



Barnsley Metropolitan Borough Council Test of Assurance - Arrangements for Discharging Director of Children's Services Functions

July 2017

1. Background

- 1.1 The "Statutory guidance on the roles and responsibilities of the Director of Children's Services and the Lead Member for Children's Services" was issued by the Department of Education in April 2013. The document provides statutory guidance for local authorities issued under sections 18(7) (Director of Children's Services) and 19(2) (Lead Member for Children's Services) of the Children Act 2004.) and states that

"It is legally permissible for the DCS and LMCS roles to be combined with other operational and political functions of the local authority. However, given the breadth and importance of children's services functions that the DCS and LMCS cover, local authorities should give due consideration to protecting the discrete roles and responsibilities of the DCS and LMCS before allocating any additional functions to individuals performing these roles.

In particular, local authorities should 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 such other responsibilities."

- 1.2 The guidance also states that "Local Authorities will, as a matter of course, want to ensure their structures and organisational arrangements enable them to:
- fulfil their statutory duties effectively (including ensuring that children, young people and families receive effective help and benefit from high educational standards locally);
 - be transparent about responsibilities and accountabilities,
 - support effective interagency and partnership working.

2. Scope and Methodology

The test of assurance covered the areas required by statutory guidance namely:

- Leadership, governance and accountability
- Management capacity and workforce development
- Performance Management and quality assurance
- Stakeholder and service user views
- Multi-agency and partnership arrangements
- Child protection arrangements

In doing so the following elements of the statutory guidance were tested to provide assurance 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 body);
- 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 co-operation 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.

3. The Test of Assurance

3.1 The test of assurance was conducted by Peter Dwyer, Corporate Director of Children and Young People's Service, North Yorkshire County Council. North Yorkshire Children's Services are one of eight Local Authorities nationally designated by Department for Education as a Partner in Practice and, as such, are funded to provide sector-led improvement to other Local Authorities across the country.

3.2 The test of assurance was based on

- a site visit to interview key officers, elected members and stakeholders:
 - Chief Executive;
 - the Leader of the Council;
 - the Cabinet Member for People - Children's Services & Safeguarding and Cabinet Member for People – Achieving Potential ;
 - the chair of the Overview and Scrutiny Committee and Scrutiny Support Officer;
 - the Executive Director - People;
 - Service Directors directly reporting to the Director with responsibility for children's social care & safeguarding and for education, early help & prevention services;
 - Heads of Service for children's social care, children in care, Barnsley School Alliance, commissioning, governance & partnerships and early start, prevention & sufficiency

- a focus group of social work staff and team managers;
 - lead officer for children's voice, influence and participation
 - chair of the Local Safeguarding Children Board and key strategic partners from the Police and CCG
- a review of documentary evidence submitted by the Council and a review of the Council's web-site including:
 - a self-assessment;
 - structure charts;
 - schemes of delegation;
 - the forward plan;
 - job descriptions and person specifications;
 - portfolio holder remits;
 - terms of references for key boards/committees and attendance records;
 - the Director's diary for the preceding three months;
 - performance information and monitoring reports; and reporting guidance
 - key policies, strategies
 - agenda papers and minutes from decision making bodies.

3.3 Set out on following pages is a summary of findings.

Evidence and assurance: Leadership, governance and accountability

Elements:

- 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 body);

Criteria:

Assurance in leadership and accountability arrangements is founded on the following:

- Clarity of senior roles and responsibilities
- Clear and unbroken lines of accountability for areas of service (particularly areas of statutory responsibility)
- Sufficient focus of the Director on outcomes for children and young people
- Strong visible leadership to drive improvement
- Confidence of the Director, and in the Director, to carry out all the areas of responsibility across adults and children's services.

