

CHILDREN AND YOUNG PEOPLE'S OVERVIEW AND SCRUTINY COMMITTEE

Agenda Item 6
Brighton & Hove City Council

Subject: Arrangements for the governance, commissioning and provision of children's services

Date of Meeting: June 16th 2010

Report of: Director of Children's Services

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Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This paper summarises developments which address the Children and Young People's Plan (CYPP) Strategic priority 4 to 'Develop the CYPT Partnership and drive integration and value for money'. Specifically the actions under Initiative 4a 'Governance' in respect of the Children's Trust Board and Agreements under Section 75 of the NHS Action 2004 (S75) between the council and NHS Brighton and Hove (PCT), and the council and South Downs NHS Trust (SDH).
- 1.2 The paper proposes that the Children and Young People's Overview and Scrutiny Committee (CYPOSC) consider how these developments should be incorporated into the committee's work programme. Specifically the paper asks the Committee to comment on the draft commissioning 'scopes' for the review and redesign of services for children with a disability and/or special educational needs, and for Youth Services. Both reviews are key priorities in the S75 agreement with the PCT and will also support the council's new approach to 'Intelligent Commissioning'.

2. RECOMMENDATIONS:

The Committee is asked to:

- (1) Note and comment upon the work to address CYPP strategic priority 4 in light of changes to national policy and local arrangements for the governance, commissioning and provision of children's services

including the S75 agreements between the council and its NHS partners.

- (2) To consider how the priorities set out in the work programme for the Children's Trust Board and the S75 Improvement Plans should be incorporated into the committee's work programme.
- (3) To comments on and contribute to the draft commissioning 'scopes' for the review and redesign of services for children with a disability and/or special educational needs, and for Youth Services.

3. BACKGROUND INFORMATION

The Children and Young People's Plan:

- 3.1 Strategic priority 4 of the CYPP aims to develop the CYPT partnership and drive integration and value for money'. Initiative 4a 'Governance' focuses on the legislative changes anticipated at the time of writing the plan and on the completion of the local review of S75 agreements initiated in June 2009.

Statutory Guidance on co-operation arrangements, including the Children's Trust Board and the Children and Young People's Plan (2010)

- 3.2 Appendix 1 sets out the information presented to the Children and Young People's Trust Partnership Board on May 17th 2010 in respect of the council's duty to establish a new Children's Trust Board with its partners (under the Apprenticeship, Skills, Children and Learning Act 2009).
- 3.3 Appendix 2 sets out the membership of the new Children's Board proposed by the council and agreed by the existing Children and Young People's Trust Partnership Board on May 17th 2010. In summary the following membership was agreed::
 - Brighton and Hove City Council : 6 (Lead Member Children's Services; 4 Elected Members; Director of Children's Services)
 - NHS Brighton and Hove (PCT) : 2
 - Sussex Police: 1
 - Schools: 3
 - Further education and sixth form colleges: 1
 - Job Centre Plus: 1
 - Youth Council: 1
 - Parents Forum: 1
 - Community and Voluntary Sector: 2
 - Providers of Health Care: 4 - South Downs NHS Trust 1(2 – during S75 transitional arrangements); Brighton and Sussex University Hospitals NHS Trust 1; Sussex Partnership NHS Foundation Trust 1
 - Lead Practice Based Commissioner (G.P.): 1
 - Sure Start Children's Centres (parent representative): 1

Section 75 Agreements:

- 3.4. In September 2006 the City Council entered into a Partnership Agreement with SDH and the PCT in relation to Children's Services. The Agreement brought together 273 staff from SDH together with 860 staff from the Council's Children's Families and Schools Directorate with the aim of creating a service with multidisciplinary teams and with capacity to provide flexible, integrated services centred on the needs of children and their families.
- 3.5. In May 2009 the Council and the PCT sought expert advice about the S75 agreement in light of the national and local issues i.e.
- In 2009, the Department of Children, Families and Schools and the Department of Health joint strategy for children's health (Healthy Lives Brighter Futures) identified a wide variation in arrangements across the country for the governance, commissioning and provision of children's services. A Commissioning Support Programme (CSP) was established to work with local Children's Trusts to address this variation and especially to clarify the distinction between commissioning and provider functions in order to comply with the NHS World Class Commissioning programme.
 - In Brighton and Hove each partner to the S75 agreement acknowledged that issues have, inevitably, emerged since the local agreement was signed, especially the need to clarify commissioning and provider functions and to strengthen the governance of joint commissioning plans and management of the pooled budget.
- 3.6. The advice concluded that, although ground breaking in 2006, the Section 75 Agreement was no longer entirely fit for purpose and that consideration should be given to creating separate commissioning and provider agreements between the Council and the PCT and the Council and SDH respectively. In July 2009 the Chief Officers Group for the Children and Young People's Trust Partnership initiated a formal review of the Section 75 agreement. A Joint Project Group, including representatives from all three partners, and including no-cost expert consultancy provided by the CSP), completed the review on schedule by March 1st 2010 and the new agreements were agreed by the partners respective Governance Committees, Cabinet and NHS Boards.
- 3.7. The new S75 agreements will be between the Council and the PCT in relation to lead commissioning of services and between Council and SDH in relation to the integrated provision of services. The key elements of the S75 agreements are:-
- Aims and objectives of the Partnership Agreement:
 - Services covered by the agreements
 - Governance arrangements
 - Workforce matters
 - Finance

- Liability, indemnity and insurance
 - Review and Variation of the agreements
 - Dispute resolution and termination
 - Performance Management
- 3.8 In addition to the separation of the provider and commissioning agreements, a further significant change will be the creation of two Joint Management Groups of officers (one provider and one commissioning) to whom monthly performance reports will be taken in relation to key indicators identified in the agreements. There will therefore be a closer, regular scrutiny of the budget and impact of the agreements in a focused arena. Decisions that require Member approval would be made by the Cabinet Member for Children's Services or Cabinet in accordance with current delegations. The Children and Young People's Trust Board therefore ceased to be the top decision making body for the S75 agreements, but will instead fulfil the functions required by the Apprenticeships, Skills, Children and Learning Act 2009.

