

**To the Chair and Members of the
CHILDREN AND YOUNG PEOPLE'S OVERVIEW AND SCRUTINY PANEL**

**Doncaster Children's Services Trust
Annual contract review report 1 October 2015 – 30 September 2016**

Relevant Cabinet Member(s)	Wards Affected	Key Decision
Councillor Nuala Fennelly, Cabinet Member for Children, Young People and Schools	All	None

EXECUTIVE SUMMARY

1. This report provides a summary of the process and substance of the Annual Contract Review (ACR), which the Secretary of State requires the Local Authority to carry out each year on the operation of the Doncaster Children's Services Trust. ('the Trust') and the specific proposals which have been made to:-
 - Transfer the Family Support function;
 - Revise the basket of key performance indicators;
 - Change the timing of the Annual Contract Review;
 - Change the mechanism for the governance and accountability of the contract;

EXEMPT INFORMATION

2. Not exempt.

RECOMMENDATIONS

3. The Panel is asked to:
 - Acknowledge the effective partnership working between the Council and the Trust which supported the submission of the ACR on time and in accordance with the specified scope of the review;
 - Note the requests for amendment to the contract which have been made to the Secretary of State to :-
 - Agree the proposed change the timing of the Annual Contract Review process;
 - Agree the annual revised basket of performance indicators at local level;
 - Agree the proposed changes to the Governance and accountability of the monitoring plan.
 - Agree the proposed transfer of the Family support function from the Council to the Trust

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

4. The Overview and Scrutiny function has the potential to impact upon all of the Council's key objectives by holding decision makers to account, reviewing performance and developing policy. This is achieved through making robust recommendations, monitoring performance of Council and external partners and reviewing issues outside the remit of the Council that have an impact on the residents of the borough.

BACKGROUND AND CURRENT POSITION

5. The service delivery contract specifies that the Council and the Trust ('the Parties') shall carry out an Annual Review each contract year (excluding the final contract year) to assess, among other things, that the agreement is operating in the most satisfactory manner, whether the services are being delivered to the agreement standard and the contract sum payable by the Council to the Trust for the next contract year.
6. The review must be carried out in accordance with the prescribed timeline, which is that the review should commence no later than one calendar month following the expiry of twelve months from the service commencement date (that being 1 November 2015) and at subsequent anniversaries thereafter, and on or before 35 working days of that date report to the Secretary of State
7. The contract also specifies that the basket of performance indicators is reviewed annually and any proposals for change are notified to the Secretary of State
8. Any proposed changes to the substance and process prescribed within the contract are known as 'notifiable changes' and the Secretary of State is required to give her approval to any such changes. Any approval of these notifiable changes is communicated as a 'statutory direction'
9. The ACR is essentially a retrospective evaluation of the 12 months examining the progress which has been made at this stage in the improvement journey of the Trust in the preceding year, and looks forward to the outstanding challenges which the Trust faces over the next 12 months.
10. That retrospective review in 2015/16 acknowledges the progress the Trust has made over the last 12 months based on the Council's challenge mechanisms, including via its extensive and robust governance arrangements and the external evaluation provided by Ofsted in two monitoring visit reports and a number of peer challenges from, among others, the LGA and 'Achieving for Children' in respect of the 'dependency services' which include the Early Help 'offer' and the Virtual School.
11. Looking forward, the ACR recognises the outstanding risks and challenges facing the Trust, which include the continuing drive to embed quality of practice and manage demand pressures so that the contractual requirement to achieve a grading of 'Good or better' by October 2017 is achieved. Both parties have highlighted the financial pressures which each organisation faces and which impacts upon sustainability, and joint work will be carried out over the next year to provide assurance on this point.

PROPOSED CHANGES TO THE CONTRACT

Annual Contract Review process

12. Both parties have made a proposal to rationalise the Annual reporting process so as to provide more time and capacity to conduct what is an extensive and resource intensive process, with very specific contractual requirements placed on both parties as to the arrangement scheduling of the Annual Review meeting, preparation and review of documentation, exchange of documentation and further review meetings, and opportunities for amendments, points of disagreement and counter proposals.