Documentary evidence considered:

- Council constitution and Scheme of delegation
- Job descriptions and person specifications for Director, Management Team and Heads of Service
- Organisation charts showing Council, Directorate and Children's Social Care structures
- Reporting guidance (what information needs to be brought to the Director's attention)
- Director's diary for the preceding three months
- Terms of reference, agenda and reports, including attendance, for Cabinet/Executive, Overview & Scrutiny Committee and partnership meetings
- Evidence of keep in touch meeting between Chief Executive, Chair of LSCB and DCS
- 365 Children and Young People's Plan
- Budget outturn report 2016/17 and any financial/budget strategy

Feedback from interviews:

Through the test of assurance we heard and read consistently of high levels of confidence in current leadership and governance arrangements. Highlighted throughout was a rich powerful respect for the ability and skilled contribution of the Executive Director – People (DCS). Clear expressions of confidence and evidence that current arrangements are certainly supporting improvements to children and young people's services in Barnsley. Post inspection improvement plans began that improvement journey and there is certainly no sense that the pace of this improvement has been lessened by the joint portfolio. Staff at all levels and across partners share that confidence with an apparent ease of communication up and down the organisation.

There was considerable assurance that a culture existed that if there was a concern it would be escalated, listened to and effectively responded to. Confirmation was received that line management arrangements between Chief Executive, DCS and Chair of LSCB were in place. Innovative systems also exist to ensure DCS and Executive Member jointly have contact with frontline practitioners and undertake joint visits. Scrutiny arrangements have changed considerably and the Overview and Scrutiny committee is viewed as creating higher quality challenge from a wider cohort of Members, systems are in place to ensure the children and young people's agenda is prioritised within those arrangements.

Assurance was received that the Children's Trust has re-established its role if not fully its profile as the overarching improvement body.

All of the above is provided within an impressive and coherent Children's Service Improvement Framework.

Recommendation:

Care needed by the LA that overtime generic scrutiny arrangements do not develop targeted workplans which reduce the focus and quality of scrutiny of children and young people's issues.

Evidence and assurance: Management capacity and workforce development

Element:

- 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);

Criteria:

Assurance in management capacity is founded on:

- Sufficient skill mix and experience in the senior management team
- Sufficient resilience in the senior management team
- Sufficient capacity in the senior management team to discharge their responsibilities
- Designated Heads of Service with responsibility for and time to deal with safeguarding adults and children.

Documentary evidence considered:

- Organisation charts showing Council, Directorate and Children's Social Care structures
- Council constitution and Scheme of delegation
- Job descriptions and person specifications for Director, Management Team and Heads of Service
- Director's diary for the preceding three months
- Performance Appraisal and workforce development policy and practice

Feedback from interviews:

This is clearly a very lean senior leadership structure covering very broad and complex areas of strategic and operational responsibilities. The service carries significant financial and reputational risks in addition to considerable responsibilities and opportunities surrounding vulnerable children and adults. The structure was not driven for financial purposes but reflects a positive recognition of opportunities which exist within a People's directorate. The quality of the existing DCS may also have been highly influential in that decision.

A considerable sense that experienced and talented senior leaders of the children's agenda are in place and the leadership culture affords them space to lead but with strong lines of support and performance management. Senior leadership capacity also benefits from high quality capacity at Heads of Service level. The "leanness" of senior leadership capacity is fully recognised and at one level creates an assurance that further change or vacancy management is not an option worthy of exploration. Interestingly one Member openly expressed doubts about a People's directorate model providing further assurance that attention at Member level is being paid to potential risks.

Post inspection resulted in considerable workforce change with some turnover of established staff and increased use of agency staff and managers to fulfil key roles and enhance core capacity. Over time the impression given is one of a return to a more stable workforce, less agency staff albeit considerable newly qualified cohort.

Consistent reports of good access to supervision and high levels of support by senior leaders to key events whenever occurring. Strong sense of a one Council, the Barnsley Leadership Team.

Recommendation:

We consistently heard highly positive comments on the leadership provided by the current DCS and her direct reports on the children's agenda. All appear to recognise that structural arrangements are dependent upon the individuals fulfilling key roles. The streamlined structure at Barnsley needs to ensure excellent succession planning and whenever necessary, strong recruitment arrangements.

Evidence and assurance: Performance Management and quality assurance

Elements:

- 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 body);

Criteria:

Assurance in performance management arrangements is founded on:

- Clear service strategies and policies in place for areas of service weakness or challenge
- Robust arrangements for agreeing performance measures and targets
- Regular monitoring of service performance
- Evidence of performance is drawn from a range of sources
- Performance data is interrogated
- Clarity about performance reporting arrangements.

