

## Draft Terms of Reference and Constitution

### Area Children Leeds Partnerships

#### 1.0 Introduction and Background

- 1.1 Leeds City Council (“the Council”) as children’s services authority has a statutory duty<sup>1</sup> to make arrangements to promote co-operation between relevant partners<sup>2</sup> to improve local children’s wellbeing with reference to -
- Physical and mental health and emotional wellbeing
  - Protection from harm and neglect
  - Education, training and recreation
  - The contribution made by them to society
  - Social and economic well-being.
- 1.2 There is also a duty on relevant partners (“the relevant partners”) to co-operate with those arrangements<sup>3</sup>.
- 1.3 Area children Leeds partnerships are the local expression of the statutory duty to work in partnership and the duty to co-operate placed on relevant partners to improve children and young people’s wellbeing.
- 1.4 The partnership is not constituted as a legal entity for the purposes of contractual arrangements and will act accordingly.
- 1.5 The partnership is defined as a significant partnership as part of the council wide framework for ensuring compliance with expected standards for good governance.

#### 2.0 Principles

- 2.1 The Partnership will have the breadth and depth of partners to develop priorities and plans, to improve the local targeting of resources and influence the city’s strategy and policy development for children, young people and family services.
- 2.2 The Partnership will provide local leadership which encourages integrated working to improve outcomes for children and young people.
- 2.3 Partners should work together locally with a common purpose to secure high quality integrated services for children, young people, and their families.
- 2.4 The partnership will take into account the priorities of the children and young people’s plan, the 4Ps (personalisation, participation, partnership, and prevention) and the commissioning framework.
- 2.5 The partnership will support its members to engage effectively with locality commissioning arrangements.
- 2.6 The Area Partnerships will receive performance management information using a suite of local indicators and receive relevant reports on the effectiveness for

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<sup>1</sup> Under section 10 of the Children Act 2004 (“the Act”)

<sup>2</sup> Under section 10(4) of the Act

<sup>3</sup> Under section 10(5) of the Act

services provided (eg. Ofsted) and use these to inform future planning.

- 2.7 Area Partnerships provide a local framework of accountability to service users, stakeholders and the wider community for the quality of services to children, young people and their families.
- 2.8 Area Partnerships should have information appropriately in order to achieve its objectives.
- 2.9 Ensure that the services continue to be appropriate to the community by arranging regular consultations with staff, parents, children and the community.
- 2.10 Ensure that the voice of children, young people, parents and carers has a strong influence on any service / activity the partnership commissions.

### **3.0 Functions**

- 3.1 Area Children Leeds Partnerships should:
  - develop, oversee and monitor the delivery of the Children and Young People themes 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);
  - ensure the required coordination of effort to facilitate the efficient and effective delivery of services; and
  - monitor as appropriate the execution of the Local Trust Arrangements
- 3.2 Area Children Leeds Partnerships should link to the city-wide Children's Trust arrangements by:
  - agreeing a local Children and Young People Plan, ensuring the local partnership plans take cognisance of the Leeds Children and Young People's Plan and Leeds Strategic Plan;
  - informing the strategy and policy making decisions of the citywide Children Leeds Partnership **[in particular with regards to the CYPP]**;
  - informing the joint planning and commissioning activities of the Integrated Strategic Commissioning Board and commissioning activities of partners, and;
  - informing and supporting the delivery of the Leeds Safeguarding Children Board business plan.

### **4.0 Procedures**

- 4.1 Meetings shall be held every 2 months, or more frequently if required.
- 4.2 Partnership meetings will be serviced by **[to be agreed during the consultative development of this constitution]**
- 4.3 Arrangements for recording, keeping and publishing the partnerships most important decisions **[to be agreed during the consultative development of this constitution]**
- 4.4 The Partnership will not exceed its powers and Partnership members will

always seek to achieve consensus through discussion. Any vote will be by a simple majority of Partnership members in attendance. However, relevant partners have a right to veto any decision of the Partnership, including proposed amendments to this constitution, in circumstances where relevant partners feel this would significantly affect the delivery of their statutory responsibilities. The reasons for the use of this veto should be submitted by the relevant partner concerned, in writing, to the chair, immediately following the relevant meeting of the Partnership. **[to be agreed during the consultative development of this constitution]**

4.5 The Partnership will be quorate when one third of its membership is present including the chair and vice chair or their substitutes. **[to be agreed during the consultative development of this constitution]**

4.6 The chair and vice chair will be confirmed annually at a meeting of the Partnership. **[to be agreed during the consultative development of this constitution]**

## **5.0 Accountabilities and Reporting**

5.1 All partners will remain responsible and accountable for decisions on their individual services and resources.

5.2 There will be no change to the accountabilities of council officers or to the council's constitution in relation to the partnerships activities.