The proposal is to amend this requirement to one of reporting to the Secretary of State by no later than 31st March in each year. which would more accurately correlate with the financial and operating systems in place and to which both parties are routinely accountable.

Contract Key Performance Indicators

13. The ACR process requires that a review of the current basket of performance indicators takes place each year, with the opportunity for revision for the following year of the contract.

The basket of performance measures is jointly reviewed by the parties as per the ACR process, but also as good practice, as this ensures currency and relevance against important stages within the child's journey through the social care and safeguarding system and the 'dependency services', where it is known that there are current pressures within that system. That review also challenges the existing targets and tolerances in the schedule of performance indicators, to reflect shifting performance by the Trust and shifts in performance against benchmark comparators.

In accordance with the requirement to continuously review the efficacy of the current basket of performance indicators, and as with the 2015 ACR, a number of changes have been proposed for approval by the Secretary of State.

14. In summary:

- 16 Measures have been retained. However, reporting methodology has been revised for 4 to ensure that measures are more focussed, targets and tolerances have been revised for 4 measures, based on analysis of year 2 trends and benchmarking against latest comparator data.
- 2 measures have been replaced with alternatives to extend their reach.
- 2 new measures are proposed to take into account the transfer of family support services. Definitions have not yet been finalised, as the service specification has not yet been signed off.

If approved, the new basket of measures will be reported within the Quarter 4 report. A schedule of the current and proposed indicators and revisions to targets and tolerances is attached at Appendix A.

15. Based on the parties' experience in operating the contract over the past 2 years, the further, more substantial proposal made is that the Secretary of State be requested to issue a direction that would amend the requirement for a notifiable change to be reported every year in relation to changes to the indicator set, and

that it be agreed that changes to KPIs are negotiated and agreed at local level on an annual basis without the requirement for a notifiable change.

The requirement placed within the contract to subject the PIs to annual review would be maintained, not least because this is good practice in reviewing the applicability of PIs and appropriateness of targets. However, the requirement to report the precise changes and seek authorisation from the Secretary of State would be removed

GOVERNANCE AND ACCOUNTABILITY FOR THE CONTRACT

16. The arrangements by which the Trust is held to account are extensive and far reaching – a point reaffirmed by Ofsted in its report on the arrangements for children in need of help and protection and children in care (September 2015).

The requirements specified in the contract (as amended) comprise:-

- A performance review meeting of operations and finance (separately) (monthly) and jointly on a quarterly basis;
- Quarterly monitoring meetings at a senior leadership level of both organisations jointly embracing finance, performance and Quality Assurance as a focus.
- A children's multi agency Improvement Partnership – the Performance Accountability Board, which is high level across the Children's Partnership and which is chaired by the Independent Chair of the Local Safeguarding Children's Board.
- A requirement placed upon the Director of Children's Services to report to the Scrutiny Committee on the Trust's performance four times per annum with the requirement for the Chief Executive of the Trust or his/her representative to attend to respond to that report.

17. In the ACR the parties voiced the opinion that the arrangements for monitoring the Trust have served their purpose well and have contributed to its improvement and pace of that improvement, not least evidencing good leadership, management and governance. However, given the more 'mature' stage in the development of the Trust in its improvement journey, and given the extensive commitment of capacity which the current arrangements require, both parties believe that it is appropriate to review the current arrangements and to rationalise these into a more proportionate model.

18. There are a range of possibilities for amending the reporting and meeting of contract compliance, but in the opinion of the two parties the two proposals which would ensure a robust but proportionate performance challenge and reporting framework, whilst ensuring effective management of risk are as follows: -

- To revert to the original contract specification, which is to maintain the monthly contract reporting from the Trust, but to amend the requirement to meet from monthly to quarterly. The caveat placed in the contract that either party may request a monthly meeting on an exception basis would be restored. There would be no amendment to the requirement for the monthly finance meetings to take place.
- To amend the reporting to the Children's Scrutiny Panel from four times per annum to three times per annum, one of which would incorporate an 'on –site' visit by members of the Children's Scrutiny Panel to the Trust;

These are the two proposals which will be made to the Secretary of State.

