

# LONDON BOROUGH OF BRENT

**MEETING OF THE EXECUTIVE  
13 DECEMBER 2004**

## Report from the Chief Executive

For action and information

Wards affected: All

**Report Title:      Establishing a new Children and Families  
Department for Brent**

Forward Plan Ref: CE-04/05-02

### **1.0      Summary**

- 1.1      At its meeting on 26 April 2004, the Executive endorsed the main principles of the Children Bill; agreed a range of specific implementation measures; and approved an approach of 'maximum integration with minimum organisational disruption' in applying the Bill to Brent. The Bill received Royal Assent on the 15<sup>th</sup> November 2004, and is referred to as the Children Act in the remainder of this report.
- 1.2      This report gives an update on progress made to date, and outlines the options considered for implementing the Children Act in Brent. More specifically it proposes the establishment of a new Children and Families Department, headed by a statutory Director of Children and Families, to achieve better service delivery, and to meet the requirements of the Children Act.
- 1.3      It also briefly identifies those non children's services which will be affected by the new arrangements. These other services will be subject to further review in a separate paper to be produced by the Chief Executive for the Executive February 2005.

### **2.0      Recommendations**

- 2.1      The Executive is recommended to:
- (i)      Consider the options laid out in this report

- (ii) Agree in principle to proceed with the proposals to establish a Children and Families Department in Brent, (Option 4) within the timescales laid out in this report, but subject to consultation with staff and unions as appropriate.
- (iii) Receive from the Chief Executive a further report in February 2005, on the outcomes of the consultation exercise, and with the final recommendations on the new Children and Families Department.
- (iv) Instruct the Chief Executive to present a report outlining the structural implications concerning non children's services which will lie outside this new department.
- (v) Agree subject to consultation, to bring forward the appointment of a Director of Children and Families by May 2005, and to note that the appointment will be made by an Appointments Sub-Committee.
- (vi) Confirm their decision to appoint a Lead Member for Children and Families at the Council's Annual Meeting in May 2005.
- (vii) Agree that at this stage the Council will not opt to set up a Children's Trust but continue instead to develop comprehensive inter-agency partnership arrangements as laid out in this report.

### **3.0 Detail**

- 3.1 The Children Act represents the biggest reorganisation of children's services in England for 30 years. It proposes a number of wide ranging measures to improve the coordination of child protection and overarching universal services to children within an ambitious whole systems approach.
- 3.2 Despite some concerns, the Act has been broadly welcomed. The main measures are laid out below. However, it is the statutory requirement for a Director of Children's Services which will fundamentally drive the structure we need to adopt. This report explains why, having considered various options, the creation of a new Department for Children and Families is preferred. In particular, the high degree of personal accountability involved means that the Director cannot possibly operate in a vacuum of unclear or undefined responsibilities, as some of the other structural models appear to imply.

### **4.0 The Children Act in outline**

- 4.1 The philosophy behind the Act advocates a fundamental shift in thinking, away from services delivered within traditional organisational arrangements, often based on crisis intervention, to redesigning more *universal* services to fit user needs, with a focus on a single point of

access. There are radical plans to locate services in schools and the community, involving partners and the voluntary sector at more strategic levels, and to restructure children's services with a greater emphasis on *prevention* and early identification of potentially 'vulnerable' children.

- 4.2 The Act will impact different groups of children in different ways. For example, responsibilities towards children with Statements of Special Educational Needs, and Looked After Children will go beyond statutory school leaving age.
- 4.3 The government's Green Paper 'Every Child Matters' which preceded the Act, has highlighted five key outcomes for children to be achieved. They are; being healthy, staying safe, enjoying and achieving, making a positive contribution and economic well being.
- 4.4 The National Service Framework released by the Department of Health, has identified eleven standards around the following: Promoting health and well being, identifying needs and intervening early, supporting parents or carers, child, young person and family centred services, growing up into adulthood, safeguarding and promoting the welfare of children and young people, children and young people who are ill, children in hospital disabled children and young people and those with complex health needs, the mental health and psychological well-being of children and young people, medicines management for children and maternity services. These will be the mechanism by which the health service will support the delivery of the five key outcomes for children.

The main measures of the Children Act include:

- An independent Children's Commissioner for England to protect the rights of all children and young people, ensuring that all national and local government policy takes account of their best interests. The Commissioner will be able to investigate cases of abuse and neglect.
- Directors of Children's Services will take strategic responsibility for local authority education and children's social services.
- New duties on local agencies to work together to improve the well - being of children and young people. Well being covers physical and mental health, protection from harm and neglect, education and training and contribution to society and social and economic well - being. Pooled funds may be established to achieve this.
- Children's services authorities must promote cooperation between partners. The Act allows for flexible organisational arrangements at local level. It is anticipated that the DfES guidance to accompany the Act will encourage all areas to have a partnership known as a Children's Trust by 2008.

