

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

**ANNUAL REPORT OF THE
DONCASTER CHILDREN'S SERVICES TRUST**

Relevant Cabinet Member(s)	Wards Affected	Key Decision
Councillor Nuala Fennelly Cabinet Member for Education and Skills and Lead Member for Children's Services	All	No

EXECUTIVE SUMMARY

1. It is a requirement arising from the Service Delivery Contract, that an Annual Report is submitted to the Secretary of State.
2. The format of the report has been approved by the Department for Education and it has been agreed for the Council to submit the Report by 29th January 2016.
3. Sign-off for the report has been agreed by both Council and Trust co-signatories to the Report.
4. Copies of the final reports will be circulated once these have been agreed by the Chief Executive of the Council.
5. Two of the agreed proposed changes to the Service Delivery Contract are 'Notifiable Changes' that will require approval from the Secretary of State to take formal effect.

EXEMPT REPORT

6. This is not an exempt report.

RECOMMENDATIONS

7. To note the Annual Report submitted to the Secretary of State.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER

8. The submission of an Annual Report to the Secretary of State is a requirement detailed within the Service Delivery Contract that was agreed with the Department for Education at the establishment of the Trust

BACKGROUND

Requirement to develop an Annual Report

9. The requirement to produce an Annual Report and for that report to be submitted to the Secretary of State for consideration is detailed within Schedule 3 of the Service Delivery Contract.
10. It is the responsibility of the Council to develop the Annual Report, and for the content of the final report to be agreed by the Trust. In the event of disagreement, the Council and the Trust would otherwise need to follow the agreed Dispute Resolution Process.
11. The Annual Report needs to include:
 - A summary of the Trust's performance against the Performance Indicators and budget in the preceding Contract Year;
 - a summary of any Changes to the Agreement agreed between the Parties during the preceding Contract Year pursuant to the Change Control Procedure;
 - confirmation in principle of the budget (subject to Council approval) that will be made available to the Trust by the Council for the next Contract Year;
 - a summary of the agreed strategic priorities and outcomes relevant to the Services in the next Contract Year, and in outline for the two (2) subsequent Contract Years;
 - a revised draft of the proposed Services Specification, Financial Mechanism and/or Performance Indicators (if applicable) for the next Contract Year and an explanation for the revisions included in that draft; and
 - any proposed changes to the Agreement as a result of the Annual Review.
12. The timeline for development of the Annual Report is also determined within the Schedule:
 - 4.1 The Council and the Trust shall conduct an Annual Review no later than one calendar month after the anniversary of the commencement of the Trust (that being 1st November 2015);

- 4.2 Within 20 Working Days of the Annual Review the Council shall provide to the Trust a draft written report;
- 4.3 Within 10 Working Days of receipt by the Trust of the Draft Annual Report, the Trust shall respond to the Council stating that it either:
 - Accepts the Draft Annual Report;
 - requires amendments; or
 - rejects the Draft Annual Report.
- 4.4 In the event of amendments being required or a rejection of the Report, within five Working Days of receipt of the Counter Notice by the Council to discuss the matter in good faith and to agree any required amendments to the Draft Annual Report; and that
- 4.5 Within five Working Days of such agreement, the Council shall submit the Final Annual Report to the Secretary of State for consideration stating whether the Trust has agreed to the content of the Final Annual Report or where it has been determined in accordance with the Dispute Resolution Procedure - identifying the amendments which the Trust required and the comments the Trust made and which were not accepted and the reasons for the Trust requiring such amendments and making such comments.

CURRENT PROGRESS

Annual Report Development and Submission to the Secretary of State

13. The Ofsted 'Inspection of services for children in need of help and protection, children looked after and care leavers' was conducted during the period 14th September to 8th October, with the final report published on 27th November 2015.
14. As a consequence, it was agreed, with the agreement of the Secretary of State, to defer the Annual Review and for the Annual Report to be submitted by 29th January 2016.
15. The Annual Review was conducted over a course of three meetings, with the final meeting being held on 16th December 2015. Consequently, it has been necessary to compress the timeline for development of the Annual Report from that stipulated within the Service Delivery Contract, and for the process of development to be that of co-production.
16. Noting that the Annual Report is the first of a Children's Services Trust within the country, there was no guidance or template to follow in regard to report content or expected level of detail. Following discussion with the Department for Education (DfE), it was agreed to submit both a detailed report, together with a brief summary report (the Abridged Report). The Abridged Report would indicate /annotate where to locate the corresponding paragraph(s) within the detailed report – this would allow the Secretary of State to easily find any

further detail that may be required within the substantive report. The team at the DfE would also use the substantive report to prepare notes for the Secretary of State.

