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## Report of the Director of Children's Services

### Executive Board

Date: 9 February 2007

Subject: Children's trust arrangements – update on progress

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**Electoral Wards Affected:**

All

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

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## EXECUTIVE SUMMARY

1. In September 2006 the Executive Board received and endorsed a report setting out proposals for improving the lives of children and young people in Leeds. This followed earlier reports on the Children Act 2004 and role of the Director of Children's Services. The September report outlined the elements of the **children's trust arrangements**, an early description of how these arrangements would work to deliver improved outcomes for children and families, and some detail about how the Director of Children's Services Unit would support this approach.
2. This report provides an **update of progress** made since September and seeks endorsement and approval to continue the approach to children's services in Leeds. The report sets out more detail of how the arrangements will improve services through **improved accountability** and continued **integration of services** that are 'wrapped' around the child and the family. This detail should provide members with an assurance that the new arrangements will be transparent and effective in improving outcomes. In this regard, the paper links closely with the Executive Board paper about the overall Council Change Programme, and in particular the transitional arrangements that relate to children's services.
3. The report draws attention to the **review of the Children and Young People's plan**, particularly within the context of the forthcoming **Joint Area Review** and its significance for the Council and everyone involved in the children's trust arrangements. It highlights the need to make further progress in achieving improved outcomes for children and young people, building on the Annual Performance Assessment result, through this planning process and within the context of the children's trust arrangements. It also points to a

longer term direction of further integration and increasingly local delivery of services across the age range, with a strong approach to community ownership, but against a backdrop of strategic commissioning. Executive Board will receive **further reports** about progress and significant developments as these arrangements are implemented, developed and reviewed on an ongoing basis.

## 1.0 Purpose of this report

1.1 In September 2006, Members received a report on the proposed **children's trust arrangements** for Leeds. This report updates progress on these arrangements, including the creation of the Director of Children's Services Unit. The report also sets out more detail about these new ways of working to improve services for children and families, and relates to the transitional arrangements outlined in the overall Council Change Programme report on this Executive Board agenda.

1.2 The report is structured to:

- Provide an update about how the **children's trust arrangements** are working in practice
- Briefly outline the review of the **Children and Young People's plan** and the **Joint Area Review**
- Explain the development of an **accountability and intervention framework** and the approach to **hosting**, that all apply to the transitional arrangements in the overall Council Change Programme report
- Briefly outline some **future work** that remains to be done

## 2.0 Background

2.1 The September 2006 Executive Board report on the Council's Change programme set out the **national context for change** both in children's and other areas, with the current renewed emphasis on outcome-based services delivered on a locality basis. Statutory requirements and guidance on improving outcomes for children and young people have meant that the Director of Children's Services has necessarily contributed strongly to corporate thinking on the achievement of improved, needs led services. Developments in the children and young people agenda are consistent with, or are informing thinking at Council level and also with partners across the city.

2.2 This report follows on from a series of earlier reports that have set out the **national and local context and the Leeds approach to the successful delivery of Every Child Matters**. The detail of those reports is not repeated here, but this report should be seen as part of that ongoing development and also within the context of the Children and Young People's plan. Similarly, this report should be seen within the context of the **Joint Area Review**, which will have the on-site visit at the end of 2007. This significant external perspective will examine the success of the Council and its partners in achieving the objectives to improve outcomes, and the suitability of the arrangements that have been put in place. A recent Executive Board report outlined the result and findings of the Annual Performance Assessment, which endorsed the approach being taken in Leeds and acknowledged achievement in service performance. This report does not therefore propose anything that will disrupt the approach being taken so far in Leeds, but rather develops the approach further.

2.3 Alongside this local context, there continues to be a range of **statutory developments** within the children's area, particularly with the recent Education and Inspections Act and the Childcare Act. At the same time, there are other less well developed areas of change coming through in Green papers and other discussion documents and guidance, such as the 'Care Matters' consultation and 'More than the sum of the parts' best practice guidance from the Audit Commission. All of these developments mean that the Director of Children's Services role has the **significant statutory responsibility** to create the climate for partnership and then ensure that the whole system is effective, and accountable to children and young people.

2.4 To respond to this unique **whole system responsibility**, the Director of Children's Services (along with colleagues) continues to do a significant amount of development work to look at the longer term direction for children's services within the context of all the relevant developments. This includes big areas of **policy thinking**, such as 14-19 strategy, the parenting strategy and Youth Matters, and also development work about the **way that services will be delivered**. On this latter point, there will be an ever increasing emphasis on delivering integrated services locally (for example through clusters of schools and children's centres), across the whole age range, with the child and family at the heart of that provision, and very much with a focus on early intervention and prevention. Another increasing feature within this context will be to encourage more community ownership of these services in the way that they are delivered, but this will be against a backdrop of a strategic view of the overall pattern of provision and a commissioning approach that ensures needs are met and resources are realigned to priorities.

