

BANES Local Assurance Test

1. National Context

1.1 Statutory guidance on the roles and responsibilities of the Director of Children's Services and the Lead Member for Children's Services was published by the DFE in March 2013. Local Authorities with responsibilities for Education and Children's Social Care functions must have regard to this guidance and have good reasons for departing from it. The guidance acknowledges that given the breadth and importance of Children's Services functions and the demanding nature of the roles of Director of Children's Services (DCS) and Lead Member for Children's Services (LMCS), Local Authority's (LA's) should give due consideration to protecting the discrete roles and responsibilities before allocating any additional functions to persons performing them. The guidance sets out the expectation that LA's will undertake a local Test of Assurance so that the focus on outcomes for children and young people will not be weakened or diluted as a result of adding other responsibilities to the role of DCS and LMCS. These arrangements should be reviewed regularly to ensure continued effectiveness. The Local Assurance Test (LAT) is intended to support LA's to ensure that organisational arrangements enable them:

- a) to fulfil their Statutory Duties effectively (including ensuring that children, young people and families receive effective help and benefit from high educational standards locally)
- b) to be transparent about responsibilities and accountabilities
- c) to support effective inter agency and partnership working.

1.2 The guidance identifies the following elements as essential in assuring that effective arrangements are in place:

- 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.

1.3 The guidance also covers six aspects of the roles and responsibilities of the DCS and LMCS. They are:

- Leadership and Partnership
- Safeguarding
- Vetting and Barring
- Vulnerable children and young people
- Fair Access to services
- Educational Excellence

1.4 These six assurance parameters and six role and responsibility aspects have formed the basis for the questions within the LAT interview process and provide the structure for this Local Assurance Test report.

2. Local Context

2.1 Bath and North East Somerset Council (BANES) introduced new management arrangements in April 2013 creating a People and Communities Directorate organised on a commissioner/provider structure. The Council adopted design principles to guide the work of the restructure to ensure that the remodelling supported the delivery of improved outcomes for children, young people, vulnerable adults, families and communities. The principles included prioritising capacity at the front line; support for sound governance and partnership working; greater staff engagement; enhancing commissioning capacity and competency and better engagement with the public and clients.

In commissioning this Local Assurance Test (LAT) BANES prepared a specification that set out a process of individual and focus group interviews to test staff understanding of the new systems, structures and lines of management accountability. The LAT was completed in accordance with this specification and will compliment the LA's Self Assessment undertaken in September 2013 when the Directorate did a confidence rating against research findings on features of good practice and signatures of risk, which covered some aspects of the Statutory Guidance.

3. Assurance parameter 1 - 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;

In order to test this parameter questions were framed to check whether:

3.1 Line management and accountability arrangements for safeguarding and the promotion of improved outcomes for children and young people are clear and transparent?

Interview feedback from Managers at all levels in the organisation was clear about the line management and accountability arrangements, which were perceived to be working well. The provider/commissioner split is seen as enabling provider side managers to focus exclusively on operational matters with the additional support of a PSW focused on professional practice. Existing benefits for clients were identified as timescale improvements; single assessments; quality improvements in assessments and plans; and an expectation that the potential to join up services across age groups within People and Communities through co-locating commissioners and joint commissioning would deliver better services in the future.

Interview feedback from some frontline staff revealed pockets of confusion about line management and accountability arrangements, which need to be clarified. The difference in view between managers and frontline staff may be a function of the fact that it was senior and middle management that were most personally affected by the restructure and that it had less impact on front line staff.

3.2 Do staff understand and can they articulate the line of accountability and know where in the management team to go with a concern about safeguarding, unsafe practice and 'whistle blowing'.

All staff interviewed could describe the line of accountability and were clear about where they could take concerns. Moreover, all staff commented on the accessibility and approachability of management and that they felt it was easy to find someone to talk to about concerns if their immediate line manager was unavailable.

3.3 Has the integrity and coherence of the structure been 'tested' to ensure fitness for purpose?

The care taken by the council to develop design principles to guide the restructure has definitely helped to ensure that the new structure has integrity and coherence to fulfil the LA's responsibilities.

Managers are more able to articulate the rationale for the new structure than are frontline staff, perhaps again for the reasons identified above. The ability to focus on vulnerable families; transitions; joint service design with Adults and Public health were all sighted as examples of how the new structure was better fit for purpose.

All relevant interviewees were able to give examples of how they would know if statutory duties were being compromised. Examples of the early warning signs were strong and diverse, but interestingly no one mentioned the Complaints process, which perhaps raises questions about its profile?

