families and will build on the geographical model operating below the five Area Children Leeds Partnerships as illustrated at Appendix 2.
- 5.0 The approach proposed secures a role for Elected Members at the area and locality levels. The proposed area and locality arrangements can link effectively to the current city-wide Children's Trust arrangements and any successor Children Trust Board resulting from the consultation just issued by Government.
- 6.0 The report also details consultation undertaken in the preparation of the proposals.

## **Recommendations**

Executive Board is asked:

- Note the need to establish formal procedures for the area and local working of children's trust arrangements in Leeds;
- Approve the proposed approach to the development of area and locality Children Leeds Partnerships set out in Section 5 of this report and the attached appendices; and
- Agree that children's trust arrangements in Leeds be updated in accordance with these proposals.

## 1.0 Purpose Of This Report

- 1.1 This report proposes formal arrangements for the area and locality aspects of the children's trust arrangements in Leeds setting out the context for these developments and providing supporting background information and analysis.
- 1.2 The report seeks Executive Board's approval to progress these proposals in line with the approach outlined in section 5.

## 2.0 Background Information

### 2.1 Definitions

- 2.1.1 Three tiers of children's trust working are referred to in the report:
- **City-Wide** – Arrangements which operate at a whole city level;
  - **Area Level** – Arrangements operating at the inner and outer area committee wedge levels; and
  - **Locality Level** – Arrangements which are focused around local extended services networks involving clusters of schools, children centres and a range of partners.

### 2.2 Current Arrangements

- 2.2.1 Under the Children Act 2004, Leeds City Council, as the Children Services Authority, is required to make appropriate arrangements at a city-wide level for relevant partners named in the Act to undertake the duty to cooperate to deliver improved outcomes for children and young people.
- 2.2.2 The children's trust arrangements approved by Executive Board in September 2006 and February 2007 fulfil this city-wide requirement. They are based on a strategic partnership framework which leaves executive powers under the Constitution of each relevant partner. There is an obligation on each relevant partner to take actions agreed within the children's trust arrangements and falling under the duty to cooperate through its own governance arrangements.
- 2.2.3 In line with Audit Commission advice on good practice, the Council has adopted a Significant Partnerships Framework as an audit and management tool for securing effective partnership working. The main components of the current city-wide children's trust arrangements (Children Leeds Partnership, Integrated Strategic Commissioning Board and Local Safeguarding Children Board) are audited against the required standards set out in this framework.
- 2.2.4 The Education and Skills Act 2008 extends the duty to cooperate to schools and colleges.
- 2.2.5 The Apprenticeships, Skills, Children and Learning (ASCL) Act 2009 adds schools and colleges as named relevant partners with statutory rights to representation within the children's trust arrangements. The ASCL Act 2009 also requires the Leeds NHS to ensure effective engagement of GPs in local arrangements.

### **3.0 Drivers for Change**

- 3.1 In 2009, the government published its 21st Century Schools policy. The latest government White Paper "*Your child, your schools, our future - building a 21st century School system*", takes forward the 21st century schools policy with a particular emphasis on building "team around the child" capacity and early intervention at the levels of local school partnerships and individual school settings (the locality level in this report). The expectation is that the majority of new initiatives to deliver the required "team around the child" approach will develop around school communities and within wider children's trust arrangements. In Leeds, the natural base for this type of work is the current collaborative networks that schools have formed around:
- the delivery of extended services
  - behaviour, attendance and exclusions work
  - 14 to 19 planning; and
  - the inclusion agenda.
- 3.2 The new Ofsted framework for schools also places a stronger emphasis on the role of schools in addressing locality issues such as community cohesion and on the effectiveness of their work with partner agencies.
- 3.3 The ASCL Act 2009 brings all 14 to 19 provision under children's trust arrangements. At a city-wide level, this requires a formal 14 to 19 partnership. The Leeds Learning Partnership fulfils this requirement in Leeds. Local arrangements to support the delivery of the 14 to 19 planning are captured within the locality and area working arrangements addressed in this paper.
- 3.4 The ASCL Act 2009 also gives the Secretary of State for Children, Schools and Families the power under regulations to require each Children's Services Authority to establish Children Trust Boards. The government published draft guidance for consultation in this regard on 13 November. This will affect the future city-wide children's trust arrangements in Leeds. The arrangements proposed in this paper will feed into the new Children's Trust Board but need not be delayed by these future changes.
- 3.5 It is important that developing informal arrangements around children's services work in areas and localities are established within an open, transparent and accountable set of arrangements.