Documentary evidence considered:

- Council Plan and service plans for Directorate and service groups
- Performance framework and reports for Quarter 3 and Quarter 4 2016/17
- Quality assurance frameworks and monitoring reports evidencing implementation
- Records of senior management meetings (corporate and directorate)
- Supervision policy and practice

Feedback from interviews:

Assurance in this area requires achieving levels of confidence concerning the existence of key strategies and policies, robust performance management arrangements including regular reporting and action planning and wider quality assurance arrangements. Significant evidence was presented to the review team to provide assurance in this area.

We saw clear evidence of regular reporting of performance into service area and strategic partnerships. These reports were not only clearly presented but also demonstrated clear recording of analysis and recording of actions arising. We have referred earlier to innovative quality assurance arrangements involving senior staff in meeting with frontline staff and service users. We also had sight of the recording of such visits and clear actions arising. Frontline staff talked positively about not just being heard but something being done as a result. Whilst evidence existed of reporting into the Health and Wellbeing Board by the LSCB we were somewhat surprised to see the passive language of "receiving the annual report of the LSCB". Evidence exists of the LA challenging appropriately on a partnership agenda. Health colleagues described attendance at Scrutiny and the delivery of appropriate informed challenge in those sessions.

The scheme of delegation in the LA is highly pertinent to the expectations of senior leadership. We again gained assurance that the scheme of delegation had been appropriately amended not as a consequence of any limits to leadership capacity but to facilitate better, speedier, decision making.

Evidence and assurance: Stakeholder and service user views

Elements: the involvement and experiences of children and young people in relation to local services

Criteria:

Assurance in the area of engagement with stakeholders is founded on:

- Service and procedures that drive engagement with children and young people
- Feedback from children, young people, families and frontline staff is encouraged and taken into account
- These views drive service development and improvement.

Documentary evidence considered:

- Annual complaints reports for the preceding two years
- Annual safeguarding board reports for the preceding two years
- Corporate Parenting Forum Annual Report
- 365 Children and Young People's Plan and action plan
- Cabinet/Executive reports
- Children in Care Council/Young People's Council minutes and reports
- Voice, influence and participation strategy and reporting arrangements

Feedback from interviews:

The test of assurance heard considerable evidence of where service users' views had been heard and positively listened to. These included

- celebration events
- young people member place on the LSCB
- very active engagement in Takeover Day
- young people's voices at corporate parenting panel etc

We read evidence of a strong Care4Us Statement of Purpose and a forward plan for that body evidencing DCS capacity to engage positively.

Whilst focussed around specialist groups there was also evidence available showing engagement in wider, more universal, Children's Trust work eg student councils. As described elsewhere assurance was provided of enhancements in collaborative improvement and partnership working in the Borough. In addition evidence was also supplied to assure that the DCS has capacity to maintain visibility and engagement in key education debates, attendance at Headteacher Forums and targeted commissioning of external peer challenge processes on for example, attendance and exclusion. Importantly we read evidence of user voice being not just heard but acted upon eg examples of transport issues raised by young people getting onto the agenda of the Children's Trust.

Evidence and assurance: Multi-agency and partnership arrangements

Element: the adequacy and effectiveness of local partnership arrangements (e.g. the local authority's relationship with schools, the courts, Children's Trust co-operation 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.

Criteria:

Assurance in multi-agency and partnership arrangements is founded on:

- Clarity for partners and partnership boards on who represents the Council
- Local authority led by the Director supports and plays an active role in partnerships
- Council representative on key boards has authority to speak for the organisation
- Clear links and direct reporting mechanisms between and from the Safeguarding Board and lead members and clarity about how a challenge can be made
- Clear links and reporting mechanisms between key Boards.

