

<u>KEY DECISION</u> No
<u>DATE FIRST PUBLISHED</u> N/A

LOCAL TEST OF ASSURANCE – CHIEF EXECUTIVE’S OPINION

WARDS AFFECTED

All

EXEMPT/CONFIDENTIAL ITEM

NO

1. PROPOSED DECISION

- 1.1 To note the Chief Executive’s view that the local assurance test, necessary when undertaking a change of structure in Children’s Services, is currently being met.

2. RATIONALE FOR THE DECISION

- 2.1 On 19 November 2015 the Chief Executive took a paper to Council to restructure the Corporate Structure of Council. This included the creation of a People’s Services Department bringing the functions of Children and Young People’s Services and Adult Social Care and Health together. The paper outlined the requirement on the new Strategic Director to subsequently review and restructure their department appropriately.
- 2.2 The creation of a People’s Service Department required a ring-fencing of the new Strategic Director role for two individuals. The Director of Children’s and Young People’s Services chose not to apply for the new position – however, the full appointment process was still undertaken and the Director of Adult Social Care and Health was appointed Strategic Director, People’s Services.
- 2.3 Preceding the changes the Chief Executive had sought external advice on what requirements existed on him as Head of Paid Service and also on Council in making such changes. The key element of that advice was that a ‘local test of assurance’ would be required.
- 2.4 A local test of assurance requirement exists in the Statutory Guidance on roles and responsibilities of the Director of Children’s Services and Lead

Member Children's Services'. The purpose for the test is to check that the focus on outcomes for children is not diluted by any changes made.

2.5 Interview questions for the Strategic Director role were tailored to include how assurance (especially in Children's Services) could be achieved and the successful candidate, when appointed, was made aware that there was a need for a local assurance test to be undertaken. The requirement for the test was also discussed with the Lead Member for Children's Services and the Chair of the Local Safeguarding Children's Board over subsequent months. For clarity, the roles in this regard are:

- The Chief Executive as Head of Paid Services has a responsibility to ensure the Council undertakes its statutory functions in this area, although much of this sits with the Director of Peoples Services as the Statutory named officer. The Chief Executive therefore has to be *assured* the statutory responsibilities are being undertaken. The Chief Executive also appoints a Chair of the Local Children's Safeguarding Board who has the responsibilities below.
- The Lead Member has political responsibility for the Leadership, Strategy and Effectiveness for Local Authority Children's Services. Additionally, as Political Lead there is an oversight responsibility over what partners undertake in keeping children safe within the Borough.
- The statutory role of Director Children's Services (held by the Strategic Director of People's Services) has professional responsibilities aligned with those of the Lead Member and is also responsible for the performance of Council functions for Children's Social Care and Education and ensuring effective systems are in place to discharge those functions.
- Safeguarding is everyone's responsibility. The Local Children's Safeguarding Board Chair should be Independent so they can hold all Agencies to Account in ensuring Safeguarding is being undertaken – the Head of Paid Service (with support of the Lead Member) will hold to account the Chair for the effective working of the LSCB. The LSCB therefore acts as a multi-agency assurance mechanism for keeping children safe – the LSCB Chair was informed of the need for an assurance test in that role.

2.6 Regular meetings take place between the four role holders above to ensure assurance within the system. This includes an opportunity for the Chair of the LSCB to meet with the Chief Executive on a one to one basis.

2.7 A challenge exists as regards timing of an assurance test. It was the Chief Executive's view that the Test should be a 'live' process completed over the months following the change to the Council's structure rather than at a fixed point as it would be necessary for the incoming Strategic Director to assess, form a view, and determine ways forward the Department. It was the Chief Executives view that it was impractical to

undertake an assurance test to be carried out at the point of the change as it is the revised structure and approach when implemented, that would need testing.

Process for the local test

2.8 The process of the test was to be as follows:

- The new Strategic Director would assess the Department and would share their views on the performance of the Department and required assurance mechanisms with the Chief Executive and also, with the Lead Member
- In reviewing the Department the Strategic Director would propose a new structure including changes to provide more assurance
- That a paper would be brought to Cabinet indicating a way forward for the combined People's Service Department and that this would include considerations that would form the basis of an assurance test
- That Cabinet would receive regular updates and also, Scrutiny be asked to consider arrangements
- That this as a process would represent the test which would be an on-going, live process continuously seeking improvement and delivering assurance

2.9 The processes above would be regularly discussed at meetings between the CEX, Strategic Director, Lead Member and Chair of the LSCB.