### **4.0 Analysis**

- 4.1 The Comprehensive Area Assessment framework has a focus on community engagement; the role of Elected Members in facilitating dialogue within the local communities; supporting citizens to feed their opinions into the setting of priorities and service development; and the use of local intelligence for service planning.
- 4.2 Corporate level work on future locality working arrangements is focusing on service organisation and management arrangements to ensure an approach to locality working that is efficient and effective.
- 4.3 This report takes as its starting point developmental work and initiatives in localities and wedge areas that are driving forward improved outcomes for children and young people particularly around integrated approaches and early intervention. It is

now important to move these developments into formal governance and partnership arrangements within the wider Children's Trust arrangements.

- 4.4 Developments since the Children Act 2004, and the city-wide significant partnerships arrangements that followed, require area and locality level arrangements to be put in place to complete the "bottom-up" dimension of the wider children's trust governance arrangements. This is important given the inclusion of autonomous institutions and their governance arrangements as relevant partners; the amount of resources which are 'passport' to such bodies and which must play their local part in the wider children's services agenda; and the requirement to support the development of, and work effectively with, new types of provider collaboration within localities.
- 4.5 Partnership working on area and local provision must be conducted within an open, transparent and accountable system.
- 4.6 It is also important that area and locality arrangements secure appropriate levels of Elected Member engagement in a governance format which meets the significant partnerships framework.
- 4.7 The governance framework must be capable of providing for:
- local planning around 14 to 19 issues;
  - partnership working within areas on all of the themes in the Leeds Strategic Plan - not just the priorities of the Children and Young People's Plan - to ensure the golden thread back to the Leeds Initiative and overall strategic planning;
  - accommodating changes expected to be required at the city-wide level concerning a single overarching Children's Trust Board (Apprenticeship, Skills, Children and Learning Act 2009); and
  - be practicable in terms of the level of support, advice and assistance from the Council that they will require.

## **5.0 Proposals**

### **5.1 Area Level**

- 5.1.1 It is proposed that five **Area Children Leeds Partnerships** are established based on the current inner/outer area committee wedge model.
- 5.1.2 The role of an Area Children Leeds Partnership should be to:
- Develop, oversee and monitor the delivery of the children and young people themed actions in Area Delivery Plans (including 14-19 planning)
  - support and drive local priorities (locality level action plans);
  - oversee and monitor locality level planning work in support of that overall delivery;
  - ensure links to the partnership groups operating at locality levels (e.g. extended services management groups; area inclusion partnerships; and 14-19 planning); and
  - ensure the required coordination of effort.

Area Children Leeds Partnerships should also provide a point of coordination and monitoring with the Area Safeguarding Children's Boards.

- 5.1.3 In this manner, Area Children Leeds Partnerships will inform and influence the city-wide Children and Young People's Plan, the delivery of the five Every Child Matters outcomes and the improved integration of children's services.
- 5.1.4 Area Committees should be represented on Area Children Leeds Partnerships by the Children's Champions from the relevant wedge areas.
- 5.1.5 The Area Children Leeds Partnerships will enable the appropriate level of participation of key stakeholders, including children and young people.
- 5.1.6 Appendix 1 to this report sets out an initial draft of the terms of reference and constitution for an Area Children Leeds Partnership. Further work will be undertaken in partnership with the Council's Legal Services to ensure that the terms of reference and constitution fully meet the requirements of the Council's significant partnerships framework. Executive powers will remain under the Constitution of each relevant partner.
- 5.1.7 The Council's constitution provides for the discharge of functions by Area Committees that include development and review of area (wedge) Children and Young People's Plans. It is proposed that action falling to the Council arising from the work of Area Children Leeds Partnerships should be considered by the relevant area committee and fed into the Area Delivery Plan. This approach would provide the important "golden thread" to the city-wide strategic planning work. The impact of these actions on improving outcomes for children and young people in the area and localities should be monitored through the Area Delivery Plan. A suite of local indicators should be produced and reported to Area Committees to assist this process.