- New duties on 'partner agencies' to safeguard and promote the welfare of children. Local agencies must ensure that any body providing services on their behalf do the same, the purpose being to ensure the provision of information sharing and early preventative action. Specified partners include Children's Services authorities, Police, Probation, Strategic Health Authorities and PCT's, NHS Trusts, Youth Offending Teams, Prison Governors, Secure training centres. Connexions and the Learning and Skills Council
- Statutory New Local Safeguarding Children Boards will replace non statutory Area Child Protection Committees, with statutory 'Board Partner' membership. Statutory powers will ensure social services, the NHS, education, the police and other services work together to protect vulnerable children in an effective way.
- A system to index and track England's estimated 3-4 million 'vulnerable' children is likely to be put in place, to identify early children with additional needs, particularly through universal services such as education and health. An electronic file will include their name, address, date of birth, school and GP, contact details for any other practitioners involved, and any indicators of concern.
- Lead councillors for children's services will take political responsibility for local child welfare.
- Ofsted will develop a new approach to inspection, via a joint inspection framework known as Joint Area Reviews for children's services, involving the Commission for Social Care Inspection, the Commission for Healthcare Audit and Inspection, the Audit Commission, the Chief Inspector of Constabulary. The new inspections will judge authorities on how well all services are integrated and working together to improve outcomes for local children's lives.
- New powers to intervene in children's social services where the quality of care has fallen below minimum standards.
- The registration of private foster parents by local authorities to ensure they are suitable carers.

## **5.0 The Director of Children's Services**

- 5.1 The Children Act recommends the appointment of a Director of Children's Services by 2006; it is likely to become a statutory requirement by 2008. The ministerial expectation of Directors of Children's Services is high. They will have strategic responsibility for local children's health, education and social services. Although there is some flexibility in how authorities construct the Director's role, the intention behind the legislation is to create Directors at Chief Officer or Deputy Chief Executive level.

- 5.2 This Director would be expected to lead transformational change across local services. Further guidance to be published in early 2005 will highlight the role that the government expects the Director to play, but they will have increased involvement in commissioning, and a very high degree of personal accountability.
- 5.3 The Government's 'Next Steps' paper which followed on from the Green Paper 'Every Child Matters' indicated that the Director might chair the new statutory partnership arrangements required by the Act. These will provide the basis for integrated planning and commissioning of children's services through local partnerships, such as Children's Trusts or Children and Young Peoples Strategic Partnership Boards. They will also have overall authority for their Local Safeguarding Children Board. 'Next Steps' does make clear that authorities are free to decide at local level whether to add adult education and adult social services, housing, leisure or other services to the Director's brief.
- 5.4 Within the desire to operate to the principle of 'maximum integration' the Council has been committed to pursuing the best possible means of integrating services. Officers have therefore been aiming to achieve 'minimum organisational disruption', but it is becoming increasingly clear that the statutory requirements currently set out in the Act mean that it will be difficult to avoid a significant structural change.
- 5.5 The primary reason for this is that the statutory requirement for the post of Director of Children's Services, brings with it pressures around the organisation and structure of services. The high degree of personal accountability assigned to this post means that it is important that a well- defined role with clear boundaries of responsibility is established. This will enable the new Director to carry out their role effectively.
- 5.6 Whatever option is agreed, it will be necessary to implement changes as soon as possible in order to ensure that the Council is well placed to respond to the other parts of the Act now that it has received Royal Assent. It is important to minimise uncertainty for staff, and to provide maximum clarity. In addition, the Joint Area Review inspections early next year will judge the Council on how far we are progressing towards integration. This will also have a significant influence on the Council's Comprehensive Performance Assessment (CPA) Score in December 2005.

## **6.0 Options considered for Brent**

- 6.1 Following wide consultation on the Act, the government has adopted a far less prescriptive approach than originally intended, and is now allowing structural arrangements to remain flexible and locally determined. This is reflected by the wide range of different models of provision emerging across the country.

6.2 Consideration has been given to a number of possible models of provision which might have applied well to Brent, following the principle of 'maximum integration with minimum disruption' but with the main principle being to find the best possible arrangements for effective service delivery to Brent children and young people.