Children's Trust Board Work Programme and S75 Improvement Plans:

- 3.9 On May 17th 2010 the Children and Young People's Trust Partnership Board agreed a draft work programme designed to enable the new Board to manage its business in the future (Appendix 3). The draft was based on a proposed structure for future agendas to cover the following:
- Standing Items: e.g. 6 monthly CYPP performance reports; the required annual report on the city's safeguarding from the LSCB; the annual report in respect of the S75 arrangements between the council, the PCT and SDH.
 - Strategic Improvement Priorities: The draft work programme suggests a number of possible headline reports that would address specific actions included under the CYPP 4 Strategic improvement priorities.
 - Reports from Board Members/other partnerships: Each Partner agency will wish to propose and/or prepare and present reports setting out how they are delivering on their commitments/role for the CYPP. In addition the Board will wish to request reports and/or presentations from other partnerships.
 - CYPP Transitional Arrangements: The Board will wish to monitor transition arrangements to ensure that the new arrangements are compliant with the new Statutory Guidance for Children's Trust Boards and the CYPP.
- 3.10 In addition each of the S75 Agreements includes an Improvement Plan for 2010/11. The committee may also wish to consider these issues in respects of its future work programme. In summary:

S75 Commissioning Agreement (council and PCT) will focus on:

- Improving the operation of commissioning for NHS and Local Authority health related functions
- Improving early intervention and prevention in community based health care services for children and young people and their families
- Improving support to children and young people with a disability or complex health needs and their families
- Improving support to children and young people with emotional or mental health needs and their families
- Reviewing and enhancing the design of youth service provision across the Partnership

S75 Provider Agreement (council and SDH) aims to:

- Develop and consolidate integrated management arrangements
- Develop and consolidate integrated care pathways
- Develop and consolidate integrated care governance arrangements:
- Review staff secondment arrangements from SDH to the council

Draft commissioning ‘scopes’: for services for children with a disability and/or special educational needs, and for Youth Services:

3.11 Appendix 4 sets out the executive summary of the draft commissioning ‘scopes’: for services for children with a disability and/or special educational needs, and for Youth Services. The committee may wish to consider and comment on:

- The structure and content of the scope documents
- The proposed focus and methodology for the reviews, including the engagement of service users and other stakeholders
- The governance of the reviews including agreement to the initial scope, development of the proposed commissioning strategies and final sign off through the council’s governance arrangements and those of its partners
- The fit with the development of the council’s new approach to ‘intelligent commissioning’.

4. CONSULTATION

4.1 Consultation on the development of new Children’s Trust Board and on the S75 agreements has been through the Chief Officers Group, the partners’ respective governance committees and Boards (including the council’s Cabinet) and the Children and Young People’s Partnership Board.

4.2 There has been significant consultation with relevant partners and stakeholders on the draft commissioning ‘scopes’: for services for children with a disability and/or special educational needs, and for Youth Services.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The joint commissioning agreement will give rise to a s75 partnership arrangement totalling approximately £63 million of which the council's contribution will be approximately £53 million or 84%. The integrated provider agreement will give rise to a s75 partnership arrangement totalling approximately £57 million of which the council's contribution will be approximately £50 million or 88%. Both agreements are still subject to final agreement of budgets to be included in the pooled funds. Under the terms of the agreements these need to be confirmed by 1 October 2010.

In financial management terms, the general principle is that as the host partner (the council) manages the arrangements, it must manage within budget and carry the risk associated with this, in particular where expenditure is incurred without agreement. However, where expenditure is incurred with agreement or in default of agreement, the partners are jointly liable in proportion to their contributions if this causes overspending.

Another general principle is that there is frequent and regular reporting to the JCG/JMG and quarterly reporting to partners to ensure that problems and issues are identified early and escalated where appropriate. The "Revised Annual Finance Agreement" will set out the process for managing and reporting forecast deficits.

In terms of potential underspending, the agreement provides that underspends are either carried forward or distributed in proportion to partners' contributions. However, in practice the NHS cannot carry forward underspends.

The agreements specify that partners must use reasonable endeavours to agree draft budgets by 31 December each year and final budgets must be confirmed by 31 March each year. Budget planning must take into account inflation, planning assumptions (e.g. demographic changes), changes in policy and commitments. The budget process will also be set out in the "Revised Annual Finance Agreement". The budget will be agreed by the partners (Boards and Cabinet/Full Council) following the outcome of the 'annual review'.

The "Revised Annual Finance Agreement" will be agreed each year by JCG/JMG and will, inter alia, set out:

- The contributions for the year following the outcome of the annual review;
- Invoicing arrangements between the partners and the flow of funds in and out of pooled funds;
- The use of specific grants and other income;
- The financial and non-financial reporting requirements (frequency/format), including exception reporting, escalation and recovery procedures for overspend forecasts.

Any additional financial implications that arose from the review of commissioning scopes (paragraph 3.11) would need to be costed and appropriate funding would need to be identified.

Finance Officer Consulted: Jeff Coates

Date: 24 May 2010

Legal Implications:

- 5.2 The partnership arrangements for commissioning and integrated delivery of services between the City Council and PCT are governed by the S75 agreement. The new arrangements for the Children's Trust Board as set out in the report are per the statutory requirement of the Apprenticeship, Skills, Children and Learning Act 2009, and are compliant with recent statutory guidance. Any redesign of children's services will need to be compliant with relevant statutory guidance, and be able to meet relevant statutory duties.