Transfer of the Family Support function

19. Both the Council and the Trust recognised early in 2016 that there was a fragmentation of services in relation to the family support function and a need to support and quicken the impact of the Trust's Intensive Family Support service working with children at the fringe of entering the care pathway. The effect of this change would be to deliver a more integrated delivery model, providing family support services and a comprehensive parenting programme in and through the children's centres. The service will focus on multi agency, Team around the Family activity and the development of a strong parenting training offer which is evidence based and tailored to family needs.

Next Steps

20. Since the submission of the ACR report, a scheduled meeting on funding arrangements with DfE representatives has taken place, during which the opportunity was taken to highlight the proposed aforementioned contract variations. DfE representatives were receptive to the idea of reviewing some of the contractual requirements and requested that a submission be made to the Minister by the end of February 2017, highlighting the recommended changes to the termly review of the contract; the basket of performance indicators and governance arrangements for monitoring the Trust.
- The Children's Scrutiny panel will be appraised as to the decision of the Secretary of State to these requests.

21. IMPACT ON COUNCIL'S KEY OBJECTIVES

Outcomes	Implications
All people in Doncaster benefit from a thriving and resilient economy: <ul style="list-style-type: none">• Mayoral priority – creating jobs and Housing• Mayoral priority: Be a strong voice for our veterans• Mayoral priority: protecting Doncaster's vital services	The Council and the Trust, as major partners in the Children and Families Partnership Board, share the Children's Plan outcome that all children should achieve their potential – in removing barriers and developing good quality service delivery children will be able to access the benefits of a thriving economy, and will themselves be participants in creating and sustaining the strength of the economy.
People live safe, healthy, active and independent lives: <ul style="list-style-type: none">• Mayoral priority: Safeguarding our Communities• Mayoral priority: Bringing down the cost of living	Ensuring children and young people are free and feel from harm are key ambitions of both the Council and the Trust.
People in Doncaster benefit from a high quality built and natural environment: <ul style="list-style-type: none">• Mayoral priority: creating jobs and Housing• Mayoral priority: Safeguarding our Communities• Mayoral priority: Bringing down the cost of living	Delivering against the service delivery contract between the Council and the Trust has clear implications for safeguarding communities, in reducing risk and exposure of risk to children; improved early help and thus better outcomes for families.

Working with our partners, we will provide strong leadership and governance	Ofsted, in its inspection report, commented favourably on the relationship and governance arrangements between the Council and the Trust, recognising that formal arrangements for monitoring and challenge exceed the requirements set out in the contract between the two organisations.
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RISKS AND ASSUMPTIONS

- 22..Adoption of the revised contract compliance and contract monitoring arrangements should have no material detriment for the reporting and assurance of services provided for children, young people and families in the Borough.

LEGAL IMPLICATIONS

23. Agreement by the Secretary of State to these proposals will ensure that the Council and the Trust continue to discharge their respective obligations under the terms of the service delivery contract between the two parties.

Continued reporting on the ACR process and the contract monitoring to the Scrutiny Panel enables the Panel to continue to be effective in meeting its remit to consider matters in the public interest.