### 6.3 Option 1. A Children's Trust

6.4 The government guidance on arrangements for Children's Trusts has moved from an initially highly prescriptive approach for a quasi legal entity, to current recommendations based on five key principles that Trusts should embody. These are;

- The establishment across education, health and social services of locally agreed outcomes for children and their families;
- Evidence that at a strategic level, the views of children, young people, the voluntary and community sector are being listened to and acted upon;
- Joint planning on workforce issues;
- The creation of multi-disciplinary teams, co-location of services operating within an appropriate community base;
- Evidence of strategic joint assessment of needs, and operational joint commissioning of services, and sharing information resources and pooling budgets to support joint commissioning.

6.5 There are currently 35 government sponsored Children's Trust 'pathfinders' under development across England. They are seen as a key organisational vehicle to achieving the five main outcomes outlined in the Green Paper 'Every Child Matters' which preceded the Act. Trusts have been cited in government guidance *preceding* the Act, as the preferred model for integrating services within a single organisational focus. (The guidance which accompanies the Act and what is said about Children's Trusts has not yet been released.)

6.6 The benefits of this model are that Trusts appear to promote flexible arrangements at local level, and most have taken the time to develop very slowly and organically alongside consultation with partners and other stakeholders. This has facilitated a broad base of support. However, there are some difficulties with the model.

6.7 The model lacks clarity, illustrated by the variants emerging across England, ranging from small Children's Trusts restricted to a minimal number of services such as children with disabilities, to broader scale integration which include all services to children. Some of the more limited Trusts may run the risk that they are not exploring the breadth of integration possibilities the government is seeking to achieve. In addition, because the Trust is not a clearly defined legal entity, there are difficulties with blurred boundaries regarding roles and responsibilities of partners and stakeholders. For areas such as child protection, this is potentially problematic.

- 6.8 The pathfinders, and many others choosing the Trust model, began the process towards this partnership arrangement between one and two years ago. Brent will need some clear arrangements in place by June 2005 in time for the first wave of Joint Area Reviews. A formal trust arrangement would not be achievable within this timescale. There are also some concerns around the large Trusts which attempt more ambitious forms of partnership working which may risk consuming inordinate amounts of managerial time to set up with a consequent loss of focus on core business.
- 6.9 Brent has a long history of partnership working and much is in place already, for children's services. The proposed Children's Partnership Board currently being developed will in time meet the 'principles' criteria laid out in the guidance. It will be a key mechanism for developing services with our partners. It is also important, particularly where the promotion of wellbeing and safeguarding of children is concerned, that the council retains significant influence over service design and delivery that it will ultimately be held accountable for. We will need to take a view in due course as to whether a more formal Children's Trust approach will be necessary or appropriate in Brent, but for the time being, the proposed Children's Partnership Board will take on this role. Officers recommend that there will be no formal separate legal entity at this time.
- 6.10 Option 2. Knowsley (The minimal integration model)**
- 6.11 A considerable amount of interest has been generated nationally by the Knowsley model, which has been publicised as adopting a 'minimal integration' stance allowing it to keep two separate directorates for Social Services and Education, Arts and Libraries (each still retaining its own children's teams). Closer examination has revealed they are in fact pursuing a high degree of integration.
- 6.12 Knowsley, for the last few years, has pursued a radical agenda of integrating front line services across the PCT and Social Services based on user needs, championed and driven forward by the Chief Executive. This occurred long before the stimulus of the Children Act. A significant number of health staff now work across social care teams to develop services for children. Although the PCT and Social Services remain essentially two separate organisations, the pursuit of integration has culminated in the appointment of the former Director of Social Services to a joint post as 'Chief Executive for Health and Social Care'. There are ambitious plans to develop new types of health and social care professionals with Liverpool University.
- 6.13 To implement the Children Act, a Children and Young Persons Strategic Partnership (CYPSP) has been established, chaired by the Director of Education. It has representation from both departments to develop multi -agency working between the Directorates, and external

partner agencies. Pooled funds are planned via area based partnerships and development of services within schools. The lessons and expertise learnt from the front line integration of Social Services with Health, are now being applied to Children's Services.

- 6.14 There are clear benefits with this approach. There is less upheaval for staff; the focus is maintained on service delivery; there is time to ensure staff and stakeholders buy in, and develop the process. However, the statutory requirement for a Director of Children's Services means that in the medium term it may not be possible to keep the children's services separate within Education and Social Services, and that a clear and coherent structure for children's services will probably need to be established at some point.

