

Report to: Executive
Date: 20th September 2005
Report of: Executive Member for Social Inclusion
Subject: Every Child Matters in County Durham: Consultation on Functional Modelling.
Ward: All

1. Purpose of the Report

- 1.1 The purpose of this report is to consider a draft response to a consultation paper received from Durham County Council on a 'functional model' in respect to the Every Child Matters programme to improve services for children and young people and their families in the County. A diagram of the draft Functional Model is attached at Appendix 1.
- 1.2 Appendix 2 contains a draft Consultation Response for the Executive's endorsement. The County Council required submissions by 5th September. As such the attached draft response has been submitted as an interim statement of the Council's views.

2. Consultation

- 2.1 In preparing the report consultations have been undertaken with the Management Team, as well as attending a consultation event held by Durham County Council at Shotton Hall on 14th July. Discussions have also been held with Easington Primary Care Trust. The East Durham Local Strategic Partnership has also considered the proposals.

3. Background

- 3.1 The Children Act 2004 sets a national agenda to improve outcomes for children, young people and their families through the co-ordination and integration of services with five key outcomes in mind: being healthy, staying safe, enjoying and achieving, making a positive contribution and economic well being.
- 3.2 The overall aim of the Act based on the in part the outcome of the Lord Laming's Inquiry is to create clearer accountability for children services, enabling more effective joint working and to secure a better focus on safeguarding children. The Act provides for the County Council as the Children's Services Authority to take the lead on the delivery of the Every Child Matters agenda and has to make provision to:
- Establish a Local Safeguarding Children's Board.
 - Prepare a Children and Young People's Plan
 - Identify a Lead Member for Children and Adult Services.
 - Introduce an integrated performance assessment regime.
 - Appoint a Director of Children Services.
- 3.3 Under the Act there is also a duty on local partners including District Councils to co-operate on working towards the Children's agenda. Children services means all services received by children, young people and their families, including from a District Council perspective, services such as housing, leisure, youth activities and community safety.

4. Every Child Matters Functional Arrangements

4.1 As part of the process of taking forward the Act's requirements, the County Council have prepared for consultation, proposals for setting up a County Children's Executive Board that will be responsible for ensuring organisations collectively deliver effective, efficient and appropriate integrated services and will function as a strategic decision making body. It would be accountable to Durham County Council as the Children Services Authority. The Executive Board would be supported by a number of local area Children's Boards.

4.2 The Executive Board will be lead by the Director for Children's Services and be responsible for:

- Accountable for strategic planning and commissioning of children services.
- Joint funding and commitment of resources.
- Performance monitoring and review
- Standards, audit and inspection
- User feedback.

4.3 Five Local Children's Boards are envisaged based on the current Primary Care Trust and Crime and Disorder Reduction Partnerships areas and would have responsibility in line with the over-arching strategy set by the Children's Executive Board for:

- Local development and commissioning, planning and delivery of services.
- Meeting local needs and local priorities.

4.4 The suggested membership of the two groups is set out in the Table 1. It is proposed that participation in the work of the Boards at both levels should be at the appropriate level of seniority to ensure that decisions will be implemented.

Children's Executive Board	Local Children's Board
<ul style="list-style-type: none"> • DCC's Lead Member for Children's Services • Director of Children Services • County Durham Learning and Skills Council – Director • County Durham Connexions Services – Executive Director • County Durham Police Authority • Children's Champions for safeguarding and attainment • Representation from each District Council • Lead PCT Commissioner for Children • Youth Engagement Service • County Durham and Darlington Probation Service • Chairs of the local Children's Boards for communication purposes 	<ul style="list-style-type: none"> • PCT Children's Lead • Chairs of local Communities of Learning • Youth Engagement Service • Children's Lead representative-safeguarding • Children's Lead representative-attainment • Sure Start representative • District Council representative(s) • County Durham Learning and Skills Council • County Durham Connexions Services • Police • Voluntary organisation representation • Representation for children, young people and their families.

- 4.5 In advancing these model arrangements a number of design principles have been followed to achieve the co-ordination and integration of Children's Services:
- The creation of a new identity for Children's Services with a single and clear line of accountability;
 - Visions and values developed from a 'bottom up' approach;
 - Emphasis on a preventative agenda;
 - Minimal disruption for children, young people and their families; and
 - Facilitates the commissioning of Children's Services.
- 4.6 A further set of criteria has been developed to underpin the initial approach:
- Integrated delivery of children's services must result in improved outcomes;
 - Children, young people and their families must be involved in planning and designing the future delivery of services;
 - Trained and effective staff are available to deliver services;
 - Tasks are to be undertaken at the lowest appropriate level – subsidiarity; and
 - The structure is to be future-proof in terms of longevity and flexibility.
- 4.7 In with these design principles it is proposed that a single point of access to services will be made available either within the locality or as a central source and that most functions will benefit from being delivered in a geographic locality. In addition such an approach, and particularly with regard to early and effective preventative measures, should reduce the demands on specialist services in the longer term.
- 4.8 The consultation also poses the question as to whether the executive functions under this arrangement should be operated through a Trust or by a Partnership arrangement. There are particular benefits offered by each arrangement. A Trust has very clear accountability and governance and its legal status binds all of its members to its decisions. However, Trusts can be exclusive rather than inclusive in their approach, as they are restricted to their membership organisations.
- 4.9 A Partnership is perhaps better suited for inclusion and promoting joint working. This flexibility does however need to be supported by agreed terms of reference in order to ensure that the partnership remains appropriately focused. But there is, the possibility that without a legal framework one of the partners may chose to withdraw or refuse to accept an agreed partnership decision.
- 4.10 In general terms, strategic and policy issues may benefit from the more accountable structure of a Trust, whilst operational deliverables that rely on people working together often flourish within partnership arrangements.
- 4.11 The Consultation paper suggests that on balance a partnership format might offer the better structure, particularly in the short-to-medium term where such an arrangement would ensure that partners work together towards this new approach under the duty to co-operate.
- Proposed Consultation Response**
- 4.12 A draft response to the consultation exercise is attached at Appendix 2. This follows the Every Child Matters Consultation Response template.