FINANCIAL IMPLICATIONS

24. There are no financial implications directly arising from this report.

EQUALITY IMPLICATIONS

25. There are no equality implications directly arising from this report.

CONSULTATION

26. The Chief Executive of the Doncaster Children's Services Trust has been consulted on the content of this report.

ATTACHMENTS

27. Proposed schedule of performance indicators for year 3 of the contract.
(Appendix A)

CONTACT OFFICER AND REPORT AUTHOR

28. Paul Thorpe; Quality Assurance and Performance Manager, Commissioning and Business Development, Learning, Opportunities and Young People.
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BACKGROUND PAPERS

Service delivery contract between Doncaster Council and Doncaster Children's Services Trust

**Damian Allen, Director
Learning Opportunities and Skills (DCS)**

Appendix A

DCST Contractual Performance Measures

CONTRACT PERFORMANCE MEASURES						
BEFORE YR2 (CURRENT MEASURES)		Target	Toler- ance	AFTER YR3 (REVISED MEASURES)	Target	Toler- ance
A1	Percentage of Re-Referrals in last 12 months	<=24%	<=28%	Percentage of Re-Referrals in last 12 months	<=22%	<=28%
A2	Timeliness of Single Assessment (within 45 days)	>=92%	>=90%	Timeliness of Single Assessments (assessments completed by children’s social care services within 45 days)	>=90%	>=88%
A3	Percentage of monthly case file audits rated as ‘requires improvement’ or better	>=95%	>=90%	Percentage of monthly case file audits rated as ‘requires improvement’ or better (with graded bandings)	>=95%	>=90%
A4	Percentage of Child Protection visits in timescale where child was seen by their Social Worker	>=80%	>=75%	Percentage of Children Seen Within Appropriate Timescales (to include CIN, CPP, CiC)	TBD	TBD
A06	Percentage of children on a Child Protection plan for 2 years or more	<=3%	<=5%	Percentage of children on a Child Protection plan for 2 years or more	<=3%	<=5%
A8	Percentage of Children in Need with an open and current Plan	>=95%	>=90%	Percentage of Children in Need with an Appropriate and Current Plan in Place	>=95%	>=90%
A09	Percentage of children becoming the subject of a Child Protection plan for a second or subsequent time within a 2 year period	<=16%	<=20%	Percentage of children becoming the subject of a Child Protection plan for a second or subsequent time within a 2 year period	<=10%	<=16%
B8	Average length of care proceedings	<=26wks	<=30wks	Percentage of Care Proceedings on Track to be Completed within 26 weeks	>=90%	>=80%
B9	Stability of Placement of CiC: % length of placement >2yrs	>=70%	>=60%	Stability of Placement of CiC: % length of placement >2yrs	>=70%	>=60%
B10	Short Term Stability of Placement of CiC: % of 3+ moves in last 12 months	<=9%	<=12%	Short Term Stability of Placement of CiC: % of 3+ moves in last 12 months	<=9%	<=12%
B13	Percentage of Care Leavers in suitable accommodation (age 19-21yrs)	>=85%	>=80%	Percentage of Care Leavers in suitable accommodation (age 19-21yrs)	>=85%	>=80%
B14	Percentage of Care Leavers in Employment, Training, Education (age 19-21 yrs)	>=45%	>=40%	Percentage of Care Leavers in Employment, Training, Education (age 19-21 yrs)	>=48%	>=42%
C14	Percentage of frontline FTE posts covered by Agency Staff	<=8%	<=12%	Percentage of frontline FTE posts covered by Agency Staff	<=8%	<=12%
C15	Staff Turnover (Leavers in month expressed % of FTE)	-	-	Staff Turnover (Leavers in month expressed % of FTE)	TBD – with HR	TBD – with HR
C16	% Front line Staff Receiving Supervisions in Timescale in accordance with policy	>=90%	>=80%	% Front line Staff Receiving Supervisions in Timescale in accordance with policy	>=90%	>=80%
F01	Youth Offending Services - % Cohort Currently EET	>=75%	>=65%	% of cohort completing the order in an EET situation	>=75%	>=65%
F02	Youth Offending Services – Reoffending Rate after 12 mths	<=32%	<=40%	Youth Offending Services – Reoffending Rate after 12 mths	<=32%	<=40%
F03	Youth Offending Services – Custody Rates	<=0.42	<=0.75	Youth Offending Services – Custody Rates	<=0.42	<=0.75