### **6.15 Option 3. Bolton (The virtual integration model)**

- 6.16 Bolton is an excellent CPA rated authority with a three star Social Services department. Interest has been generated by their 'virtual integration' model, their retention of separate directorates for Education and Social Services, and the fact that Social Service Inspectorate reports have continually highlighted their successful integrated working.
- 6.17 Like Knowsley, Bolton has been pursuing a radical integration agenda for a considerable time, for certain services. Seven years ago Bolton developed its own 'Child Concern' model which developed mechanisms to pick up different levels of child vulnerability at various stages. This acted as a catalyst for a number of developments promoting multidisciplinary teams, multi agency working, and secondments across the council. Joint working is now well embedded at many levels across the Council, and they have clearly demonstrated success at integrated working.
- 6.18 To implement the Children Act (similar to Knowsley) a Children and Young Persons Strategic Partnership has been established to engage with partner agencies and develop cross agency working further, while a Children's Integration Group looks at further opportunities to develop joint working via an incremental approach. The CYPSP will evolve into a Children's Trust initially focusing on Children with Disabilities. The role of the Director of Children's Services is being perceived and developed around joint commissioning. The definition around the Director's exact sphere of responsibility is acknowledged as an issue yet to be resolved.
- 6.19 It remains to be seen whether in either of these authorities the directorates will still be able to retain their separate children's functions structurally in the long term, once the appointment of a Director of Children's Services is established. While government guidance has encouraged authorities to focus on outcomes more than structures, the statutory requirement to appoint a Director of Children's Services brings with it additional pressures described earlier, around design and



structures of services, which many authorities acknowledge they have yet to resolve.

## **6.20 Option 4. A Children and Families Department for Brent**

### **6.21 The Rationale**

6.22 If children and young people are our future, as a Council we have a responsibility to support them in securing that future. This means being concerned about them as people and building our services from their perspective rather than ours. Bringing children's education and social services together in one council department will help us to achieve this.

6.23 It has clearly emerged from visits and discussions, that co-location, facilitating multi-agency working, and staff working across disciplines in close geographical and managerial proximity to one another, can yield unparalleled benefits in breaking down professional boundaries and generating the means of pursuing integrated forms of working. If we are really committed to designing services around the child, we should not expect them to travel between different organisations.

6.24 The welfare of children depends on the welfare of families. Strong families produce stronger, healthier, happier children, hence the need for this department to identify and structure itself around people rather than institutions, as reflected in the proposed department title.

6.25 In addition, as outlined earlier in this report, the post of Director of Children and Families (which will be the statutory Director of Children's Services) brings a strong directive towards this model. A Director with high personal accountability for children's services requires the clear definition of responsibility and access to powers and resources that a department would bring.

6.26 Officers therefore recommend this option, as the best possible choice for Brent, subject to consultation with staff and others. A new department for children and families would have overall responsibility for children's welfare, education and development from birth to adulthood.

6.27 Around 60 % of authorities have already, or plan to merge their children's social care and education functions. Some of these authorities' arrangements beneath their Director of Children's Services do not initially appear very different to previous functions, and we should avoid implementing structural changes which do not genuinely impact on frontline service delivery. It is clear that restructuring in and of itself is not necessarily a solution to integrated working. It can run the risk of creating new boundaries, create uncertainty for staff and the loss of focus on core business during implementation to which we must pay careful attention. We must also ensure the links between children's services and adult social services remain strong. Although we have

little choice than to engage in significant structural change, we should now make maximum opportunity out of this necessity and implement the new arrangement as quickly as is practicable.