2.5 The national and local context and approach, together with recent development work will feed into the **current review of the Children and Young People's plan**, so that there will be commitment from across relevant partners in the city to work towards that long term vision. This overall direction and approach is what has determined the transitional arrangements that are proposed in the accompanying overall Council Change Programme paper. This is particularly to ensure that the transitional arrangements for children's services help achieve the longer term vision and stick with the principles that are set out in the Children and Young People's Plan; that they help inform the integration of front line services based on practical experience and learning of what improves outcomes and satisfaction with services; and without significant disruption to services caused by major traditional approaches to restructuring and merging services. The learning from developments within this 12 month period will inform the review that will take place to determine more permanent arrangements for Council provided children's services.

### 3.0 Update on progress

#### Children's trust arrangements in practice

3.1 Following approval of the Board to the proposed **children's trust arrangements** on 20 September, the Director of Children's Services has progressed the implementation of these, under the banner of **Children Leeds**. Constitutions and terms of reference have been developed and agreed for the new arrangements and these have been enthusiastically welcomed by partners who continue to support the development of thinking and improvement across the city.

3.2 It is worth noting that with the children's trust arrangements developed in Leeds, that the functions of the Council relating to Children's Services remain entirely within **the Council's Constitution** (Council, executive and directors decision- taking powers) as the arrangements do not involve the establishment of a separate 'Children's Trust'. In addition, the governance of any new types of service or spending arising from any decisions by relevant partners to pool budgets will be through Leeds City Council as the named accountable body. This is in line with national policy developments around this type of arrangement. A recent example is the approach to managing local area agreements through the local strategic partnership and with the local authority as the accountable body. It is important for the ongoing leadership and development of children's services from the council's democratic leadership perspective, that no decisions on policy, strategy or resource deployment relating to the Children's Services functions of the Council have been moved outside of existing democratic arrangements.

3.3 Building on successful **Open Forum** events in previous years, there were a number of these in 2006, including both city-wide events and wedge based events. Key topics have been discussed, such as the Children and Young People's plan, the Universal Offer, the Youth Offer, Safeguarding and the Common Assessment Framework. There was a particularly 'special' Open Forum in November 2006, which was organised for

'professionals' by children and young people and parents and carers. This was well attended and a very powerful event for really thinking about how we meet the needs of those receiving services. These Open Forum events, whilst forming part of the "soft" side of the arrangements for partnership working, provide a great opportunity to assess achievement, work across traditional boundaries, and identify needs – as well as fulfilling a very genuine commitment to consultation, engagement and participation.

- 3.4 The full **Children Leeds Partnership** met in November and in early January, with a focus on developing and enhancing both city wide and locality partnership working. Again, well attended, with a good atmosphere of working together to make things better. These meetings have discussed and contributed through active table exercises to some significant developments. For example, the Children and Young People's plan, Parenting and Family Support strategy, and working out how the partnership will operate to be effective in its role.
- 3.5 The **Integrated Strategic Commissioning Board**, the "hard" side of the partnership, has met twice (will be three by the time of the Executive Board) and has agreed the Commissioning Plan referred to in the report of 20 September 2006, and will progressively work on integration of commissioning plans, with particular emphasis on locality based integrated delivery and a focus on priorities from the Children and Young People's Plan. Attendance of partners is excellent and all partners with the duty to cooperate have been present and contributed.
- 3.6 The **Safeguarding Board** has established a set of priorities for action. A Safeguarding Manager has been appointed and a recruitment process has begun to appoint an independent Chair. Links are being established with the other aspects of the children's trust arrangements to ensure that everyone has a focus on safeguarding, for example through the Open Forum and the Children Leeds Partnership. The impact of the broader role of the Safeguarding Board will increase further during the early part of 2007.
- 3.7 Work has continued on developing the '**locality dimension**' of the **children's trust arrangements** with the chairs of the current wedge based partnerships and with links into the council's area management structure and with the District Partnerships, and with presentations at the council's area committees. This will conclude in Spring 2007 so that there can be a set of 'local' arrangements that make sense to people working in the area. This will particularly mean that there is a focus on the more local aspects, such as clusters of extended services and children's centres, which will help develop the longer term direction of service delivery that is able to respond to needs swiftly and effectively.
- 3.8 As well as the main elements of the children's trust arrangements, there have been some important discussions at the **council's area committees** about how the trust arrangements can work effectively within that context. There have been some useful **member seminars** to raise awareness of the approach that Leeds is taking, to help members engage in some of the practical developments (such as the common assessment framework) and to ensure that there is significant councilor input to the forthcoming Children and Young People's plan. Crucially, the **Council's Scrutiny Board for Children and Young People** continues to fulfill a significant role in helping to secure improvements to outcomes for children and young people. There have been some important inquiries to help inform future direction, regular performance updates so that scrutiny can inform the scope of their work, and also routine updates about the ongoing implementation of the Children Act 2004.
- 3.9 The final part of the children's trust arrangements, is the **Director of Children's Services Unit**. This is the small unit that will support the effective operation of all the elements of the children's trust arrangements. Current work involves ensuring that there are full linkages across all aspects. A review of the effectiveness of the children's trust arrangements will be undertaken in summer 2007. The structure outlined in the Executive Board report agreed on 20 September has been approved and recruitment is well under way. The recruitment process is following the overall approach to children's services in the city with 'stakeholder' involvement in the processes. For example, for some of the key posts this has included a Primary Care Trust director, a head teacher, parents and carers, children and young people

