

Bath & North East Somerset Council

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| MEETING/ DECISION MAKER: | Early Years, Children and Youth Policy Development & Scrutiny Panel | |
| MEETING/ DECISION DATE: | 24 March 2014 | |
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| TITLE: | Director of Children's Service – Test of Assurance | |
| WARD: | All | |
| AN OPEN PUBLIC ITEM | | |
| List of attachments to this report: Appendix 1 – Specification Appendix 2 – Test of Assurance Report | | |

1 THE ISSUE

1.1 The Statutory Guidance concerning the duties of the Director of Children's Services was revised in summer 2013. The Guidance recommends that where the DCS role is combined with other duties a test of assurance is undertaken. The purpose of the test is to provide assurance to the local authority that the statutory duties relating to Children's Social Care and Education are effectively carried out and that sufficient organisational capacity is available to meet these duties properly. The test also looks to ensure that the line of accountability for the safeguarding and protection of children is clear within the local authority services and across the Local Safeguarding Children's Board partnership.

2 RECOMMENDATION

2.1 The Panel are asked to

- (i) Note the Test of Assurance Report
- (ii) Request the Strategic Director of People and Communities to:
 - Refresh the Scheme of Delegation
 - Develop a Participation and Consultation Strategy
 - Develop a Single Commissioning Strategy

- (iii) Request a second Test of Assurance on partnership and governance arrangements to be completed by March 2015.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

3.1 None

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

4.1 The Test of Assurance is covered by Statutory Guidance on the role of the Director of Children's Services which is a statutorily determined post under the Children Act (2004) and is a designated Chief Officer post as defined by the Local Government Act (1972).

5 THE REPORT

5.1 This report refers to the Test of Assurance that was commissioned by the Local Authority following the implementation of the new People and Communities Department structure in April 2013. The specification for the test is attached as Appendix 1.

5.2 The Test of Assurance was carried out by Bronwen Lacey a specialist consultant in Children's Services and a former Director of Children's Services for Plymouth Council.

5.3 Ms Lacey undertook a series of individual interviews and focus groups to test out the various assurance parameters identified in the statutory guidance. The full report is attached as Appendix 2. The focus of this work was to provide assurance concerning the effective operation of the new departmental structure in relation to statutory children's services. It is envisaged that a second stage of assurance will be required within the next twelve months to provide assurance about the effectiveness of LSCB partnership working.

5.4 The key assurance parameters are laid out below:

- 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 its statutory duties in an integrated and coherent way;
- 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 company);
- the seniority of and breadth of responsibilities allocated to individual post holders and how this impacts on their ability to undertake those responsibilities (especially where a local authority is considering allocating any additional functions to the DCS and LMCS posts);
- the involvement and experiences of children and young people in relation to local services;

- 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; and

- 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.

5.5 The test of assurance reached the overall conclusion that our new structures, systems and lines of accountability are understood and allow the local authority to;

- Fulfil our statutory duties
- Be transparent about accountabilities and responsibilities
- Support effective interagency and partnership working

6 RATIONALE

6.1 Panel are asked to note the findings of the test of assurance in line with statutory guidance.

7 OTHER OPTIONS CONSIDERED

7.1 None

8 CONSULTATION

8.1 The process was consultative as it was based upon staff participation.

9 RISK MANAGEMENT

A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

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| Contact person | <i>Ashley Ayre, Strategic Director People and Communities 01225 394212</i> |
| Background papers | <i>List here any background papers not included with this report because they are already in the public domain, and where/how they are available for inspection.</i> |
| Please contact the report author if you need to access this report in an alternative format | |