Natasha Watson

Date: 03.06.10

Equalities Implications:

- 5.3 The proposed new arrangements for the Children's Trust Board, including wider representation from schools, 6th Form and FE Colleges, Job Centre Plus and Sure Start will strengthen the Board's capacity to deliver on the CYPP Strategic Improvement Priorities which pay particular attention to equalities issues. The provision of integrated services through the S75 agreements will benefit families from disadvantaged backgrounds who are likely to be more dependent on the services covered.

Sustainability Implications:

- 5.4 There are no adverse sustainability implications arising from these proposals.

Crime & Disorder Implications:

- 5.5 The proposed new arrangements for the Children's Trust Board, including wider representation from schools, 6th Form and FE Colleges, Job Centre Plus and Sure Start will strengthen the Board's capacity to deliver on the CYPP Strategic Improvement Priorities which pay particular attention to the reduction of crime and anti-social behaviour. The integrated provision of services through the S75 agreements will assist in addressing the needs of children and families in a co-ordinated way and therefore contribute to the reduction of crime and anti-social behaviour.

Risk and Opportunity Management Implications:

- 5.6 The proposed new arrangements for the Children's Trust Board, including wider representation from schools, 6th Form and FE Colleges, Job Centre Plus and Sure Start will strengthen the Board's capacity to deliver on the CYPP Strategic Improvement Priorities which address risk and opportunities across partner agencies. The proposals for integrated services and pooled funding through the S75 agreements

pose financial and legal risks which have been taken into account in developing the proposals.

Corporate / Citywide Implications:

- 5.7 The proposed new arrangements for the Children's Trust Board will benefit the residents of Brighton and Hove by enabling all partners to work together to deliver services that improve outcomes for children and young people. The S75 agreements will benefit the residents of Brighton & Hove by enabling integrated services to be provided centred on the needs of Children and their family rather than the provider organisation. This is in line with the Council's corporate priorities.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix 1: Statutory Guidance on co-operation arrangements, including the Children's Trust Board and the Children and Young People's Plan (2010)
2. Appendix 2: Membership of the Children's Trust Board:
3. Appendix 3: Children's Trust Board: Draft Work Programme
4. Appendix 4: Draft commissioning 'scopes': for services for children with a disability and/or special educational needs, and for Youth Services:

Documents In Members' Rooms:

None

Background Documents:

None

Appendix 1:

Statutory Guidance on co-operation arrangements, including the Children's Trust Board and the Children and Young People's Plan (2010)

The Statutory Guidance on co-operation arrangements states:

"The Children's Trust is the sum of co-operation arrangements and partnerships between organisations with a role in improving outcomes for children and young people. This includes the Children's Trust Board." (1.1)

The Guidance goes on to highlight that:

"The Children's Trust is not a separate organisation. Each partner within the Children's Trust retains its own functions and responsibilities within the wider partnership framework." (1.1)

What the Children's Trust Partnership (including the Children's Trust Board) does collectively:

The 2010 Statutory Guidance states:

"Children's Trust co-operation arrangements, which include the Children's Trust Board, promote co-operation through integrated working across services at each organisational level to commission or deliver services which are child (and family)centred and improve outcomes for all children and young people in the local area. These include:

- developing and promoting a local vision – set out in the CYPP – to drive improved outcomes for local children, young people and their families;
- robust arrangements for interagency governance (i.e. the Children's Trust Board);
- developing better integrated strategies such as strategic commissioning with pooled or aligned budgets, shared data and other information, and workforce development
- supporting those strategies via more integrated processes including effective joint working sustained by a shared understanding of professional language and common systems; and
- developing and promoting better integrated front line delivery, organised around the child, young person, or their family. (1.7)

What the Children's Trust Partners do individually:

The 2020 Statutory Guidance states:

“The partners in the Children’s Trust (both statutory and those included by local agreement) are individually responsible for implementing the CYPP in the course of delivering their normal functions. Partners will set out in the CYPP what their strategy will be to co-operate to improve children’s well-being. This should include, wherever possible, the level of resource each partner intends to commit to it. They must ‘have regard’ to the Plan and the commitments they have made, which means if they depart from them, they must be able to show a good reason for doing so. (1.9)

Section 10 of the Children Act 2004 requires the local authority to ‘make’ the co-operation arrangements, (including establishing the Children’s Trust Board¹⁰) and each of the statutory ‘relevant partners’ is required to co-operate with it in doing so. In practice this means engaging with and contributing to the various arrangements for co-operation (partnerships, tools and processes) that are put in place. The local authority has a leading role insofar as it must make sure the arrangements are in place and fit for purpose, but in all other respects it is one partner among equals within the partnership, and alone it does not have the power to direct any other Children’s Trust partner on how to use its resources.” (1.10)

The Children’s Trust Board:

The Apprenticeship, Skills, Children and Learning Act 2009 (ASCL Act) requires each local authority to establish a Children’s Trust Board as part of its arrangements to promote co-operation to improve well-being for children under section 10 of the Children Act 2004.

The Statutory guidance states:

“The statutory functions of the Children’s Trust Board relate almost exclusively to the CYPP. The purpose of the Children’s Trust Board is to bring all partners with a role in improving outcomes for children together to agree a common strategy on how they will co-operate to improve children’s well-being and to help embed partnership working in the partners’ routine delivery of their own functions. It also provides a strategic framework within which partners may agree to commission services together, with pooled or aligned budgets, but **delivering the strategy remains the responsibility of the partners, both individually and together.** This means that each partner’s existing lines of accountability are unchanged, i.e. each partner of the Children’s Trust Board retains its existing formal lines of accountability for delivering its own functions. This avoids any confusion or blurring of lines of accountability within the Children’s Trust board.” (1.4.)