## **6.28 An opportunity for innovation**

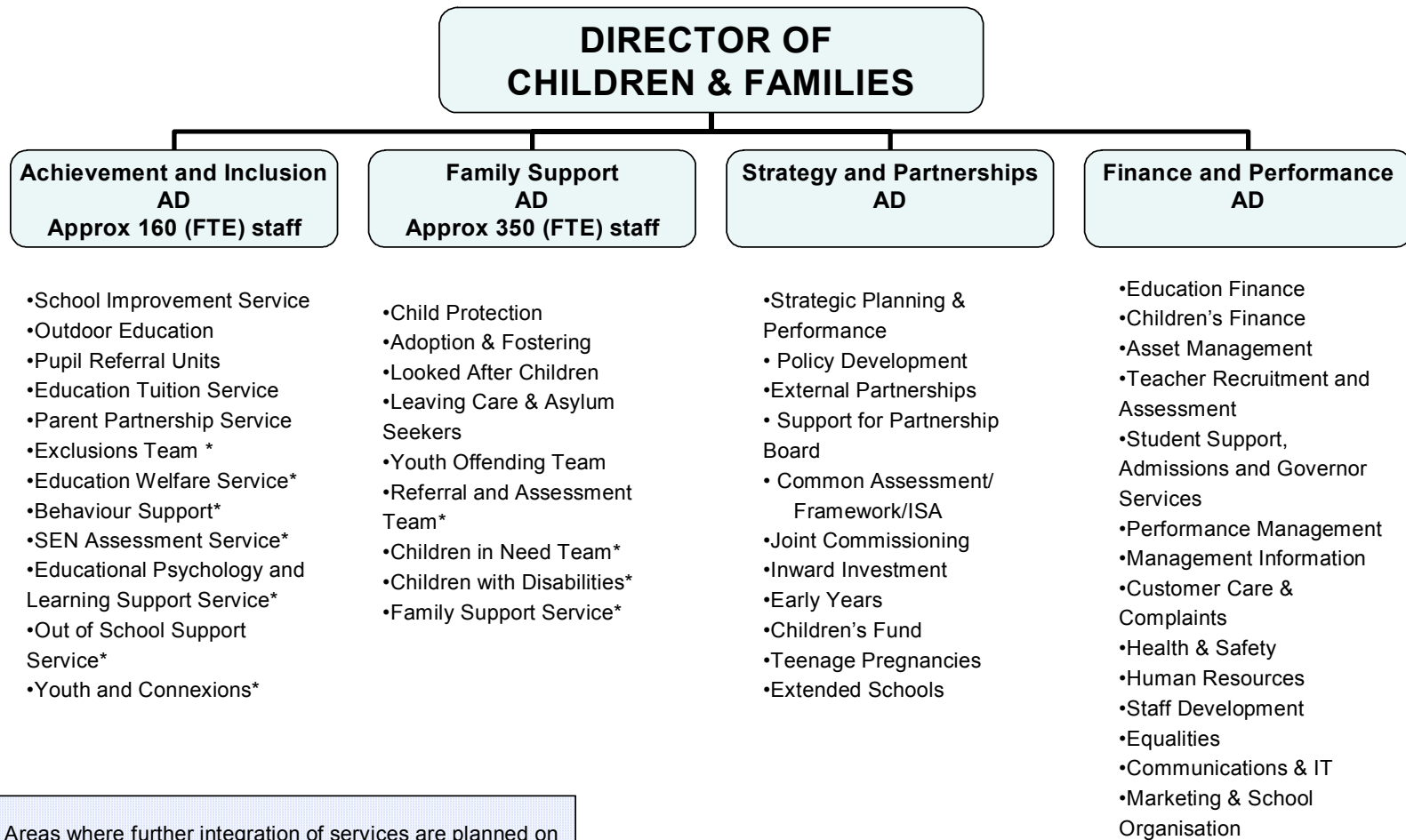
- 6.29 Children and young people have a right to expect us as a council to safeguard their safety and welfare, their educational chances and their personal development and leisure needs. They also have the right to be listened to and to be consulted about the issues that concern them, and especially about the services we provide for them. The new department will have these rights at the centre of its vision.
- 6.30 The aim will ultimately be to build our services around the child, rather than to expect the child to fit in with the way we currently deliver services.
- 6.31 The new department will not be a merger of two existing departments. It would be the construction of a new department with a powerful commitment to the welfare of children and families in Brent. In bringing different professional strands together, the new department will seek to embody innovative ways of working, by forging new professional alliances. By putting the emphasis on joined up working at local level, it will seek to reduce bureaucracy and remove duplication of effort. This will not only enable limited resources to go further, but will make more sense to the children and young people, their families, and other professionals in the system. Ultimately, it should ensure that children are safer and better supported than they have been.
- 6.32 The new department will seek to engender a more effective service culture both internally and among its partners via the multi-agency Children's Partnership Board. Many schools already share this vision, and the new department will work with them to build on and improve existing arrangements. Likewise many groups in the voluntary and community sector, as well as other statutory agencies, will respond positively to the lead that the new department will aim to provide. Key principles underpinning the new department would include:
- Developing a strong customer focus in all of our services for children, including schools
  - Listening to children and young people regularly and working with them to design programmes and strategies which best serve their interests
  - Involving council staff and other professionals in the design and delivery of more integrated ways of working, such as building multi professional teams to work across existing disciplines in new and innovative ways, and reshaping services around children's needs rather than traditional service boundaries

- Putting children's safety, health and welfare as our highest priority, and placing the emphasis on early prevention as the best way of avoiding long term problems
- Developing a single framework for referral and assessment of need, information sharing systems, single case management arrangements, and clear lines of responsibility for care plans across different professional groups
- Continuing to encourage the highest standards from educational providers, and supporting them in their work
- Providing better quality social and recreational activities, which will support young people's broader development and learning
- Setting high standards for service performance and quality, and monitoring those standards rigorously
- Building effective partnerships with other agencies, in order to improve the quality and coherence of services

6.33 A considerable amount of work towards more integrated service provision is already underway. The description below outlines what the proposed Children and Families Department might look like, although the arrangements will evolve over time as staff develop and pilot new ways of working. Approximate staff numbers are listed below, but these will be subject to further refinement in future reports.