and some key council chief officers. There was an encouraging number of internal, city and external candidates for the deputy director, strategic leader and locality enabler roles and it is planned to make these final recruitment decisions in late January. Other support staff are being appointed to complete the approved phase one structure. A verbal update on progress will be given at the Board meeting.

- 3.10 **Keith Burton**, formerly Chief Learning Officer, has been appointed as the Deputy Director (Commissioning and Partnerships). **Mariana Pexton**, previously the Council's Chief Customer Services Officer, has been appointed as the Deputy Director (Change and Innovation). In addition, the new Leeds Primary Care Trust have appointed **Sarah Sinclair** as part of the Director of Children's Services unit, in a dual role to complement her role as the director level lead for planning and commissioning children's and maternity services within the Primary Care Trust.

### **Review of the Children and Young People's plan and Joint Area Review preparation**

- 3.11 An important test of the effectiveness of the children's trust arrangements is the way in which we review the **Children and Young People's plan** and also prepare for the **Joint Area Review** later this year. It is essential that we continuously review progress against priorities and revisit our objectives as we move forward with the approach that has been established. The need to prepare for the Joint Area Review (with the on site visit due to begin on 3 December 2007) imposes some additional requirements and timeframes but generally work to prepare for it will be matched to normal improvement activity wherever possible; the Joint Area Review simply adds a further discipline. The Joint Area Review is a city wide look at how effective children's services are and will look at both plans and outcomes – assessing their effectiveness in making a difference. Against this context, the need to maintain the pace of change and service improvements we have planned for has been an important consideration in the way that we have proposed the transitional arrangements and the accountability and intervention framework. There is an immense energy and enthusiasm in staff across all services and agencies which is very encouraging but must be sustained.
- 3.12 The Children and Young People's Plan is the key management document for the achievement of improved outcomes for children and young people. It was formally launched in the summer of 2006 but it is essential that it remains live and relevant. Therefore, it is intended to conduct a review of the plan in the coming few months and there will be further round of consultations with children and young people in April, and with councilors in the early part of 2007. The work to develop the children's trust arrangements, from the early work on commissioning and developing increasingly integrated services will all be captured in the Children and Young People's plan so that they guide organisational and individual actions during the next period. Although the formal guidance is not yet available, it is anticipated that the review of the Children and Young People's plan will also form the 'self-assessment' that is required in the period before a Joint Area Review on site visit.
- 3.13 A project plan has been drawn up for the management of the **Joint Area Review** process, including key milestones, and this will run alongside the broader council arrangements for managing the Comprehensive Performance Assessment process. The Director of Children's Services Unit will review progress on outcomes, through normal performance management mechanisms across the partnership (with outcome conversations) in February 2007, ahead of the self-assessment process due in May 2007. A stock take of progress against Joint Area Review criteria will be held in July and briefings for partners, stakeholders, councilors will be held in October 2007.

### **Accountability and Intervention Framework and Hosting**

- 3.14 The September Executive Board report about Children's Trust Arrangements referred to the significance of accountability in the management of the achievement of outcomes and this has been reinforced by recent government thinking. The success of the children's trust arrangements, and the separation of commissioning and provider processes depends on the effectiveness of accountability structures and approaches – for delivery against the

Children and Young People's plan. This section outlines an approach to accountability and intervention and describes the concept of hosting as a way of achieving better outcomes across a range of partners.