17. The Annual Report and the Abridged Annual Report have been developed accordingly, based primarily upon reports that were presented across the three Annual Contract Review meetings that were held during November and December 2015, with not inconsiderable dialogue between the Council and the Trust to ensure agreed content.
18. Whilst the Reports are presented to the Secretary of State and signed by the Chief Executive of the Council, the reports list the following co-signatories:
 - Elected Mayor, DMBC
 - Lead Member for Children’s Services, DMBC
 - Director of Children’s Services, DMBC
 - Chair, DCST
 - Chief Executive, DCST
19. The Annual Report and the Abridged Annual Report were reviewed and the content agreed by the co-signatories, and accordingly submitted to the Secretary of State on 29th January 2015.

NEXT STEPS

20. The Annual Report details three proposed changes to the Service Delivery Contract, of which two are considered as ‘Notifiable Changes’.

- a. Performance Indicator Basket

Whilst agreement in principle has been reached by the Council and the Trust regarding the proposed Performance Indicator Basket, from one of the definitions of a ‘Notifiable Change’ (as detailed within the Service delivery Contract) is one that “could have a material impact on the Trust’s ability to comply with the Services Specification and/or the **Performance Indicators**”. Therefore, on a legal technicality, agreement to formally effect the change will be required from the Secretary of State. Upon approval, a Contract Variation will be developed for sign-off by the Council and the Trust at the following Quarterly Monitoring Performance Meeting.

- b. Children with Disabilities Service

The transfer of the Children With Disabilities (CWD) social work team and the Oaklands Short Break Unit to the Trust is also considered to be a ‘Notifiable Change’ as it “is inconsistent with the Purpose and/or the (existing) Directions”. To effect the service transfer, the Secretary of State is required to issue a further Statutory Direction. In the meanwhile, a CWD transfer project team has been established that will start to progress the necessary activities to prepare to transfer the service.

OPTIONS CONSIDERED

21. Not applicable

REASONS FOR RECOMMENDED OPTION

22. Not applicable

IMPACT ON THE COUNCIL'S KEY PRIORITIES

23.

	Outcomes	Implications
	<p>All people in Doncaster benefit from a thriving and resilient economy.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Creating Jobs and Housing</i> • <i>Mayoral Priority: Be a strong voice for our veterans</i> • <i>Mayoral Priority: Protecting Doncaster's vital services</i> 	<p>The Trust has been established with a mandate to continue delivering improvements in children's social care. The formal contract with DMBC details a requirement for future Ofsted inspection judgements to be:</p> <ul style="list-style-type: none"> - 'Requires improvement' or better by April 2016 - Good or better by October 2017 - And that overall the service should be Outstanding by October 2019 <p>The Contract with the Trust relates to the delivery of services to children in need of help and protection, and therefore has an implication for the priorities relating to safeguarding our communities.</p> <p>The Trust is also a key strategic partner in delivering children's services, and therefore an effective partnership is critical to improving outcomes for the Children and Young People of Doncaster.</p> <p>The Contract includes a budget for delivering services and therefore an expectation that the Trust will deliver value for money.</p>
	<p>People live safe, healthy, active and independent lives.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Safeguarding our Communities</i> • <i>Mayoral Priority: Bringing down the cost of living</i> 	
	<p>People in Doncaster benefit from a high quality built and natural environment.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Creating Jobs and Housing</i> • <i>Mayoral Priority: Safeguarding our Communities</i> • <i>Mayoral Priority: Bringing down the cost of living</i> 	
	<p>All families thrive.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Protecting Doncaster's vital services</i> 	

	Council services are modern and value for money.	
	Working with our partners we will provide strong leadership and governance.	

RISKS AND ASSUMPTIONS

24. There are no specific risks associated with this report

LEGAL IMPLICATIONS

25. In September 2014, the Secretary of State for Education issued a Direction transferring various children's services to Doncaster Children's Trust Limited ("the Trust"). Although the Trust performs Services on behalf of the Council, the legal powers and duties in relation to safeguarding children remain with the Council and court proceedings continue to be brought in the name of the Council.

26. On 30th September 2014, the Council entered into a contract with the Trust governing the provision of services by the Trust. The contract with the Trust contains various monitoring powers so that that the Council can assure itself that Services are being delivered correctly.

FINANCIAL IMPLICATIONS

27. Not applicable.

HUMAN RESOURCES IMPLICATIONS

28. Not applicable

TECHNOLOGY IMPLICATIONS

29. Not applicable

EQUALITY IMPLICATIONS

30. Not applicable

CONSULTATION

31. The Doncaster Children's Services Trust has been consulted in the development of this report.

BACKGROUND PAPERS

19. None.

REPORT AUTHOR

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