Staff in new roles are open about the challenges for them of having new responsibilities and none of the staff interviewed expressed any concern that the new structure impacted negatively on them performing their functions or duties.

3.4 Do the DCS and LMCS cover the key aspects of the roles covered in the Statutory Guidance for Leadership and Partnership?

Yes. The DCS and LMCS work together to provide strong strategic leadership to the partnership of providers. Relationships with schools remain good within an increasingly diverse and autonomous sector. Interviewees identified good examples where schools accepted challenge from the LA.

The partnership is strongly focused on improving the life chances of children and young people and uses the JSNA to influence service provision and prioritisation. The new directorate provides increased opportunity to join up commissioning plans across public health, social care and education, as well as transition to adult services.

4. Assurance parameter 2 - 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);

In order to test this parameter questions were framed to check whether:

4.1 The means by which the LA intends to deliver its Children's Services functions are clear and understood by staff, councillors and partners. In particular;

4.2 Are delivery structures clear and coherent?

Structures are clearly understood by almost all interviewees, who were able to accurately describe the relationship between the Divisional Director for Social Care and the Deputy Director. There was a very minimal amount of confusion about where formal DCS responsibility lay in respect of safeguarding children, and the directorate intends to review the Scheme of Delegation in the near future. Most managers felt that ownership of financial responsibilities was widely dispersed, but usually placed final responsibility for Social Care budgets with the Divisional Director for Social Care.

4.3 Are referral systems, threshold criteria etc understood by staff and partners?

The department has recently re-launched its Threshold criteria and is implementing good plans to share it widely with staff and partners to ensure wide understanding and ownership. Examples were described of partner colleagues having opportunities to observe the Duty Team and other arrangements to expand the development of face to face relationships as ways of widening clarity. Plans are in place to ensure schools are in the loop.

4.4 Key relationships and processes for safeguarding, child protection and CIN are understood and implemented effectively

Relationships are clear and well understood by interviewees at all levels of the organisation. There is clarity about roles and responsibilities and a great deal of mutual respect between colleagues. There was positive feedback about the processes for identification of need and CAF and also for managing workflow in Social Care. Case transfer out of the Duty Team was reported as much improved. Staff in the commissioner arm, such as IRO's and Chairs of CP conferences were clear about relationships and processes within Social Care and the wider partnership and the quality assurance contribution they themselves can make to ensuring work is child centred, timely (to avoid drift) and of high quality.

4.5 How children's services functions are reported and held accountable by the corporate organisation and the democratic structure

This aspect was not a major focus within the interviews and the author sees the need for further testing within the next 12 months. There are internal reporting arrangements through Senior Management Team; the Service Performance Group; Council Management Team and Scrutiny processes. The Director has a regular Business Review meeting with the Chief Executive.

4.6 How the LA requirement for safeguarding standards and practices are articulated, evidenced and implemented in commissioned and arms length services

There are robust arrangements in place to assure that commissioned and arms length services are aware of and abide by safeguarding standards and practices. At an early stage in the commissioning process a Safeguarding Standards pack sets out the standards and expectations; providers are checked before contract letting to ensure they can comply with these expectations and regular contract monitoring includes the safeguarding requirements. Any concerns could trigger a review. Large providers are part of the LSCB Section 11 Audit process and there are discussions on-going about whether to extend the scope of this audit to other providers.

5. Assurance parameter 3 - 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);

In order to test this parameter, questions were framed to check;

5.1 Does the management structure recognise and allocate capacity to the key functions of the DCS/LMCS to ensure these can be effectively managed?

There is a clear management structure which deploys capacity to all the key functions of the role of DCS/LMCS. The interview sessions confirmed that roles and responsibilities are largely well understood by staff and that relationships are working well.

5.2 Where key functions are delegated, is the scope of delegation clear and does the relevant post holder hold the appropriate level of seniority both for the department and corporately?

As noted at 4.2 the Directorate intends reviewing the Scheme of Delegation, which provides an opportunity to clarify some minor level confusion identified through the interview discussions.