# CHILDREN AND FAMILIES DEPARTMENT

## Draft Organisational Chart



\* Areas where further integration of services are planned on a phased implementation over the next 18 months.

## **7.0 The New Children and Families Department**

- 7.1 The proposed new Department will hold the corporate lead on Children and Young People's issues across the Council and have an approximate budget of £175m. It is estimated that about 635 staff will be located in the new Department. These are initial figures and do not take into account the impact of re-configuring services or potential growth. The Department will be made up of four Divisions: Achievement & Inclusion; Family Support; Strategy and Partnerships; and Finance & Performance.
- 7.2 The Achievement & Inclusion and Family Support divisions would contain all the front line services which support children and families. These would be largely based on the existing Children's Services Division (Social Services Department) and the existing Achievement & Inclusion Division (Education, Arts & Libraries) respectively. Initial discussions about the realignment of children's services from other sectors, particularly health, have already started. However, these need to be advanced further, and within an overarching strategic framework focused on delivering improved outcomes for children and young people. Similarly, we need to actively engage colleagues from across the Council and the voluntary sector in a genuine debate to ensure that all relevant agencies are positively contributing to the new children's agenda.
- 7.3 There would be significant opportunities for integration of front line and strategic functions, co-location, multi-agency working and the pooling of budgets by creating a framework where services for children and families are located in one Department. There would be real opportunities for the integration/ co-location of services on the 5<sup>th</sup> and 6<sup>th</sup> floors of Chesterfield House and funds have already been identified for the refurbishment of these areas. Further opportunities also exist in the medium and long term to develop neighbourhood multi-agency bases in Children's Centres, Extended Schools, Health facilities and the proposed new Civic Centre.

### **Achievement & Inclusion Division**

- 7.4 This Division would bring together school improvement services with services for children and young people with additional needs, including special educational needs. It would lead on issues relating to educational achievement and inclusive education. It would be made up of a number of services.
- a) The School Improvement Service provides generic services to all schools which are targeted according to school needs. It incorporates the Ethnic Minority & Travellers Achievement Service, which works closely with community groups. The service already works closely with SEN and Inclusion services and this linkage will continue in the new Children and Families Department.

- b) The Outdoor Education Service incorporates the Gordon Brown Centre and the Welsh Harp Centre. Schools buy into these facilities, which enhance the curriculum and broaden pupil experiences.
- c) The Pupil Referral Units provide targeted provision for children permanently excluded from school. Close working arrangements already exist with Social Services, Youth Service and the Children & Adolescent Mental Health Team.
- d) The Education Tuition Service provides targeted provision to children and young people not able to attend school, often for medical reasons. Close working arrangements already exist with Hospital Services and Social Services.
- e) The Parent Partnership Service provides information and guidance to parents on SEN matters. They also provide a sign posting service to a range of local and national agencies. There may be opportunities for extending the work beyond SEN activities to support families in need.

### **Family Support Division**

7.5 This Division would bring together child protection services along with services for Looked After Children and young people including those who may require adoption or fostering. It will lead on issues relating to children with exceptional needs.

- a) Child Protection – This service is provided within the Referral and Assessment teams, who work with families with children on the Child Protection Register. In addition, Child Protection Planning and Review Teams conduct case conferences and audit to ensure safe standards are met. Consideration would be given to creating a specialist multi-disciplinary Child Protection Service which will include an education element.
- b) Looked After Children – (This includes adoption and fostering placements). The Council acts as corporate parent to children and young people aged 0-18 (19 for children with disabilities) who cannot be looked after by their natural parents. Current education support would integrate with the Social Services teams and closer links would be established with Behaviour Support, the Exclusions Team, Educational Psychology and the SEN Assessment Service.
- c) The Leaving Care Team supports children from 16 – 24 years who are looked after or have left care and are living independently. Unaccompanied Asylum Seeking Children who arrive in England without family or other support are now considered to be looked after, (following the 2003 Hillingdon Court Judgement). Action to improve outcomes for

these groups, would include those outlined in b) above with the addition of closer links with Connexions and the Youth Service.