- 4.13 The response confirms the District Council's commitment to working with other partners both locally within Easington and strategically across the County to focus on positive outcomes for children and young people and their families. The concept advanced, of having a strategic county level executive linked to, locality based Boards, and close to communities is also supported. It also endorses the principle that the development of structures should be driven by the goal of delivering improved outcomes for children and young people rather than representation issues.
- 4.14 In terms of specific comments the following key points are made:

- To fully address issues around linkages to existing partnership structures designed to support improved service delivery co-ordination and improved outcomes The proposed arrangements should be more fully set out in terms of the relationship to the:
 - The Local Area Agreement for the County and its arrangements for service improvements based on the agreed principles for policy and service development set out in the LAA Expression of Interest that builds on the earlier Durham Accord work.
 - LSP structures in each locality and the County Durham Strategic Partnership so that the work of the Executive and Local Children Boards are better connected with LSP structures. This is particularly the case where existing LSP Children and Young People Groups exist and are currently supported by partners (including DCC Education and Social Services, Primary Care Trusts and the Connexions Service for example) etc)

The present proposed arrangement would promote confusion over the concept of 'local' within the County (e.g. 7 Local Strategic Partnerships but 5 Local Boards) and lack the degree of permanency sought due to impending PCT re-organisation in the County.

- Greater clarity is required in terms of the expected roles of the Local Boards and how they will connect with the Executive Board. A number of points are felt to warrant further attention:
 - The expectation that the Chair of Local Boards to attend the Executive for solely communication purposes requires revision. The locality Chairs should have the same roles and responsibilities as all other Executive members.
 - The potential size of the Partnerships meetings at Executive and Local level would appear to be too large to be effective as decision making bodies. If smaller sub groups are to be used these should maintain the principle of inclusiveness through accountability of members to the larger Group or Board.
 - The consultation paper suggests that, "The degree of representation and resultant "share of voice" can become an issue in relation to setting the strategic agenda. This is a particular issue when considering effective representation within the Children's Executive Board for the 7 District Councils and the varied interest of the voluntary organisations".

This comment is felt to under value the role District Councils can play as community leaders in promoting the well being of localities and implies Senior District Officers are unable to deal with strategic issues at a county scale and to manage the implications of conflicts arising from individual local areas.

- The arrangements should more clearly indicate how improved engagement with children and young people and their families, as well as the community and voluntary sector is to be advanced.
 - Principle of subsidiary should be applied in a more purposeful way so that as much responsibility as possible is passed to the locality level. The consultation paper appears to offer this in part, but is subject to a number of caveats that serve to retain a more centralised structure in practice.
 - Further consideration should be given as the envisaged role for District Council elected members in these arrangements particularly those with Executive level responsibility for children and young people services?
- 4.15 In respect to the debate over whether a Trust or Partnership model should be employed, it is suggested that the two options should be the subject of a more rigorous option appraisal process and one that involves a wider range of stakeholders.

5. **Implications**

Financial

- 5.1 There are no direct financial implications arising from the consultation paper, though the implementation of these arrangements will in due course have implications on the considerations that will influence how the Council uses its resources to support services to children and young people.

Legal

- 5.2 It is not considered there are any legal implications arising from the report.

Policy

- 5.3 It is not considered there are any policy implications other than those identified in the report.

Risk

- 5.4 A risk assessment has been completed and the necessary actions required to manage the identified risks will be implemented.

Communications

- 5.5 This consultation exercise has been widely communicated with key service partners via the LSP and a number of consultation events held as detailed in the report.

6. **Corporate Implications**

Corporate Plan and Priorities

- 6.1 The implementation of these proposals will see a positive contribution to improving services in the District directed towards children, young people and their families in line with the Council's priority to deliver quality services for all, and will contribute towards other priorities such as building a healthier community and promoting learning opportunities for all.

Equality and Diversity

- 6.2 The proposals should have a positive impact on addressing equality and diversity issues.

E-Government

6.3 It is not considered there are any e –government issues arising from the report.

Procurement

6.4 It is not considered there are any procurement issues arising from the report.

Service Plan

6.5 The recommendations of this report will not have any implications for existing Service Plans.

Performance Management and Scrutiny

6.6 The outcomes of this process will subject to normal Scrutiny Committee arrangements.

Sustainability

6.7 The proposals have no negative sustainability implications.

‘Well Being Powers’

6.8 The implementation of these proposals for children and young people services will support the implementation of the Council’s ‘well being’ powers in improving local economic, social and environmental conditions as well as supporting efforts to address disadvantage.

Crime and Disorder

6.9 Implementation of the proposals should have a positive impact in the longer term on crime & disorder issues in the District.

Social Inclusion

6.10 The proposals the subject of the consultation paper are designed to support greater social inclusion for children and young people.

7. Recommendations

7.1 It is recommended that the Executive agree the attached Appendix 2 as the Council’s formal response to Durham County Council’s Consultation on the Every Child Matters Functional Modelling proposals.

Background Papers/Documents used in preparation of this report:

- Every Child Matters in County Durham: Discussion Paper on Initial Modelling (June 2005).
- Presentation slides used at the Shotton Hall consultation Event 14th July 2005.

APPENDIX 1 – PROPOSED FUNCTIONAL MODEL