5.3 Democratic accountability will be secured through elected member representation on the partnership; through regular communication with ward members and through participation in the community engagement activities facilitated in each ward by the council's area management team.

5.4 Area Children Leeds Partnerships will report into:

- the Children's Trust Board

## **6.0 Stakeholder Involvement**

6.1 Ensure effective engagement with key stakeholders including children and young people.

6.2 Principles for engaging with CYP... **[to be developed in accordance with the findings of the consultation with children and young people regarding their involvement with Area Children Leeds Partnerships ]**

## **7.0 Membership**

7.1 The partnership will primarily comprise representatives from:

- Children's champions
- School clusters
- Early years - Leeds City Council
- IYSS
- Children and Young People Social Care
- Voluntary Community and Faith Sector
- Primary Care Trust
- Ideally, PBC Consortia Children's Lead

- NHS Commissioning Lead
- NHS Provider Services Manager
- Education Leeds
- Locality enablers (DCSU) - Leeds city council
- Area managers (environment and neighbourhoods) - Leeds City Council
- Area committees

7.2 This membership is not exclusive and will be kept under review. New members will be invited to support the partnership as it evolves.

**8.0** Additional information to be considered during the consultative development of this constitution

8.1 role and authority of members

8.2 roles and responsibilities of partners in relation to:

- financial administration
- resources (including staff)
- assets and liabilities
- external auditing arrangements

### **9.0 Conduct of Members**

9.1 Members will operate within the Code of Conduct **[code to be agreed during the consultative development of this constitution]**

### **10.0 Leaving the Partnership**

10.1 A Partnership member shall cease to be a member of the Partnership if:

- he or she resigns;
- the partner notifies the Partnership of a change of representative; or
- the partner ceases to exist.
- Should any partner wish to withdraw from the Partnership, six months notice must be given in advance to the chair of the Partnership.

### **11.0 Conflict of Interest**

11.1 Members must declare any conflict of interest in a matter being considered by the Partnership, which

- arises from their personal circumstances, or
- arises in respect of the partner which they represent.
- Any member who declares an interest may, at the discretion of the chair,
- be required to leave the meeting while the matter is discussed; or
- remain in the room but not participate in the discussion; and/or (c) participate in the discussion but not vote on the matter.

### **12.0 Dispute Resolution**

12.1.1 Any dispute relating to the Partnership shall be dealt with in accordance with this clause.

**12.1.2 [to be agreed during the consultative development of this**

## **constitution]**

### **13.0 Complaints**

- 13.1 All complaints from service users, including those referred to the relevant ombudsman, in relation to specific service provision will be subject to the complaint and representations procedures of the partner which is the lead authority in respect of that provision.
- 13.2 Representation to the Partnership will only be available in circumstances where the lead authority's complaints and representations procedures have not been complied with or undertaken.

### **14.0 Annual report**

- 14.1 Area Children Leeds Partnerships shall produce an annual report which will include:
- A review of its purpose and objectives
  - A review of its performance
  - A review of its financial position and performance
  - A review of other strategies and policies as appropriate

### **15.0 Constitution**

- 15.1 The constitution shall be reviewed annually, though amendments to the Constitution can be made at any other time with the agreement of the Board.
- 15.2 In particular the Partnership will review its membership, recognising that this should remain flexible to encompass effectively the Partnership's developing agenda and organisational requirements arising from new legislation. Membership shall be formally reviewed by the Partnership annually although the Partnership's membership can be amended at any stage with the agreement of the partners.
- 15.3 Subject to the agreement of the Partnership this constitution and annexes may be altered by a resolution passed by not less than two thirds of the members present and voting at a meeting of the Partnership. The notice of the meeting must include notice of the resolution, setting out the terms of the alteration proposed.
- 15.4 No amendment may be made to this constitution which would conflict with any legislation, regulations or standing orders of the Council or the Leeds Primary Care Trust.