- 3.15 A new **accountability framework** has been drawn up by the Director of Children's Services Unit to provide the structure and approach within which these arrangements will operate. This framework is complemented by the 'hosting' protocol (outlined below) and 'intervention' approach (outlined below). Although developed within the context of children's services, this is drawn from best practice and the approach has also contributed to Council thinking in this area and the proposals could be adopted more widely.
- 3.16 The driver for this framework is the Children and Young People's Plan, which sets out the outcomes required, the approach to delivering services and those accountable for delivery. Providers and others are accountable to the Director of Children's Services, the partnership and the Council – the Director of Children's Services is accountable to the children and young people, the partnership and the Council. Additionally, inspectorates and outside organisations will judge performance.
- 3.17 The framework sets out both collective and individual accountabilities and requires each to account for their actions and the achievement of the outcomes required. For example, the collective accountabilities will focus on integration to ensure that services are increasingly wrapped around the child and the family rather than driven by an individual service or profession. It is anticipated that the focus on integration will enable services to drive out duplication and improve efficiencies. This might be in service areas where, for example, the common assessment framework and lead professional improve working arrangements or it might be in the 'support service' area where working together requires less overheads – such as asset management or training and development activity. Whilst this is not an easy area to capture, it is crucial to the successful delivery against the Children and Young People's plan because of the requirement to realign resources to priorities and to ensure that there is more preventative and early intervention work.
- 3.18 Those accountable will be subject to review both through normal performance management frameworks and other means such as Open Forums, Integrated Strategic Commissioning Board, regular one to ones with the Director of Children's Services and Deputies for the relevant area and peer review. Accountable individuals and organisations will also be required to hold others to account for the achievement of their own obligations.
- 3.19 Accountability agreements are being drawn up with those affected, in line with the approach outlined, for the management of the Council's children's provider services and will be effective from 1 April 2007. These will include requirements for the achievement of outcomes within the Children and Young People's Plan, resource and budget management, any 'hosted' arrangements and specific improvement objective. Alongside the framework, a revised delegation scheme will also be required to enable chief officers to meet their obligations – see overall council change programme report.
- 3.20 Many of the deliverables in the Children and Young People's plan require more than one organisation to be successful. However, the Director of Children's Services Unit will not be large enough to lead on every aspect and this is not considered to be the most effective way to deliver on some of the priorities within the Children and Young People's plan. The report dated 20 September outlined the importance of clarity of roles that organisations are fulfilling and the Commissioning Plan and emerging Provider Strategy recognise the role of 'provider commissioners' within this context. These are organisations both providing and commissioning services and organisations that need to play a significant role in the development of new initiatives and the leadership and management of projects and programmes.
- 3.21 A vehicle has been created for this known as **hosting**, which will provide clarity of roles, set out what is required to be delivered and also set down some parameters for how things are delivered, who is leading and who is required as support. Provider Commissioners will

“host” work on agreed projects and will be accountable to the Director of Children’s Services Unit to work through the partnership for its delivery. They will be required to bring together, involve and hold accountable other providers and contributors and ensure that children and young people are consulted and involved from the outset in service design and delivery against the vision in the Children and Young People’s plan.

- 3.22 A protocol setting out these requirements is being created for each hosted area to ensure clarity of accountability. The initiation of such arrangements may be at the behest of the Integrated Strategic Commissioning Board or on the initiative of a provider commissioner. These hosting arrangements have a number of benefits to them. First, they ensure that provider expertise and experience is brought to bear on achievement of the project. Second, they avoid the Director of Children’s Services Unit entering into detailed and narrow management issues. Finally, they build on successful practice in Leeds.
- 3.23 As part of the overall accountability framework, the Director of Children’s Services Unit is also drawing up a framework for **intervention**. This is necessary to ensure that poor performance (by an organisation, group or individual) cannot continue to adversely affect the improvement of outcomes for children and young people. Interventions must be consistent across all areas and partnerships and agreement will often be needed through Integrated Strategic Commissioning Board, although the Director of Children’s Services will be able to act fast if action is needed. It is also intended that external support (through inspection and governmental agencies) will be sought if improvement is not achieved.
- 3.24 This framework will make it very explicit about what is expected. It will be about challenging performance and providing support to achieve outcomes. It will also be about encouraging approaches that are set out in the Children and Young People’s plan, such as participation, personalisation, and integration. It is intended that there will be 4 stages to intervention : Warning, Direction, Direct intervention and New provider. These will be applied either as an extension or consequence of existing performance management arrangements within partner organisations or possibly in support of market intervention activity.
- 3.25 As previously stated, the achievement of the agreed outcomes is dependent on all partners meeting their collective and individual accountabilities . For some there is a statutory duty to participate (which is to be further reinforced if the Communities White Paper is translated into legislation), for others they will have entered a voluntary agreement to do so. It is vital that where action is required it is taken promptly, effectively and, as previously stated consistently. Again, like the accountability framework, it maybe that this framework will have wider application across other areas across the council. Over time, there maybe significant HR implications to this which need to be considered across the partnership and the city.

