

FAMILY & CHILDREN'S SERVICES OVERVIEW AND SCRUTINY COMMITTEE

Date: 6 February 2020

The role of Director of Children's Services – Test of Assurance

Report of the Chief Executive

Cabinet Member: Councillor Wayne Daley

Purpose of report

Statutory guidance on the role of Director of Children's Services (DCS) requires the Council to carry out a "test of assurance" when the responsibilities of the DCS change. In addition and as good practice, the DCS has agreed to review these arrangements on an annual basis even when they have not changed.

Recommendations

The Committee is recommended:

- 1. To scrutinise the updated information in this report about the roles and responsibilities of the Director of Children's Services and the manner in which the postholder discharges the responsibility of statutory Director of Children's Services**
- 2. To confirm that the arrangements for discharging the role of Director of Children's Services pass the "test of assurance" required by statutory guidance**

Link to Corporate Plan

This report is relevant to the priorities in the corporate plan with regards to being safe, well and cared for, and achieving.

Key issues

1. Statutory guidance requires local authorities which combine the role of Director of Children's Services with other responsibilities to give formal consideration to the impact of this, and assure themselves that the focus on outcomes for children and young people will not be weakened or diluted as a result of extending the role. As a result of Cath McEvoy-Carr's appointment to the post of Executive Director of Adults Social Care & Children's Services in January 2019, her duties have been extended beyond that of the DCS. From a governance perspective, it is important that elected members are assured about the future arrangements.
2. In February 2019 the Council received the test of assurance pertaining to the role of the Executive Director of Adult Social Care and Children's Services (DCS), and it was satisfied with the arrangements.

3. These arrangements, including those covering the posts who support the DCS, have been strengthened with the Director of Business Development joining Children's Services in autumn 2019, and leading on North of Tyne and development opportunities within Education and Skills.
4. This means there are still a range of Executive Team members who either directly focus on outcomes for children and young people or release the capacity to do so, including a Service Director for Education and Skills and a Service Director for Social Care.
5. The integration and governance arrangements referenced in last year's report remain in place (and can be seen in the background section in Appendix A). The DCS is accountable to the Chief Executive and that arrangement, along with the regular briefings for the lead member for Children's Services, gives assurance to elected members that sufficient scrutiny of these arrangements is in place.
6. There has been one key change to the DCS' functions in the sense that the statutory safeguarding children board arrangements have changed. As one of the three statutory safeguarding partners, the local authority is now represented by the DCS on the Northumberland Strategic Safeguarding Partnership (NSSP), whose role it is to provide strategic leadership of all safeguarding arrangements in the county through the 3 statutory partners (the LA, police and Clinical Commissioning Group), as well as identifying complex issues that could benefit from a sub-regional approach.

BACKGROUND

The systems and governance structures described to elected members in the last report largely remain in place to support the DCS. Therefore, they are not repeated here, but can be found in Appendix A. The only differences now are that the DCS has more support reporting to her at Director-level, and there is a further strategic layer of governance for the safeguarding children board in place.

BACKGROUND PAPERS

There are no background documents for this report within the meaning of the Local Government (Access to Information) Act 1985.

IMPLICATIONS ARISING OUT OF THE REPORT

Policy	Ensuring effective leadership for children's services remains a national and local priority.
Finance and value for money	The management arrangements described in this report include financial management support for the DCS to ensure the effective management of limited resources.
Human Resources	An additional Director role has been recruited to.
Property	No immediate implications.

Equalities

This report does not propose a change requiring impact assessment.

(Impact Assessment attached)

Yes No **N/A**

Risk Assessment

No further risk assessment is required.

Crime & Disorder

The role of the DCS is central to the protection of children from criminal abuse or exploitation, and preventing young people who have had difficult childhoods from becoming involved in criminal activity. The post of Domestic Violence Coordinator now rests in Children's Social Care, giving the DCS easy access to staff who can tackle these issues.

Customer Considerations

Arrangements for listening to the views of children and young people have been expanded in 2019.

Carbon reduction

No immediate implications.

Wards

All

Report sign off

Finance Officer and s151 officer	Chris Hand
Monitoring Officer/Legal	Liam Henry
Human Resources	Leane Furnell
Procurement	N/A
I.T.	N/A
Chief Executive	Daljit Lally
Portfolio Holder(s)	Wayne Daley

Report Author: Alan Hartwell (Senior Manager Performance: Education & Safeguarding)

Phone: (01670) 623589

Email: Alan.Hartwell@northumberland.gov.uk

APPENDIX A

The role of Director of Children's Services – test of assurance

BACKGROUND

1. The responsibilities of the postholder

- 1.1 The post holds the statutory role of Director of Children's Services, as well as being the Director of Adult Social Care, and with oversight of the Director of Public Health. The statutory guidance requires the Council to consider when it reviews whether this "test of assurance" is met and whether their structures and organisational arrangements enable them to:
- a) fulfil their statutory duties effectively (including ensuring that children, young people and families receive effective help and benefit from high educational standards locally);
 - b) be transparent about responsibilities and accountabilities,
 - c) support effective inter-agency and partnership working.