The Children’s Trust Board is responsible for:

- developing and publishing the CYPP, keeping it under review and revising it; and
- monitoring progress and producing a report on the extent to which the Children’s Trust partners act in accordance with the CYPP.” (1.8)

The Children's Trust Board will become a statutory body which will provide interagency governance of the co-operation arrangements across all organisations with a role in improving outcomes for children and young people in Brighton and Hove.

Local co-operation arrangements are dealt with in the Children and Young People's Plan (CYPP) which summarises how Brighton and Hove is delivering on the 5 essential features of a Children's Trust i.e.

- A child and family centred outcomes led vision
- Inter-agency governance
- Integrated Strategy
- Integrated Process
- Front line delivery organised around the child, young person and family (CYPP pp 6-11)

Children's Trust Board: membership and representation:

The Statutory Guidance 2010 states:

"The Children's Trust Board must include a representative of the local authority and of each of its statutory 'relevant partners'. It should also include non-statutory partners to reflect local circumstances." (4.15)

(Relevant partners are those organisations with a 'duty to co-operate under the Children Act 2004 (Section 10).

"The non-statutory partners are just as important as the statutory ones and, in the case of third sector organisations, for example, should be represented on the Children's Trust Board. The inclusion of non-statutory partners allows local partners the flexibility to shape their co-operation arrangements, including their Children's Trust Board, in a way that best suits local circumstances." (2.3)

"Representatives should be senior members of their organisation able to comment on the full range of their organisation's interests, report back to that organisation on debates with the Children's Trust Board and make decisions committing the organisation to taking action and providing resources through the CYPP." (4.17)

"To be effective, the Children's trust Board will have an optimum size: too big and meetings become unmanageable; too small and they will not cover the full range of interests." (4.19)

Children's Trust Board: Chair

The Statutory Guidance (2010) states:

"As part of the duty to establish a Children's Trust Board, it is the responsibility of the local authority to appoint the Chair in consultation with the

Board members. It is more important that the best person available is selected than that a particular role is prescribed. The Chair could, for example, be the Director of Children's Services, Lead Member for Children's Services, Chief Executive of the PCT, or an independent person. It is crucial that the Chair is able to speak with authority on behalf of the Children's Trust Board as a whole and ensure each of the members contributes fully to its work. Where the Chair is not appointed from within the local authority, the local authority should monitor the effectiveness of the Chair's work. (4.7)

The Chair has a vital role in making sure that the Children's Trust Board operates effectively. The Chair should be of sufficient standing and expertise to command the respect and support of all partners. The Chair should act objectively and distinguish their role as chair from any other day-to-day job." (4.8)

The council proposes that the Lead Member for Children's Services as the Children's Trust Board chair.

Children's Trust Board: Terms of Reference

The Statutory Guidance (2010) states:

"As part of its work to establish the Children's Trust Board, the local authority should develop terms of reference and agree these with its partners. The terms of reference should cover roles and responsibilities, governance, membership, objectives and frequency of meetings (4.24).

Draft Terms of reference are attached Annex 1.

Children's Trust Board: Sub Groups

The Statutory Guidance (2010) states:

In order to keep the Board to a workable size and its meetings suitably focused, the local authority should set up sub-groups. These might be thematic (for example focusing on consultation), focused on a particular group of children (such as those with special educational needs and disabilities), or set up to enable effective representation on the Children's Trust Board (sub-groups of schools or third sector bodies, for example) (4.10).

The Board may also nominate one of its members to take a strategic lead on a single theme of work and report back to it on a regular basis, effectively becoming a champion. This theme could be to promote the involvement of children and young people in the Board's work, or for safeguarding for example. (4.12)

The council does not propose, at this stage, that the new Children's Trust Board should establish separate sub groups as outlined in the Guidance. Instead it proposes that the Board focus on strengthening existing

relationships with other partnerships. The Statutory Guidance highlights the key partnerships in respect of services for children and young people including: the Local Strategic Partnership; the Local Safeguarding Children Board (LSCB); the Community Safety Partnership; and the Behaviour and Attendance Partnership.

Page 20 of Brighton and Hove's CYPP sets out how children's services already relate to the local planning framework for local public services.

Annex 1: Draft Terms of Reference for the Children's Trust Board

1. The Terms of Reference are pursuant to The Apprenticeships, Skills, Children and Learning (ASCL) Act 2009 , and the accompanying statutory guidance and regulations. Regarding co-operation arrangements.

2. The role and responsibilities of the Board

2.1 The Children's Trust Board provides the interagency governance of the Children's Trust cooperation arrangements to promote children's well being arising from Section 10 of the Children Act 2004, whereby arrangements are to be made with a view to improving the well-being of children in the authority's area so far as relating to –

- (a) physical and mental health and emotional well-being;
- (b) protection from harm and neglect;
- (c) education, training and recreation;
- (d) the contribution made by them to society;
- (e) social and economic well-being.

2.2 The Children's Trust Board will bring partners together in a common strategy through the Children and Young People's Plan (CYPP). The Act transfers responsibility for preparing, publishing and revising the CYPP from the local authority alone to the Children's Trust Board.

2.3 The Children's Trust Board will prepare and monitor the implementation of the CYPP – but does not deliver it. Delivering the strategy remains the responsibility of the partners, both individually and together. Each partner within the Children's Trust retains its own functions and responsibilities within the wider partnership framework.

2.4 When preparing, reviewing and revising the CYPP the Board must have regard to the compatibility with the UN convention on the rights of the child, which includes children's rights to:

- protection from harm and violence and discrimination,
- a supportive family environment or alternative care,
- help to keep healthy;
- education, play and leisure;
- additional support for those with the most need.

3. **Membership**

- 3.1 The membership of the Board will be as set out in the attached schedule, at Appendix 1.