#### **4.0 Future Work and Milestones**

- 4.1 The **significant programme of work** already within the current Children and Young People’s plan, and that will emerge from the review of the plan, mean that there will be a need to focus on priorities. The review of the plan and preparation for the Joint Area Review are significant in this respect, as is the requirement to build and effective and cohesive Director of Children’s Services Unit team within the context of the wider children’s services team and the trust arrangements.
- 4.2 A review of the trust arrangements and Children and Young People’s Plan will be the first real opportunity to begin effective targeting of resources to meet needs led, locality based outcomes. However, it will probably bring with it the challenges of more effective integration and reallocation of resources. The Joint Area Review will be a useful litmus test of the effectiveness of the arrangements and provide a further benchmark for improvement.
- 4.3 Although a significant part of the development of the commissioner/ provider model has been completed, there remains a considerable body of work to ensure that this is effective in practice. The focus for this work will be in the following areas :

- The creation of effective mechanism for the identification of need through research, data collection and analysis and consultation
- The development of the commissioning process and market management mechanisms to ensure that resources are targeted on priorities and to secure the achievement of agreed outcomes
- The development of locality based, integrated service capacity to meet user defined need, building on the work already there through some extended services, with the West Project, with the rollout of the common assessment framework and the challenges that the budget holding lead professional will bring to the way we deliver services.
- Fully embedding the approach that has been established with the children's trust arrangements, getting the communications right with this and developing the ongoing commitment to ensure that councilors are well connected to developments, that broader communications are highly effective and that the impact of children's services is much broader than the 'obvious' areas.

4.4 It is expected that this in turn will alter the role and contribution of the provider commissioners. This may result in less focus on direct management of day-to-day provision and more on defining and procuring excellent service, building on existing capability in the field of service development and holding to account. They will also need to develop capacity for working at a locality level.

4.5 These developments will create an increasing emphasis on workforce reform, both in terms of the flexibility required to respond to changing needs and in the development of new skills and capacity. The integration of the workforce at local level will have real implications for employment terms across the city.

4.6 Work on these areas will necessarily cross partnership boundaries, but more importantly will sit alongside the Council's wider focus on closing the gap in localities and making service delivery more effective. It is considered to be both a lead to and compatible with the processes envisaged in the Change Report. Finally, the identification of need and of new drivers for change will be an integral part both of the work of the Partnership and the Council's leadership.

## **5.0 Conclusions and Recommendations**

5.1 This report takes forward the dialogue with the Executive Board on the development of a child-centered city. There remains a significant body of work, even before the trust arrangements and Director of Children's Services Unit could be said to be fully operational and effective, and that in turn requires further development of the thinking. Nevertheless, there remains a very positive prospect that the Council can and will make a difference to its children and young people through its leadership role.

5.2 The consideration by the Council of the changes proposed in the Change Report will support and enhance the capacity of the Director of Children's Services and the arrangements to make this difference. This report is intended to demonstrate real progress and an alignment to the cross-council objectives agreed on 20 September. Subject to approval of its proposals, it marks the next stage of development of an effective approach to the Every Child Matters agenda. In particular, this report is also intended to provide an assurance that council service will be effectively managed even with the changes to director posts and working arrangements.

5.3 Work to review the Children and Young People's plan and to develop the longer term picture, with partners and within the context of local and national developments, will continue and therefore provide a more significant influence. In the meantime though, the



anticipated direction has informed the new frameworks being developed and the transitional arrangements proposed.

5.4 Further reports will be provided to update the Board and seek its agreement to significant milestones.

5.5 Members of the Executive Board are recommended to :

- i. Note progress on matters agreed on 20 September in relation to children's trust arrangements, including the creation of the Director of Children's Services Unit
- ii. Endorse the proposal for the accountability and intervention framework and hosting arrangements
- iii. Note the nature of work to be undertaken in coming months and request further regular updates.