2. The specific tests

- 2.1 The statutory guidance requires local authorities to review their arrangements taking account of a range of specific issues, set out below with commentary on each issue.

Clarity about how senior management arrangements ensure that the safety and the educational, social and emotional needs of children and young people are given due priority and how they enable staff to help the local authority discharge statutory duties in an integrated and coherent way

- 2.2 While the DCS is responsible for a wide range of functions, there is a clear link between all of these, and she is closely involved in the management of Children's Services, through line management and supervision of the senior managers responsible and through direct contact with front-line services. She also receives peer support through the regional groups of Directors of Adult and Children's Services in the North East.

Clarity about how the local authority intends to discharge its children's services functions and be held accountable for them from political, professional, legal and corporate perspectives (including where, for example, services are commissioned from external providers or mutualised in an arm's length body)

- 2.3 There is a separate Lead Member for Children's Services, to ensure a continuing political focus on the welfare and education of children. There is also a separate Family and Children's Services Overview and Scrutiny Committee, to ensure robust political accountability for children's services, and a Corporate Parenting Cabinet Advisory Group (CPAG) of elected Members that meets regularly to consider reports about all aspects of the Council's responsibilities towards Looked After Children, and where necessary bring significant issues to the attention of the Cabinet. To strengthen its role, the CPAG now receives reports on key performance indicators relating to Looked after Children and young people and care leavers at each of its bi-monthly

meetings.

- 2.4 No statutory children's social work functions are currently commissioned from external providers. Education functions are carried out, as in most areas, by schools and other providers with a mix of governance models, and differing degrees of local authority accountability. Where services are commissioned from external partners, as with children's centres in some parts of the County, there are rigorous contract monitoring procedures in place.

The seniority of and breadth of responsibilities allocated to individuals and how this impacts on their ability to undertake those responsibilities

- 2.5 A Director of Business Development, Service Director of Education and Skills, and Service Director of Children's Social Care report to the postholder. These three posts between them carry management responsibility for the Council's key statutory responsibilities towards children. This reflects a reduction in the breadth of the DCS' direct management responsibilities, enabling maximum benefit of synergies between the role of DCS and Executive Director in Northumbria Healthcare. Other senior management posts reporting to the DCS are the:

- Service Director of Adult Social Care
- Director of Public Health
- Service Director of Strategic Commissioning and Finance, IT

- 2.6 Taken together, these arrangements ensure a clear and strong focus on the core statutory functions of the Director of Children's Services, with strong coordination arrangements enabling children's services, adult social care services and public health services to make the most of potential synergies.

The involvement and experiences of children and young people in relation to local services

- 2.7 There is a well established group of Looked After Children and care leavers called *Voices Making Choices*, who proactively provide a range of information about how they are involved in their care and how they find their experiences. There are also surveys undertaken with foster carers, social workers and children in foster and residential care. Senior managers and elected Members meet with young people at the Corporate Parenting Advisory Group (CPAG) and Members hear the views of children and young people through Over To You October and in the course of their rota visits, the outcomes of which are shared quarterly with the Families and Children Scrutiny Committee, along with reports of other statutory visits.
- 2.8 To ensure better coordination of all participation activities, the Youth Service and the participation work done with Looked After Children are now line managed by the same senior manager.
- 2.9 As part of the monthly QPAG meetings, the Service Director for Social Care is ensuring that the voice of the child is present more consistently in social work assessments and plans, as well as a more prominent role in monitoring the Promise.

Clarity about child protection systems, ensuring that professional leadership and practice is robust and can be challenged on a regular basis, including an appropriate focus on offering early help and working with other agencies in doing so?

- 2.10 Overall managerial responsibility for child protection arrangements rests with the Service Director for Children's Social Care. A Business Manager co-ordinates the management of the business of the Northumberland Safeguarding Children Committee (NSCC - formerly the Safeguarding Board (NSCB)). The Service Director for Children's Social Care is supported by operational managers responsible for safeguarding work with individual children and families.
- 2.11 A monthly case file audit process has been in place for some years and involves social workers, team managers and senior managers auditing cases against a range of standards. It has been reviewed recently to ensure a stronger focus on quality, as well as compliance. Senior managers also speak to social workers about the cases they have audited in order to secure qualitative knowledge around the work on a case, and the role that the social worker undertook in achieving the outcomes across the child's journey. The results of these exercises are included in the lead member assurance report which goes to the Chief Executive, and highlights the level of compliance and any remedial actions required.
- 2.12 Performance management arrangements include a range of well established KPIs that enable the DCS to be alerted to any significant variations and capacity issues. It includes focus on early help and the impact of the multi agency strategy has recently been updated. The Lead Member and NSCC Chair both receive written briefings. All areas of Children's Social Care now receive weekly performance dashboards, there are monthly updates of the Improvement Plan provided to senior managers, as well as monthly updates of the Education and Skills dashboard, and quarterly updates of the Written Statement of Action following the area inspection of Special Needs and Disabilities.