4. **Governance**

- 4.1 The Chair of the Board will be the Lead Member for Children's Services.
- 4.2 The Children's Board has no quorum.
- 4.3 If a member of the Board cannot attend deputies or alternative representatives with decision making powers should attend with the agreement of the Chair.
- 4.4 Should the need arise the Board has the power to set up sub -groups. There are no plans to do so at present

5. **Objectives: The Board has responsibility for:**

(i) **Conducting a needs analysis to inform the CYPP**

- 5.1.1 The Board must carry out a thorough and wide ranging analysis of children and young peoples needs mapped against existing services, to identify gaps in service provision and inform strategic commissioning.
- 5.1.2 The Board should review the needs analysis as an ongoing activity.
- 5.1.3 The Board must ensure that the needs assessment is informed by safeguarding priorities
- 5.1.4 The needs assessment should inform and be informed by the statutory Joint Strategic Needs Assessment (JSNA)

(ii) **Developing and publishing the CYPP:**

- 5.2.1 The Board must collectively prepare, publish, monitor and revise the CYPP in accordance with current statutory regulation and guidance.
- 5.2.2 The CYPP is a joint strategy which sets out how the Children's Trust partners will cooperate to improve children's well-being in the local area and sets the strategic framework for the commissioning of services for children and young people.
- 5.2.3 The CYPP should be consistent with the strategic vision in the Sustainable Community Strategy.
- 5.2.4 In preparing the CYPP the Board will set the strategic priorities for children and young people with special educational needs, disabilities and looked after children in the local area
- 5.2.5 Every local area must publish a joint CYPP on or before 1 April 2011

- 5.2.6 The Board must agree the period of the plan to be published on or before April 2011, and the period covered by each plan thereafter.
- 5.2.7 The Plan must be published by the partners to the Board in accordance with statutory guidance
- 5.2.8 The Children's Trust Board will consult widely during the preparation of the Plan per the CYPP regulations.

(iii) Monitoring the CYPP

- 5.3.1 Whereas individual partners to the Board are responsible for delivering the CYPP, the Board is responsible for monitoring the extent to which each Children's Trust partner acts in accordance with their commitments in the CYPP
- 5.3.2 The Children's Trust Board will monitor the extent to which the priorities and targets identified in the CYPP are being achieved and specifically how each partner is implementing the Plan, providing challenge if necessary.
- 5.3.3 The partners to the Board must provide information and relevant data to enable the Board to assess progress of the CYPP
- 5.3.4 The Board will review the CYPP each year in which a new Plan is not published. The emphasis of the review is to assess the effectiveness of the Plan itself. Following any review of the plan if it considers it is necessary the Board will revise the plan and publish it in accordance with regulations.
- 5.3.5 The Board will produce an annual report on the extent to which the Children's Trust partners act in accordance with the CYPP.
- 5.3.6 The annual report shall include the assessment of the Chief Executive and Leader of the Council as to the effectiveness of local governance and partnership arrangements for improving outcomes for children.

(iv) Safeguarding and promoting welfare

- 5.4.1 Per the statutory guidance keeping children safe is a top priority for the Children's Trust Board and each of the Children's Trust partners, statutory and non-statutory alike.
- 5.4.2 The Board must receive an annual report from the Local Safeguarding Children Board (LSCB)
- 5.4.3 In developing the CYPP the Board must have regard to the strengths and weaknesses identified by the LSCB. The LSCB is responsible for challenging the Children's Trust Board and the Children's Trust partners individually on their success in ensuring that children and young people are kept safe.
- 5.4.4 The CYPP must set out the arrangements to promote the welfare and safety of children and young people, and the arrangements made by Board partners for co-operating to improve safeguarding and provide early intervention and preventative action.

- 5.4.5 The CYPP regulations require the CYPP to set out the arrangements they will make to reduce and mitigate the effects of child poverty
- 5.4.6 The CYPP must include a local workforce strategy to help create a workforce which delivers improved outcomes for children.
- 5.4.7 The Children's Trust Board should promote consistent adoption and use of integrated processes and tools available to support integrated working through the CYPP. This includes effective information sharing and per Lord Laming's recommendation the Children's Trust Board should assure itself that partners consistently apply the Information Sharing Guidance to protect children.

Appendix 2: Membership of the Children’s Trust Board:

Agency/Organisation	Relevant guidance (in italics) & commentary	representation
Statutory ‘Relevant Partners’		
<p>Brighton and Hove City Council:</p> <ul style="list-style-type: none"> • Lead Member • Director of Children’s Services • 4 Elected Members 	<p><i>4.13 Both the DCS and the Lead Member should be members of the Children’s Trust Board. The Lead Member should attend as a member of the political executive with a pivotal role in championing children and defining political priorities for them on the Board and to represent the local community. DCSs should attend as the senior local authority officer with responsibility for coordinating children’s services within the authority and establishing the co-operation arrangements in the wider Children’s Trust partnership, including setting up the Children’s Trust Board.</i></p> <p>The council will maintain current cross party representation. In addition the Lead Member will be the Chair of the Children’s Trust Board.</p>	6
<p>NHS Brighton and Hove (PCT)</p>	<p><i>2.14 The partnership between the local authority and the PCT is the driving relationship of the Children’s Trust. Neither a PCT nor a local authority can deliver its priorities without the active co-operation of the other. The guidance document Transforming Community Services (2010), supports this position and says, ‘For children, service pathways will need to cover not only the interface between hospitals and community services but also the interface with early years services and schools, as well as with children’s social care.’</i></p> <p>The PCT will be represented by the Chair of the Board and the Chief Executive</p>	2
<p>Strategic Health Authority</p>	<p><i>2.19 It is important that the SHA is a statutory ‘relevant partner’ in the Children’s Trust co-operation arrangements because it provides strategic leadership to local health</i></p>	0