- d) The Youth Offending Team is a multi-disciplinary team which is accountable to the Youth Justice Board and the Council and co-ordinates the work of the youth justice services with young offenders. Closer links would be created between the Youth Offending Team and the Family Support Service.
- e) The Children with Disabilities and Complex needs service includes a Children with Disabilities social work team offering assessment, support and child protection services to children with disabilities and their families. There are two residential respite units. A tripartite panel that includes Education, Social Services and the PCT is already in place and agreement has been reached to establish with the PCT a pooled budget for residential placements. Co-location of the Children with Disabilities Team with Education and some PCT staff is also planned.

### **Multi-Agency Teams Working Across the Achievement & Inclusion Division and the Family Support Division**

- 7.6 It is anticipated that a range of front line services would be grouped into multi-agency teams effective from January 2006. The first building block in this process would be the integration of appropriate council services. Core skills will need to be identified and appropriate training provided to all staff. A significant amount of work would need to be undertaken to integrate people, processes, systems and resources. However, it is critical that as we look to realign services within the Council, we also engage our many and varied partners in shaping an effective strategy and delivery mechanism which will improve the outcomes for children and young people in Brent. Whilst agreement in principle has been reached with the PCT around the integration of services for children with disability, broader discussions with the PCT and other agencies around the integration of other children's services need to take place urgently.
- 7.7 Similarly, the Council needs to engage schools to become active partners in delivering the new agenda for children. Many head teachers and governing bodies have already shown commitment to this agenda and there is a pilot of a fully serviced extended secondary school, whose work in this area has been commended by a recent Ofsted report. A further two extended school pilots are also underway.
- 7.8 Following consultation with children and young people, parents and carers, it is envisaged that there will be changes in the way services operate in order to ensure improved outcomes for children and young people. This would be done by:

- a co-ordinated response to referrals so that a personalised package of support for children and families can be put into place, where appropriate;
- a named key worker for every Brent child or young person who has been identified as having additional needs;
- continued availability of specialist services working within a multi-agency framework.

Members are asked to note that some levels of integration are already underway. For instance, the Family Support Service will be a co-located multi agency team (Education Psychologists, Behaviour Support Officers, Social Workers, and Children's Mental Health Team) operational from April 2005.

### **Strategy & Partnerships Division**

- 7.9 This Division would integrate the strategic planning and commissioning functions across the Children and Families Department.
- 7.10 It would lead on the Department's work with external partners and agencies with a clear remit for inward investment. The Division would support the strategic functions of the Children's Partnership Board. Specific cross-cutting themes and projects would also sit in this Division: Early Years, Children's Fund, Teenage Pregnancies and Extended Schools. It is anticipated that the integration of relevant services from the Social Services Department & EAL could be complete by summer 2005.

### **Finance & Performance Division**

- 7.11 This Division would integrate finance and performance functions across the Children and Families Department.
- 7.12 It would lead on the Department's work around Education and Children's finance, benefits for children and young people, Asset Management, Teacher Recruitment, Admissions, Information and Performance Data, IT, HR and Customer Care issues. It is anticipated that the integration of relevant services from the Social Services Department and EAL could be complete by summer 2005.

### **8.0 Implementation progress and future arrangements.**

- 8.1 A significant amount has already been achieved on progressing the recommendations from the April 2004 Executive meeting.
- 8.2 A Senior Member and Officer Group (SMOG), chaired by the Leader, has been established to oversee implementation of the Children Act in Brent, and to ensure that all areas of the council are fully involved in the process. Membership includes the Chief Executive, seven Council Service Directors, the Deputy Leader, Lead Members for Education and Social Services, the



Chair of the Children's Service User Consultative Forum, the Borough Solicitor, and Assistant Director representation from Education and Social Services.

- 8.3 This group is taking the lead role in developing the Council's response to the Children Act and advising the Executive on the optimum organisational model for Brent. The group refers to advisory bodies to ensure that options chosen are well informed. It will ensure that the views of other groups affected by the Act are incorporated, via consultation and working in partnership, and will lead on promoting the adoption of the Children Act priorities across external agencies. It will ensure a focus on the strategic and corporate issues affecting the Council and its partner agencies, and aims to protect the Council's corporate interests. It is also seeking to ensure that safeguarding vulnerable children remains a priority Council responsibility during the change process.
- 8.4 A multi-agency Children's Services Partnership Board to be responsible for the development of partnership working and integration issues will shortly be established. It will be co-chaired by the Directors of Social Services and EAL, with senior representation from the Primary Care Trust, Hospital Trusts and schools. It is also expected to have children, parents and the community contributing to the work of the Board. The membership and terms of reference for this group are still being developed in consultation with partners. Developments are also underway to clarify the roles and responsibilities of the Council's partner agencies. Under the statutory duty to cooperate, partners will be engaged in new joint inspection regimes, pooled budgets, joint commissioning, seconded staff, and multi-agency teams. Further work around the division of responsibilities will need to be undertaken.
- 8.5 An Assistant Director for Strategy and Partnerships was appointed in October and will be responsible for implementing the Children Act proposals in Brent.
- 8.6 Discussions are also underway, and a consultation away day is planned, to consider the setting up of the Local Safeguarding Children Board as required by the Act.
- 8.7 In addition, a corporate project plan has been developed, which identifies key tasks, officer leads have been assigned to develop these, and timetables are being developed for implementation. A short version is attached with this report. Please note it is a working document therefore subject to amendments.