The adequacy and effectiveness of local partnership arrangements (e.g. the local authority's relationship with schools, the courts, children's trust cooperation arrangements, Community Safety Partnerships, health and wellbeing boards, Youth Offending Team partnerships, police, probation, Multi-Agency Public Protection Arrangements and Multi-Agency Risk Assessment Conferences) and their respective accountabilities.

- 2.13 Key partnership arrangements include:
- 2.13.1 A Children and Young People Strategic Partnership (CYPSP) chaired by the DCS, brings together a wide range of stakeholders, including NHS organisations, education representatives, the police, and other local authority functions. Local partnership arrangements are supported through the DCS' membership of the Health and Wellbeing Board and the NSCC. It is supported by a new Children and Young People's Plan.
- 2.13.2 There are termly meetings with head teachers held by the Service Director of Education and Skills who is a member of the DCS' Management Team, and represents her at the Schools Forum, where issues of quality and finance are discussed and decisions on future actions reached. She also holds school-specific meetings with head teachers where the Council may wish to engage more directly due to particular DCS concerns about pupil's outcomes, or working with them on capital projects. The DCS is kept abreast of developments through briefing notes from her

senior managers and is party to any key decisions that require elected member involvement, providing the Lead Member with regular briefings.

- 2.13.3 Courts – there is a regular court liaison group, where the DCS' interests are represented by senior managers working to the Service Director for Children's Social Care, who the DCS line manages. Reports on care proceedings are provided to the Family and Children's Services Scrutiny meetings which the DCS attends and act as a means of keeping her abreast of developments and compliance with national standards, as do indicators on the monthly Children's Social Care dashboard.
- 2.13.4 Community Safety Partnerships – the DCS is represented on the Safer Northumberland Partnership by one of the Senior Managers for Specialist Services who works directly to the Service Director for Children's Social Care. Key cross over issues such as domestic violence pull through into the work of the NSCC which the DCS attends on a bi-monthly basis, and the Public Protection functions are represented in the membership of both partnerships, ensuring that developments taking place in one are considered in the other. Regular Executive meetings between the DCS; Chief Fire Officer and Director for Local Services ensure that there is sufficient oversight and join up around the various strands of community safety work.
- 2.13.5 Health and Wellbeing Board – the DCS is a member of the HWB, and the Health and Wellbeing Strategy reflects key shared priorities for children, with a particular focus on early intervention.
- 2.13.6 Youth Offending Team partnerships – a senior manager who works to the Service Director for Children's Social Care represents the DCS in this area.
- 2.13.7 Police – through the quarterly meetings of the NSCC, the DCS is kept abreast of key developments and engagement issues involving the police at a strategic level, and the assurance reports for the Chief Executive include a section on specific cases where there may be major risks to clients and / or staff.
- 2.13.8 Probation - through the meetings of the NSCC, the DCS is kept abreast of key developments and engagement issues involving the probation service at a strategic level.
- 2.13.9 Multi-Agency Public Protection Arrangements and Multi-Agency Risk Assessment Conferences (MAPPA and MARAC) – an appropriate manager within the Children's Social Care division represents the Group in these meetings and any cases of interest are fed through to the DCS.

2.14 Reviewing these arrangements

The statutory guidance requires local authorities to keep their arrangements for the management of children's services under review. This will take place in a number of ways:

- 2.14.1 The Council's Chief Executive will explore whether there are any issues of concern as a standard item during one-to-one sessions with the DCS – this is supported by a regular assurance report.
- 2.14.2 The Council's arrangements for the discharge of its statutory responsibilities towards children are independently reviewed, either through Ofsted inspection once every 4 years, or through the sector-led improvement programme. During

January 2020, Ofsted undertook an inspection of services relating to help, protection and LAC. Once the report is published, its judgements on Northumberland's leadership arrangements will be shared with scrutiny committee. The test of assurance will also be reconsidered if the Chief Executive or the DCS identifies significant issues about current arrangements, if any further significant change in the range of responsibilities of the post is proposed, or if issues are raised as a result of peer audit.