	<p><i>systems. They are not required to be represented on the Children's Trust Board, but this does not preclude their involvement. The local authority should decide, based on advice from the other Board members and the SHA itself, what arrangement best suits local circumstances.</i></p> <p>The SHA will not have a representative at the Children's Trust Board, the Authority's involvement will be through the formal receipt of the minutes of all Board meetings.</p>	
Sussex Police	No specific details in the Statutory Guidance	1
Schools	<p><i>4.20 The addition of schools to the list of statutory 'relevant partners' is a key step to help strengthen the partnership between schools and other children's services. But their numbers make shared representation on the Children's Trust Board essential. The local authority is responsible for developing – in agreement with schools – a system for representation.</i></p> <p>There will be 3 representatives for the phase groups and special education provision.</p>	3
Further education and sixth form colleges	<p><i>2.36 Institutions within the further education sector are also statutory 'relevant partners' in the Children's Trust co-operation arrangements covering the area in which their main site is located. This will help enable them to have a strong voice in local decisions about the use of resources and service commissioning. FE institutions also have a role to play in identifying young people who need extra support and, with appropriate advice and help from other agencies, ensure that it is provided early enough to avoid more serious problems later on.</i></p> <p><i>2.37 Local authorities will have</i></p>	1

	<p><i>responsibilities for planning and funding 16-19 learning, which includes commissioning a range of provision from schools, FE institutions and other training providers to meet the learning needs of every young person in the local area up to the age of 19. This will be informed by the strategic commissioning priorities identified by the local strategic 14-19 partnership, which is part of the Children's Trust co-operation arrangements.</i></p> <p>There will be one joint representative for Further Education and 6th Form Colleges council will present proposals at the Board meeting.</p>	
Job Centre Plus	<p><i>2.40 Jobcentre Plus must be represented on the Children's Trust Board, but as its districts are not the same as (Children's Trust) local authority areas, Jobcentre Plus will need to agree who is best placed to represent its interests. The representative should be able to cover the full range of Jobcentre Plus services and have sufficient authority to speak for Jobcentre Plus locally and commit it, where appropriate, to the strategic and operational aims of the Children's Trust Board, including committing resources.</i></p>	1
Proposed Non Statutory Partners		
Youth Council	<p><i>2.66 Listening to children and young people and taking account of their views is central to the success of policies to improve their well-being and life chances. Article 12 of the UNCRC says that children have the right to express their views and have them taken into account and given due weight, according to their age and maturity, in all matters affecting them. The Children's Trust Board should take into account the views of children, including when developing and reviewing the CYPF'.</i></p>	1

	<p>Although not required by the Statutory Guidance there will be a member from the Youth Council. Following discussion with Youth Council representatives it has been agreed to reduce the number of representatives from 2 to 1 (plus support worker)</p>	
Parents Forum	<p><i>2.68 The Children's Trust Board should, as part of its development and monitoring of the CYPP, undertake full consultation with parents and consider innovative ways of identifying and speaking to parents who are less likely to come forward to express their views, involving neighbourhood groups and community events to support outreach work, or existing arrangements such as parent forums under the Aiming High for Disabled Children⁵¹ programme.</i></p> <p>Although not required by the Statutory Guidance there will be a member from the Parents Forum. Following discussion with Parents Forum representatives it has been agreed to reduce the number of representatives from 2 to 1 (plus advice worker).</p>	1
Community & Voluntary Sector Forum	<p><i>2.43 As the third sector has an essential contribution to make, every Children's Trust Board should include third sector representation.</i></p> <p><i>2.44. Where smaller third sector organisations do not have the capacity to engage – the local authority should take steps to engage them in the Children's Trust Board, through local third sector infrastructure organisations for example voluntary sector forums.</i></p> <p>Following discussion with the Community and Voluntary Sector Forum the sector will be represented by two people elected by the Forum.</p>	2
Providers of Health Care	<p><i>2..51 Acute, foundation and specialist NHS trusts, mental health trusts and community</i></p>	4

	<p><i>NHS services have a major role in improving outcomes for children and young people, and should be fully involved in the development of the Children and Young People’s Plan. Other services such as ambulance trusts, walk-in centres and NHS Direct also provide important services to families, especially out of hours. The Children’s Trust partners should actively engage clinicians and health care providers in the development and operation of local arrangements for multi-agency working, information sharing and joint training.</i></p> <p>Following advice from the PCT there will be representation from 3 local providers of Health Care i.e. South Downs NHS Trust 1 (2 during the transitional establishment of governance arrangements for the S75 Agreement)) Brighton and Sussex University Hospitals NHS Trust (1); Sussex Partnership NHS Foundation Trust (1).</p>	
Options for other Non Statutory Partners		
Sussex and Brighton Universities	<p>Sussex and Brighton Universities have been represented on the CYPT Partnership Board since 2006. The Statutory Guidance does not discuss membership from Higher Education – but that remains a local option.</p> <p>The council has asked the Universities’ representative to stand down and to focus involvement in the Workforce Development Partnership.</p>	0
Lead General Practitioner	<p><i>2.49 The work of Children’s Trusts will be improved by greater input from GPs, with their extensive experience of dealing with the health needs of children and families. It is also vital that the children’s services provided in every area support the work of</i></p>	1