2.10 At the March 30 meeting of Cabinet, a report titled 'People's Services Department – Demonstrating Assurance and Effectiveness' was discussed. That paper outlined the statutory requirements of the Council in Children's and Adults Services and the actions being taken by the Strategic Director of Peoples Services to deliver assurance including the creation of a new structure for the combined Department. The paper went on to outline the various aspects of assurance required including clarity about senior management arrangements, accountability for people's service functions and responsibilities before outlining steps to be taken and areas where change was required. The paper was presented by the Lead Member who had been actively involved in the papers production.

2.11 This paper represents a key component of the assurance test in that it outlines what changes are underway to make sure Children are safe under the Council's care and under the new structure.

2.12 Following the meeting the Chief Executive wrote to the Strategic Director thanking him for the work undertaken and stating that in his opinion he was 'confident the changes being implemented meets what is necessary of a local assurance test' and that this was in no small part down to the commitment and work of the Strategic Director.

- 2.13 The correspondence also commented on the need to improve the 'culture' required to further improve performance and have greater effectiveness in the Department and that Members had recognised their key role in driving forward a culture of constructive challenge. Evidence from high performing Councils is that this culture, with an emphasis on being up-stream of problems and costs is a best practice way forward and this is part of the implementation process now.
- 2.14 On May 25 2016 Cabinet received and considered a further Paper titled 'Revised Approach to Children's Services and Departmental Priorities'. This report responded to the issues identified in the previous Cabinet report and addressed a number of issues expressed by the Strategic Director to the Chief Executive.
- 2.15 The paper specifically identified some of the culture change required within the Department and how the five divisions of the new Department will contribute to the Department's priorities. It also outlined the requirement to invest in the Service from the Service Modernisation Fund to achieve the scale of change required.
- 2.16 This, as with the previously referenced papers taken to Cabinet represents a further key element of the overall test of assurance.
- 2.17 In June 2016, the Strategic Director held a series of away day sessions which articulated the new approach to Senior Staff and also cascaded some of the '2020 Vision' requirements for the Council and how they will be specifically applied – in management and in cultural terms – within the Department going forward. Again, this is a demonstration of the changes being delivered in approach within the Department and should be considered as further evidence of the assurance test being met.
- 2.18 Finally, Cabinet received papers at it's meeting on July 20 2016 with regard the restructuring of the Children's Safeguarding Unit and also, the Council response to a Serious Case Review. These papers were considered as exempt from publication due to their content and in the case of the Serious Case Review, the possible negative impact on the children concerned.
- 2.19 As regards the Serious Care Review, Members of Cabinet expressed their concerns as regards the events that had occurred during the period covered by the review (2013/14). There were also concerns about how the review had been handled by the Department at the time the issues came to light.
- 2.20 The position stated by the Chief Executive was that he is confident that such a matter would be dealt with very differently given the changes that have occurred in the Department and assured Cabinet, and in particular the Lead Member, that such would be the case. Again, the assurance test process is such that the response of the Council since January 2016, and the subsequent Action Plan, act as an assurance of the new approach to be taken when such incidents occur.

Chief Executives opinion on the test of local assurance

- 2.21 In summary, a whole series of Reports and actions together demonstrate the significant change of approach in Children's Services since the start of 2016 under the Leadership of a new Strategic Director.
- 2.22 This is a change in approach to how the Children and Young People's Services are managed compared to a year ago which should not be under-estimated by members. The approach will be to focus on priorities, improve workforce training and development, and make investments to be up-stream of costs and demand; the Borough has one of the highest Children Looked After rates in the Country as an example and there is a need to continue to invest in the changed approach so we are upstream of an issue such as this rather than assuming existing resources can be stretched to manage the quantity of children looked after.
- 2.23 The series of Papers brought to Cabinet, combined with the demonstrable change in approach within the Department mean that the Chief Executive's opinion is that the assurance test is being met and will continue to be met through the regular reporting of progress to Council.
- 2.24 The situation now, just eight months on from the appointment of the Strategic Director and effective merger of the Children's and Adults Departments is, in the Chief Executives opinion, improved. The restructuring and recognition of a need for cultural change is welcome as is the pace of implementation. The role being played by the Strategic Director has been critical to this and he deserves significant credit. Alongside this, the Lead Member has also played an active role working with the Department on the change required.
- 2.25 However, this is a process of ongoing improvement and the test should be seen as continuous. Therefore, continued reporting to Cabinet will highlight any issues and Members of Cabinet will be in a position to challenge. Continuous opportunities to challenge are provided through meetings between the Lead Member and Lead officers and through the regular meetings of the Strategic Director People's Service, Chief Executive, Lead Member and Chair of the LSCB. A culture of openness, challenge and improvement should be welcomed by all.

Mike Palin
Chief Executive

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