

11th July, 2016

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

Accountability arrangements for the Doncaster Children’s Services Trust

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 proposes a revision to the current arrangements for scrutiny of the Doncaster Children’s Services Trust.

EXEMPT INFORMATION

2. Not exempt.

RECOMMENDATIONS

3. The Panel is asked to:
 - i) Agree the revised proposals for scrutiny of the Doncaster Children’s Services Trust (‘the Trust’); and
 - ii) Agree that these arrangements be implemented with effect from the next meeting of the Children’s Overview and Scrutiny panel on 27th September, 2016.

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 current arrangements for holding the Trust to account are set out in the service delivery contract between the Council and the Trust, which states:-

...’The Council’s Director for children’s services (DCS) will report to the Council’s scrutiny committee four times per annum each contract year in respect of the Trusts’ s performance of its obligations under this agreement (including the provision of services).... Where required by the DCS the Trust’s Chief Executive (

or his nominee) shall attend such scrutiny committee to respond to any requests for additional information made by the scrutiny committee in respect of the Trust's performance of its obligations under this agreement (including the provision of the services) ‘

6. However, the practice which has evolved since the Trust was created is that the Chief Executive of the Trust attends and formally reports to the scrutiny committee four times per annum and is directly held to account across the generality of performance of its services. At the same time, Council representatives attend and comment as appropriate on that report.
7. It is recognised that the practice which has evolved does not fully meet the contractual expectations to effectively hold to account both the Council and the Trust and does not reflect the extensive levels of and manner by which the Council holds the Trust to account.
8. The current arrangements by which the Trust is held to account are set out below and the panel will note that these are extensive and far reaching:-
9. The Trust is contracted to deliver services as specified within the contract with the Council. Contract monitoring arrangements are in place through monthly, quarterly and annual reviews. Quarterly performance meetings (QPM) which review performance against contract as well as wider performance and quality issues are attended at Chief Executive level of both organisations, with lead Member for Children's Services and Chair of Trust Board in attendance.
10. In addition, monthly performance challenge meetings adopting the same remit take place between the respective Assistant Director for Commissioning and Opportunities and the Chief Operating Officer of the Trust supported by Heads of Service for performance improvement at both organisations. These meetings cover contract indicators and operational indicators and pick up on any trends, exceptions or "spikes" in performance which trigger a deeper dive analysis to look for reasons or focus in on where performance is outside exception. These meetings have an audit trail of detailed minutes in which evidence of challenge and response are provided.
11. The Council also produces a quarterly performance report in which the DCST contractual measures are incorporated. A Quality assurance (QA) framework is being developed which will capture performance improvement in the wider sense by building upon the work which has commenced for the performance management framework and including activities such as QA, complaints and customer voice audits and peer evaluations. A recent innovation is the inclusion of a thematic report on quality which is provided to each meeting of the QPM.
12. Other governance arrangements in place include:-

The Corporate Parenting Board, which meets at least 6 times per year, and is attended by cabinet members, senior managers from the Trust and the Council, carer representatives, the Clinical Commissioning Group, health providers and schools as well as receiving representation from children in care and care leavers.

A number of informal meetings also take place each month to assure continuous improvement; examples include meetings between the Trust Chief Executive and the Lead Member, Trust Chief Executive and the DCS, Heads of Service of Performance from the Trust and the Council, Finance leads from the Trust and the Council, Lead Member and Assistant Director, Commissioning and Opportunities.