	<p><i>GP practices.</i></p> <p><i>2.50 The Director of Children's Services should consult the PCT to secure a lead GP on the Children's Trust Board to act as professional advisor, building on existing local groupings of GPs. This would include offering advice on how to reflect the views of the wider community of GPs in developing and delivering the CYPP.</i></p> <p>On the advice of the PCT there will be a General Practitioner to represent Practice Based Commissioning in the city.</p>	
Sure Start Children's Centres	<p><i>2.47 We expect Children's Trust partners to take into account the provision of services through local children's centres as part of their development and implementation of the Children and Young People's Plan. The Children's Trust Board must consult all Children's Centre advisory boards in the local authority's area when drawing up their Children and Young People's Plan and there should be a children's centre representative on the Children's Trust Board. Robust and fair arrangements should be developed for the selection of a representative following principles similar to those for selecting a schools representative (set out in paragraph 4.20 of this guidance).</i></p> <p>There will be one parent representative Sure Start.</p>	1
Private Sector	<p><i>2.45 Along with the third sector, private sector organisations may provide a significant proportion of all early learning and childcare. Where this is the case, it is important they are represented on the Children's Trust Board.</i></p> <p>There will not be separate</p>	

	<p>representation from private early years providers in light of existing arrangements for commissioning, supporting and involving those providers in the Children's Trust Partnership.</p>	
Housing Sector:	<p><i>2.52 Access to decent housing is a major factor in helping to improve outcomes for children and young people. This is a local authority function, so technically the appropriate strategic bodies (the local authorities) are among the statutory members. However in practice, housing services may not be routinely included, as it might be considered an 'adult service' outside the scope of the Children's Trust. This should not be the case. Within the local authority, the Chief Executive has an important role in forging those links and ensuring that housing functions are exercised in a manner consistent with the strategies set out in the CYPP.</i></p> <p>There will not be separate representation from the Housing Sector as effective arrangements, within the council and with other partners, are already in place and that these will be strengthened by the new proposals to create 'a council the city deserves'.</p>	
Other Adult Services	<p><i>2.54 As with housing, adult social care is a local authority function and so should be taken into account by the local authority in setting up its Children's Trust co-operation arrangements and Board, but in practice is often regarded as outside the scope of the Children's Trust. It is, however, crucial that young people, especially those from vulnerable groups, make a smooth transition from children's to adult services. The Director of Adult Social Services (DASS) should work closely with the Director of Children's Services (DCS) to ensure that young people leaving children's</i></p>	

	<p><i>services make a successful transition. The local authority Chief Executive has an important role in helping to make sure that these links are made within the authority and that all local authority functions are exercised with regard to the strategies set out in the CYPP and relevant guidance.</i></p> <p>There will not be separate representation from Adult Services as effective arrangements are already in place and that these will be strengthened by the new proposals to create 'a council the city deserves'.</p>	
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Appendix 3: Children's Trust Board: Draft Work Programme (17.5.10)

Board Meeting	Report
17 th May 2010	<p><u>Standing Items:</u></p> <ul style="list-style-type: none"> • none <p><u>Strategic Improvement Priorities:</u></p> <p>Priority1</p> <ul style="list-style-type: none"> • Children's Trust Board Arrangements • Corporate Parenting • Safeguarding Thresholds - presentation <p><u>Reports from Board members/other partnerships:</u></p> <ul style="list-style-type: none"> • None <p><u>CYPP Transitional Arrangements:</u></p> <ul style="list-style-type: none"> • none
19 th July 2010	<p><u>Standing Items:</u></p> <ul style="list-style-type: none"> • none <p><u>Strategic Improvement Priorities:</u></p> <p>Priority 1:</p> <ul style="list-style-type: none"> • VFM programme: prevention work stream <p>Priority 2:</p> <ul style="list-style-type: none"> • Report on School clusters/extended services • Service redesign scoping papers: children with a

	<p>disability: and Child Health Programme</p> <p>Priority 3:</p> <ul style="list-style-type: none"> • Service redesign scoping paper: Youth Services <p>Priority 4</p> <ul style="list-style-type: none"> • Workforce development <p><u>Reports from Board members/other partnerships:</u></p> <ul style="list-style-type: none"> • Community Safety Partnership: Domestic violence-commissioning review <p><u>CYPP Transitional Arrangements</u></p> <ul style="list-style-type: none"> • none
<p>6th September 2010</p>	<p><u>Standing Items:</u></p> <ul style="list-style-type: none"> • LSCB Annual Report/Evaluation of Safeguarding in Brighton and Hove (and LSCB Business Plan)? <p><u>Strategic Improvement Priorities:</u></p> <p>Priority 3:</p> <ul style="list-style-type: none"> • Maximising life chances – children’s health care • Access to education <p><u>Reports from Board members/other partnerships:</u></p> <ul style="list-style-type: none"> • none <p><u>CYPP Transitional Arrangements</u></p> <ul style="list-style-type: none"> • Report/work-plan
<p>1st November 2010</p>	<p><u>Standing Items:</u></p> <ul style="list-style-type: none"> • CYPP Performance report <p><u>Strategic Improvement Priorities:</u></p> <p>Priority 2:</p> <ul style="list-style-type: none"> • Child poverty: needs analysis and strategy • Young People: Outcome of Youth service Review: 14-19 Strategy; YOS <p>Priority 4:</p> <ul style="list-style-type: none"> • Update on VFM <p><u>Reports from Board members/other partnerships:</u></p> <ul style="list-style-type: none"> • none <p><u>CYPP Transitional Arrangements</u></p>

	<ul style="list-style-type: none"> • none
31 st January 2011	<p><u>Standing Items</u></p> <p><u>Strategic Improvement Priorities:</u></p> <p><u>Reports from Board members/other partnerships:</u></p> <p><u>CYPP Transitional Arrangements</u></p>
21 st March 2010	<p><u>Standing Items:</u></p> <ul style="list-style-type: none"> • Report on Section 75 partnership Arrangements <p><u>Strategic Improvement Priorities:</u></p> <p><u>Reports from Board members/other partnerships:</u></p> <p><u>CYPP Transitional Arrangements</u></p>

Appendix 4: Draft commissioning 'scopes': for services for children with a disability and/or special educational needs, and for Youth Services:

Outcomes
<ul style="list-style-type: none"> • Promotion of and helping children and young people become as independent as possible and to reach their full potential • Development of resilience in parent carers • Delivery of the integrated strategy for the planning and commissioning and provision of services set out in
Objectives
<p>Through partnership working and in the context of financial restraint, to develop a refreshed 3 year Strategy defining commissioning activity, improvement plans and establishing clear outcome measures.</p> <p>To ensure the following priorities are met;</p> <ul style="list-style-type: none"> • <i>Provision of timely interventions which meet the needs of individual children.</i> • <i>Empowering parents carers – equipping parents carers with information and skills and strengthening family-focussed networks in order to build resilience in parents carers</i> • <i>Supporting parent carers to look after their children at home or, wherever possible, in the local community. We seek services that make early intervention a priority - in order to prevent families reaching crisis point, and to plan well in advance for the future, especially where a child's needs are complex.</i> <p>To explore further the emergent agenda around personalisation and choice in children and young people's services.</p> <p>To ensure the children's workforce is competent and equipped to meet the needs of disabled children.</p> <p>To ensure that children and young people with disabilities are effectively protected and safeguarded.</p> <p>To deliver Value for Money (VFM), ensuring that the council is able to provide good outcomes and services whilst demonstrating efficiency and cost effectiveness compared to similar authorities or service providers</p>

Activities
Needs assessment and demand planning Desk review of current services and information Financial analysis of current services and information Comparative analysis Young peoples experience of services Parents and carers experience of the services Professional experience of services and pathways Financial analysis of future needs and demands Identification of priorities Recommendations and options

People involved
Children, young people and their families Young people's group (AHA) Parent Carer Council (PaCC) Existing providers- Brighton and Hove City Council (BHCC), South Downs Health NHS Trust, Brighton and Sussex University Hospitals Trust Third sector Commissioners Primary care Others as appropriate

In scope
Children and young people with disabilities and associated complex health needs 0-19 (to 25 if appropriate) Reviewing the system of services and pathways of child/young person and family through services How services are delivered by all providers including with and by independent and third sector

Out of scope but connectivity essential to review
Contracts for services at Chailey but links with Chailey services will be included Other tertiary services i.e. other specialist services both inpatient and outpatient within and beyond the local area Special educational needs (SEN) strategy Acute hospital services Primary care

Deliverables
The experience of young people, parents and carers of the services What are the current arrangements for commissioning and delivering services How are services integrated Understanding of the current resources, quality issues, gaps and productivity Analysis of future needs and demands Recommendations outlining areas of improvement including performance measures, quality indicators, VFM

Milestones
Service mapping and financial analysis – May-early July Comparative analysis– June/early July Exploration of personalisation in conjunction with adult social care– July Effectiveness of the pathway– June/July Parent care and young people's experience of pathways May-July

Youth Services Review Project Brief

Objectives

1. Through partnership working and in the context of financial restraint, to develop a 3 year Strategy defining commissioning activity to improve services and outcomes.
2. To ensure the provision of youth services meets statutory responsibilities and promotes the safeguarding and wellbeing of young people 13 -19, and up to 25 with additional needs, supporting them to be as self sufficient and independent as possible and reach their full potential.
3. To ensure the children's workforce is competent and equipped to meet the needs of young people
4. To deliver Value for Money (VFM), ensuring that the council is able to provide good outcomes and services, whilst demonstrating efficiency and cost effectiveness compared to similar authorities or service providers
5. To identify options for a 15% cost reduction across available resources including the Pooled Budget set out in the S75 Agreement between the council and the PCT and services funded by other partners and agencies through external grant funding

Outcomes

•Promoting positive futures, strengthening communities and involving people, improving health and well being and reducing crime and improving safety

To be further defined by young people but includes:

- Promotion of and helping young people to become self sufficient and independent as young adults
- Ensure young people are safeguarded
- Young people reporting that they can get a range of positive activities across the city
- Promotion of sexual health and positive relationships
- Prevention of harm from alcohol or substance misuse
- Prevention of young people getting a criminal record
- Delivery of the integrated strategy for the planning and commissioning and provision of services set out in the Children and Young Peoples' Plan

Activities

- Needs assessment and demand planning
- Desk review of current services and information
- Financial analysis of current service
- Comparative analysis
- Young peoples experience of services
- Professional experience of services and pathways
- Financial analysis of future needs and demands
- Identification of priorities
- Recommendations and options

People Involved

Young people
Commissioners
Existing providers including the Council and 3rd Sector
Representatives from community and voluntary organisations
Others as required

Deliverables

- What is the experience of young people of the services
- What are the current arrangements for commissioning and delivering services.
- How are services integrated
- Understanding of the current resources, quality issues, gaps and productivity
- Analysis of future needs and demands
- Recommendations outlining areas of improvement including performance measures, quality indicators, VFM and participation of young people.
- Clarity regarding the priorities according to need, outcomes and VFM
- Options for changes
- Equality Impact Assessment

In Scope

- Young people's services 13 -19
- 19 -25 year olds where appropriate
- Universal and prevention and early identification and support services provided in CYPT and third sector
- Reviewing the system of services provided
- How services are delivered by all providers including with and by independent and third sector providers

Out of Scope but connectivity essential to review

- Young people with complex or specialist needs
- Youth offending services
- Intensive support services for the most vulnerable young people
- Extended services in schools
- Sports and music services

Milestones

- Desk review of current services – start mid March complete mid May
- Financial analysis of current service and impact of future needs and demands –April/May
- Comparative analysis – May
- Young peoples experience of services – May June July
- Professional experience of services May June
- Resources quality and service issues June
- Options/ priorities – end July
- Recommendations August
- Final reports in compliance with S75 governance arrangements October 2010