6. Assurance parameter 4 - the involvement and experiences of children and young people in relation to local services;

In order to test this parameter, questions were framed to check whether:

6.1 The voices of children, young people and families inform and influence policy-making and priorities?

The interview process identified that this area requires much further development and the Senior Management Team have acknowledged this in the Self Assessment undertaken in September 2013. This does not mean that there is little going on with regards to the voice of service users, there is. Across the department there are initiatives to increase participation at a strategic level, user participation groups, for example and involvement with appointment processes. There is more to do to demonstrate a comprehensive and coherent approach across the whole partnership; building on the existing Participation Strategy. Interviewees were able to give only a limited range of examples of consulting young people and families about their views. Ideally examples need to cover both strategic feedback and case level feedback and demonstrate that the feedback has had an impact on service redesign, policy formation and prioritisation as well as demonstrate an understanding of the experiences of children, for example what it is like to be a child in the care of BANES?

Strong mechanisms need to be established to gather this information systematically. A simple report which describes all the ways in which staff gather this evidence will also help them better evidence the impact of their work.

6.2 Does the DCS meet young people?

The wider role of the Director for People and Communities has had the inevitable impact on time pressures for the postholder, who is concerned at the limited time available to meet individual young people, but he works hard to maximise the opportunities provided by school visits and other visits to groups of youngsters and is actively pursuing ways of having meaningful interaction with individual young people in the care of the LA.

7. Assurance parameter 5 - 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;

In order to test this parameter questions were framed to check whether:

7.1 Operational practice and management systems are clear understood and implemented, for example- Are Timescales adhered to?

The Senior Management Team have ensured that there has been a sharp focus on improving the timeliness of assessments and meeting reporting timescales. Timeliness has improved, although sometimes the department struggles to maintain consistently high performance. Pleasingly, audits are identifying improvements in both the quality and timeliness of assessments and reports. There was wide acknowledgement of the role played by the Data and Performance team in supporting Social Care Managers in their drive for performance improvement.

7.2 Is supervision effective?

Staff interviewed were universally positive about their own experience of supervision, both the giving and receiving of it, believing it to be effective and providing impact on their next actions to deliver meaningful work with young people and families. The general view was though that supervision for frontline social care staff was more inconsistent in its quality. The Principal Social Worker is seeking to combat this inconsistency, particularly with newly qualified staff. The Department may need to streamline some of the supervision arrangements to avoid overload and ensure coherence.

The Social Care Improvement Plan includes actions to tackle the variable quality of supervision, introducing workshops on reflective supervision, audits of supervision practice; skillset assessments and opportunities for peer mentoring.

7.3 Is there routine line management and quality assurance of practice and decision making?

Whilst the department has some good examples of observing practice in early years, this is not yet well established in social care although the Principal Social Worker has begun systematic observation of NQSW's. This needs to become normal practice for social care managers.

Within the provider arm of Children's Social Care audits have been undertaken; the commissioner has undertaken audits and the LSCB also implements auditing. There is a need to align this audit activity, increasingly move to multi agency approaches to thematic audit, and ensure that this influences supervision, training and induction programmes.

7.4 Are there effective off line assurance and audit systems in place?

As described above BANES already had established processes for audit and the new structure has resulted in further levels of challenge in the system. For example, the new PSW role is making an impact on the provider side. The Head of Safeguarding and the wider commissioner side of the organisation is seeking to give more coherence to off line quality assurance and challenge by establishing routines to ensure that audits are increasingly multi agency and that audit findings feed back into induction, supervision, training and development to impact on practice. On a day to day level IRO's and Chairs of Child Protection conferences demonstrated high levels of understanding of the role they must play in challenging practice and decision-making. The annual IRO report and six monthly report is reviewed by the Directorate Leadership team.

7.5 Is there a clear offer of early help?

Interviewees provided evidence of how early help arrangements are increasingly well aligned and organised. Early Years, commissioned services, youth services, YOT and Connecting Families all identify children, young people and families needing additional support and a range of integrated panel processes ensure that appropriate pathways of support are implemented. Children's Centres are now part of the provider arm of the organisation. This has meant closer working with the Social Care Duty team, including opportunities for Children's Centre managers to spend time in the Duty Team and gain a greater understanding of how threshold criteria are applied. A particularly positive impact has been made by the creation of a post within the Duty Team that specifically interfaces with partners including schools. The Connecting Families team are a valued early help resource. CAF has been repositioned and is now part of the early help offer. Staff demonstrated confidence in identifying early warning of issues of concern with vulnerable families and the way the majority of panels exist to support this.

7.6 Is the CAF effectively implemented?

As mentioned above the repositioning of the CAF within the early help offer has raised its profile and the department has worked hard to promote its use with partners. Staff expressed confidence in the system and the support offered to partners to manage CAF processes. Numbers of CAF's have increased and there is a process for checking their quality.