Documentary evidence considered:

- Terms of reference and minutes of key partnership boards (LSCB, Children's Trust, Health and Well Being Board) for the preceding six months
- Minutes of meetings with the Safeguarding Board Chair(s)
- Governance arrangements for key boards including links and reporting mechanisms between boards

Feedback from interviews:

As described elsewhere, a cultural change in partnership working was described to the test of assurance team. The strength of relationship with the Police is well established. Wider partnerships were described consistently well with the contributions of partners respected and valued. This appears to extend beyond traditional partners to a wider "network of contributors" with area based work and delegated resources given as examples. "Trying to create a culture where we help people help themselves".

The DCS's capacity, culture and style have played an important part in these improvements. "Quick to praise, quick to ask/challenge, but seeking of a solution and making people feel they can make a contribution". Cultural change of this nature provided assurance that as improvement work is increasingly mainstreamed into core partnership bodies (Trust/LSCB) that the pace of improvement will be at least maintained.

Evidence and assurance: Child protection arrangements

Element: 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

- Assurance in child protection arrangements is founded on:
- Clarity about child protection systems
- Arrangements to ensure that professional leadership and practice is robust
- The Director meets regularly with the Safeguarding Adults and Children's Board Chair(s) and there is an open channel of communication to the Chief Executive
- Practice can be challenged by the public and partners and an escalation procedure is in place
- The Director working with partners ensures a strong focus on early help.

Documentary evidence considered:

- Structure diagrams
- Performance framework and practice
- Quality Assurance framework and practice
- Complaints and compliments annual report
- Early help strategy and action plan

Feedback from interviews:

Faced with the double challenge of embedding improvement at times of financial austerity the LA appears to have taken significant opportunities to radically reshape and deliver both improvement and efficiency. Change and improvements of this nature require excellent leadership and leadership capacity. They also require collaborative partnerships. We gained assurance that both were in place in Barnsley.

The service has enhanced its front door on a partnership basis, reshaped its early help/0-19 prevention service, remodelled children's centres into a wider family centre programme, and also assumed not just commissioning but operational responsibilities for the 0-19 Healthy Child Programme.

Creating confident, less siloed, services creates efficiency and potential for service improvement but also ensures leadership capacity can be naturally focussed rather than dispersed across fragmented delivery arrangements. As part of the improvement work it is impressive that decisions were made to revisit intervention thresholds and enhance capacity accordingly. Such change requires strategic and operational leadership capacity. Strategic oversight of the early help offer is somewhat complex but once understood the benefits of strategic alignment alongside a stronger communities agenda, with operational accountability within children's specialist provision, appears to work. Staff describe positive impact of a 0-19/25 provision, more positive experience of step up and step down, and positive understanding of "stronger families" programme. A disappointing tender for delivery of Healthy Child Programme led to the service being brought in-house with specialist line management. This can only enhance opportunities for greater colocation and integration of early help support. A similar approach could be considered for aspects of the Youth Offending service.

Combined the improvements in delivery arrangements are now seeing looked after children and child protection plan numbers starting to fall. In essence we saw evidence of leadership

capacity on a partnership basis being effectively used to enhance delivery arrangements and improve outcomes for children and young people.

4. Key Findings/ Recommendations

This test of assurance was undertaken externally and with full open access to all forms of potential evidence. We were met with engaged partners and LA staff at all levels positively committed both to the process and to improving outcomes for children and young people.

This test of assurance for Barnsley concludes that effective arrangements are in place within the Council to discharge the statutory role and responsibilities of the Director of Children's services in the areas of leadership and accountability; management capacity; engagement with stakeholders; performance management; multi-agency and partnership arrangements; child protection arrangements. As a result we can conclude that the arrangements which are in place pass in our assessment the national expectations of a test of assurance. In doing so we have highlighted in the body of the report two recommendations which we would highlight again here:

- Care needed by the LA that overtime generic scrutiny arrangements do not develop targeted work plans which reduce the focus and quality of scrutiny of children and young people's issues
- All recognise that structural arrangements are dependent upon the individuals fulfilling key roles. The streamlined structure at Barnsley needs to ensure excellent succession planning and whenever necessary, strong recruitment arrangements.

LOCAL TEST OF ASSURANCE - SUMMARY	
Statutory Duties	Met
Accountabilities and Responsibilities	Met
Effective partnership and inter-agency working	Met

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