13. In addition to specific contract and performance monitoring, the Trust's compliance with and progress against the post inspection Ofsted Improvement plan is overseen and monitored by three specific governance for a:-
 - At the strategic partnership level the newly established Multi Agency Performance Accountability Board (PAB) has assumed responsibility as the designated Improvement Board with responsibility for high level oversight of the Improvement journey.
 - At senior management level progress against the development of the draft Inspection plan has been continuously reviewed by the Joint Strategic Inspection Group (JSIG) which is a meeting comprising Trust and Council Assistant Directors and Heads of service for Performance Improvement. Highlight 'risk 'reports from both organisations are presented to the Joint Strategic Inspection Group for mutual challenge and a progress report is reported to each meeting of the PAB.
 - At an operational level, both Doncaster Children's Services Trust and DMBC hold weekly "Getting to Good" meetings, the purpose of which is to challenge and receive assurance that Heads of Service are updating and evidencing against the actions for their respective service area.
14. The Trust and Council are represented on the Local Safeguarding Children's Board by the DCS and Trust Chief Executive, the Trust's Chief Operating Officer and the Assistant Director for Commissioning in the Council. The Board receives monthly performance information across the full spectrum of safeguarding and social work, which includes, but is not confined to the performance of the Trust.
15. The current arrangements which have evolved for monitoring the Trust need to be sharpened and revised to avoid duplication with the monitoring arrangements which are already in place and described above. There is a recognised need to establish a 'whole system' focus in performance monitoring the Trust given the number of avenues where this activity currently takes place and a need for clarity of purpose. It is recognised by the Council that this monitoring needs to be appropriate and proportionate to respective remits and 'add value' to the accountability framework for Trust monitoring and with that in mind it is proposed that the current arrangements are revised.

16. Options for taking this forward are outlined below:-

OPTIONS CONSIDERED

17. Do nothing – would maintain current arrangements and perpetuate the current confusing, inefficient and ineffective practice in holding to account the Trust and is therefore, not recommended. .
18. Withdraw monitoring of the delivery of Social Care and Safeguarding services from the remit of the scrutiny committee – the grounds for so doing would be to recognise that this would provide capacity for the panel to challenge other areas of children’s activity and would streamline the current unsatisfactory arrangements. However, this option would remove the most important element of the accountability framework – that of the significant public interest scrutiny of a critical piece of children’s delivery in the Borough and fail to hold the Executive of the Council to account for its role as ‘commissioner’ of children’s safeguarding and social care services in accordance within the service delivery contract and moreover, would not discharge the Council’s obligations within the contract and is therefore not recommended.
19. Create a ‘split screen’ approach – by this arrangement there would be a two phased approach. In the first phase, the Council would be held to account for its monitoring of the Trust against the service delivery contract. Specifically, this would mean the Council would submit a report which the panel would review and question the DCS or his representatives. The second stage of this split screen would be that the Trust would be invited to respond to the Council’s report and the specific performance issues which this has raised. The end result would be that:-
 - The panel would achieve a much more rounded, but focused perspective, of Trust performance;
 - The obligations within the contract would be properly discharged;
 - The scrutiny panel would ‘add value’ to the accountability process and would not duplicate, or overlap, with existing arrangements;
 - The panel would more clearly be able to identify areas of underperformance, the reasons for that under performance and request ‘exception’ or ‘deep dive’ reports, so as to become better appraised of the performance issues facing the Trust.
20. In recognition of the above points it is recommended that the split screen approach (Paragraph 19) should be adopted.

IMPACT ON COUNCIL'S KEY OBJECTIVES

21.

	Outcomes	Implications
	<p>All people in Doncaster benefit from a thriving and resilient economy:</p> <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 	<p>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.</p>
	<p>People live safe, healthy, active and independent lives:</p> <ul style="list-style-type: none"> • Mayoral priority: Safeguarding our communities • Mayoral priority: Bringing down the cost of living 	<p>Ensuring children and young people are free and feel from harm are key ambitions of both the Council and the Trust.</p>
	<p>People in Doncaster benefit from a high quality built and natural environment:</p> <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 	<p>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.</p>
	<p>Working with our partners we will provide strong leadership and governance</p>	<p>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.</p>

RISKS AND ASSUMPTIONS

23. Adopting the split screen approach, should further reduce the risk of underperformance leading to a material detriment for children young people and families in the Borough.

LEGAL IMPLICATIONS

24. Adoption of the split screen approach will enable the Council and the Trust to discharge their respective obligations under the terms of the service delivery contract between the two parties.
25. Adoption of the recommended option will enable the scrutiny panel to more effectively meet its remit to consider matters in the public interest.

FINANCIAL IMPLICATIONS

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

EQUALITY IMPLICATIONS

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

CONSULTATION

28. The Chief Executive of the Trust has been consulted on the content of this report.

CONTACT OFFICER AND REPORT AUTHOR

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Background Papers

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

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