7.7 How do other services contribute to early help and do they understand and operate the relevant systems?

The department can demonstrate that currently there is an appropriate range of services contributing to the early help offer, either as part of the provider arm or as a commissioned service. There is good support offered to ensure that systems and processes are understood and officers have identified a need to focus on ensuring that the 11-19 integrated pathway is properly understood and applied.

8. Assurance parameter 6 - 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.

In order to test this parameter questions were framed to test:

8.1 Is the LSCB effective and authoritative with structures that are fit for purpose including effective sub committees, performance management, audit and QA arrangements

The LSCB operates effectively to provide strategic leadership and oversight of safeguarding standards and requirements. As might be anticipated the appointment of a new Independent Chair and a new Head of Safeguarding has provided "a fresh pair of eyes". The business plan is going through its annual refresh and sub committees are being streamlined to provide greater prioritisation and leadership. Next steps will include an emphasis on audit and QA arrangements including more multi agency thematic audits that will influence the multi agency learning and development

programmes. The Head of Safeguarding delivers quarterly Safeguarding Forums to schools and these are well attended.

Increasingly, opportunities are being sought to align the agenda setting of the LSCB and the LSAB in order to identify shared areas of concern and where appropriate to influence joint policy development and joint commissioning of services. The chairs of both Boards meet, as do officers.

8.2 Do statutory and voluntary sector agencies contribute sufficient professional time and resource to LSCB and sub committees?

All interviewees spoke positively about appropriate levels of engagement by partners in the LSCB and its sub committees.

8.3 How does LSCB report on its work and findings to the LA and statutory agencies?

The Chair of the LSCB presents an Annual Report to the Children's Trust which officers feel includes appropriate challenge to statutory agencies.

8.4 How effectively does LSCB link to other partnerships including the YOT and others?

The author is aware of positive feedback from a recent thematic audit, but this aspect was not a focus of the interviews and should be part of the suggested further test of governance arrangements in the next twelve months.

8.5 How are Children's Services involved in MAPPa and MARAC?

The Local Authority is represented appropriately on the MAPPa Management Board and attend MAPPa level 3 meetings and MARAC meetings.

8.6 How are partnership arrangements led and developed to ensure focus and coherence?

This was not tested during the interview process and should be tested in the next twelve months.

Information was shared that coherence with YOT business is achieved by the two Divisional Directors having quarterly meetings with the YOT Management Board and by the YOT Manager being an active member of the LSCB. Also that at an operational level the Integrated Working team are supporting step up/step down arrangements across the sector as appropriate. There are regular meetings with the CCG and Adult Service managers via the integrated Senior Management team.

8.6 Adequacy of partnership arrangements?

The partnership arrangements are monitored and overseen by the Children's Trust Board. The Schools Forum and Director's meeting with Headteachers support safeguarding practice. Interviewees were very positive about the wide range of partnership arrangements and felt that the level of professional engagement by partners was appropriate. Many good examples of partnership responses were offered, with an acknowledgment from LA staff that good personal relationships were a major contributor to this, along with a tight geographical boundary.

Concern was raised in respect of Mental Health partnership work – questioning whether this was driving better service provision for adults who are parents of

vulnerable children (those in need and with care plans) and with young people directly. The department is aware of these issues and acknowledges that further work is required with both Mental Health partnerships.

9. Overall Conclusion

In the view of the author the Local Assurance Test has found much evidence to confirm that the new systems, structures and lines of management accountability are understood by staff and enables the Local Authority:

- a) to fulfil their Statutory Duties effectively (including ensuring that children, young people and families receive effective help and benefit from high educational standards locally)
- b) to be transparent about responsibilities and accountabilities
- c) to support effective inter agency and partnership working (although this requires further testing within the next twelve months.

10. Recommendations

- a) Use the opportunity provided by the refresh of the formal Scheme of Delegation to clarify the minor level of confusion about lines of management accountability
- b) Introduce robust mechanisms for gathering all the information about the views of children, young people and families to demonstrate i) the impact this has on service design and delivery and ii) that young people have a voice in decisions that impact on their lives
- c) in order to maximize the opportunities provided by the wider Directorate, bring the commissioning intentions documents in to one coherent workplan across adults/children/public health, and
- d) Undertake a further test of partnership and governance arrangements in the next twelve months to assure the council that the requirement at 9c above is adequately fulfilled.

Bronwen Lacey
Independent Reviewer
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