## 5.2 ***Locality Level***

- 5.2.1 To ensure the required level of partnership, democratic involvement and governance at locality level, it is proposed that local children and young people partnerships are established based upon extended services clusters involving schools, children's centres and a range of partners. In this way, current arrangements which are focused around local extended services networks involving clusters of schools, children centres and a range of partners will develop within a significant partnerships framework. A number of extended services clusters are already moving towards this model and the city-wide Extended Services Partnership Board – which takes an overview of the work of extended services clusters and the development of 21<sup>st</sup> century schools – is already identified as significant partnership.
- 5.2.2 The local children and young people partnerships would include elected members.
- 5.2.3 As some of the emerging cluster arrangements in Leeds are developments around the new powers of school governing bodies to establish school trusts, the report proposes how an existing cluster arrangement can be brought within a strategic partnership and proposals for when a school trust is in place or being established.
- 5.2.4 Appendix 2 details how extended services clusters fit into the five wedges referred to in Section 5.1 above.

### 5.3 ***Development of an existing cluster arrangements***

5.3.1 Appendix 3 sets out a Memorandum of Understanding (MoU) through which a developing cluster can form a strategic partnership to operate as a local Children and Young People's Partnership. It is recommended that Schools (within the legal requirements of the Education (School Government) Collaboration Regulations 2003) and other stakeholders participate in collaborative arrangements in line with this MoU. It should be noted that the model in Appendix 3 would require further work to clarify the legal position around school regulations and underpinning of arrangements regarding staffing, premises and resource management. However, its constituent parts meet the requirements of a significant partnership.

### 5.4 ***Where there is a School Trust***

5.4.1 The proposal is to use a Protocol for the development of school trusts in Leeds along the same lines as that developed for academies in Leeds, which includes issues such as wider representation to cover relevant partners. Adoption of the Protocol which secures the relevant partner representation would be the vehicle whereby school trust partnerships would be able to operate as the locality Children and Young People's Partnership within a significant partnership framework. As was the case with the academies protocol, the protocol for developing locality Children and Young People's Partnerships will be developed along with the emerging school trust.

5.4.2 In the absence of the Protocol, a School Trust would need to secure separate representation on a local Children and Young People's Partnership which included the required wider membership.

## 6.0 **Consultation**

6.1 A working group has advised on the drawing up of these proposals, the group comprised officers from:

- Environment And Neighbourhoods
- Legal And Democratic Services
- Education Leeds
- Early Years and Youth Service
- Adult Social Care
- Integrated Youth Support Service
- NHS Leeds.

6.2 The observations and comments of the Corporate Governance and Audit Committee have guided the proposals presented to Executive Board as have feedback, comments and responses arising from:

- Discussion at meetings of the Children Leeds Partnership;
- Discussion between Locality Enablers from Children Services and ward members, existing networks of schools and trusts and presentations to Area Committees; and
- A presentation to the Children's Champions on Area Committees

## **6.0 Implications For Council Policy And Governance**

7.1 The implications for the Council's Policy and Governance arrangements are captured in section five of this paper.

## **8.0 Legal and Resource Implications**

8.1 The proposals comply with the significant framework partnership.

8.2 The necessary support, advice and assistance to establish and maintain the proposed partnership arrangements can be met through the realignment of existing resources.

## **9.0 Recommendations**

9.1 Executive Board is asked to:

- Note the need to establish formal procedures for the area and local working of children's trust arrangements in Leeds;
- Approve the proposed approach to the development of area and locality Children Leeds Partnerships set out in Section 5 of this report and the attached appendices; and
- Agree that children's trust arrangements in Leeds be updated in accordance with these proposals.

## **Background papers**

- September 2006 Executive Board Report: Proposed Children's Trust Arrangements for Leeds.
- February 2007 Executive Board Report: Children's Trust Arrangements-Update on progress.
- June 2009 Executive Board Report: Area Committee Roles 2009/10
- Children Act 2004
- 21st Century Schools Policy
- Government White Paper ' Your Child, Your Schools, Our Future-Building A 21st Century Schools System. '
- Apprenticeship, Skills, Children and Learning Act 2009.
- Comprehensive Area Assessment Framework.
- Locality working reports to Integrated Strategic Commissioning Board and Children Leeds Partnership
- Working Papers of Locality Governance Task and Finish Group