The key tasks identified include the following;

- **Project Overview and Co-ordination, Corporate, Structural and External Partnerships.** This group led by the Chief Executive is developing work around Consultation and information dissemination; Financial implications; Scoping services to be integrated; Governance

issues; Risk assessment; Political management processes; Impact of external issues (i.e. the general election) ; Analysis of models; Developing Strategic Plans; External Partnerships; Developing the role of the Director of Children's Services (DCS).

- **Legal issues.** This group led by the Borough Solicitor is developing work around legal powers and partnerships; Implications for Overview and Scrutiny; Timetable for decisions; Impacts on staff terms and conditions; Staff Union consultation; Cross Party presentation; Extended schools; Statutory roles of Director of Children's Services and Directors of EAL, Social Services and Chief Executive; restrictions on non council functions.
- **Human Resources.** This group led by the Director of Human Resources and Diversity is developing work around Identifying new posts required; Developing workforce plans; Remuneration packages; Assessing integration impacts on children's and non children's services; Enhanced roles for support staff; Job descriptions; Assessing impacts of top level structure changes; Consultation with staff.
- **Professional Practice Issues.** This group led by the Director of Social Services and Director of EAL is developing work around the Common Assessment Framework; Information Sharing and Assessment; Extended Schools; Resourcing issues; Developing the 'Safeguarding Children' agenda; Co location of teams.
- **Finance.** This group led by Director of Finance is developing a financial plan and outline budget process; Investigating government grants; Mapping current resources; Developing negotiations with partner agencies; Producing a single principles paper on budgets and governance; Consulting schools on new arrangements; investigating efficiencies in joint commissioning and procurement and PCT opportunities for capital funding.
- **Service Specific Issues.** This group led by the Assistant Director of Children's Services and the Assistant Director of Achievement and Inclusion is developing work around: Preventative Strategy; Performance Indicators based on outcomes for children; A Joint Commissioning strategy; Demographic needs analysis; Children's consultation; Pilot of co-located teams; Terms of reference and membership of the Children's Partnership Board; Developing the Local Safeguarding Children Board.
- **Communication and Consultation.** This group led by the Director of Communications and Consultation is developing work around a Communication strategy; Communicating on timescales and framework of activity; Regular briefings to the Executive, Council and Partners; Investigating issues around the identity of the new service; Developing Consultation with staff, service users and external partners; identifying relevant existing structures for consultation.

8.8 Our goal is to ensure that the main structures of the new department are up and running by May 2005 and the task groups listed will work to this timescale.

## **9.0 Services not identified within the new Children and Families Department**

9.1 A number of other services in the current Education, Arts and Libraries and Social Services departments are affected by this reorganisation. Some of these services have a dual children and adult customer base, while some have a more clearly defined adult or elder's customer base. These services will be subject to a further review in a separate report from the Chief Executive to the Executive in February 2005.

These other services include:

### **From Education, Arts and Libraries;**

- **Lifelong Learning and Cultural Services**

- Adult and Community
- Heritage Services
- Arts and Libraries
- Voluntary Sector Support
- Brent Transport Services

### **From Social Services;**

- **The Community Care Department**

- Adult Physical Disability Team
- Brent Learning Disability Partnership
- Older Peoples Services
- Brent Mental Health Service
- Emergency Duty Team

- **The Quality and Support Department**

- Learning and Development team
- IT
- Equalities
- Special Projects
- Complaints
- Strategy Planning and Performance
- Human Resources

- **The Finance Department**

- Management Accountants teams (Core, Adults, Older Peoples Services)
- Premises Manager

- **Brent Mental Health**
  - Sector East Team
  - Sector North and West team
  - Sector South Team
  - Resources Team

## **10.0 Financial Implications**

10.1 To currently provide an accurate assessment of the financial implications of implementing any of the options can only be done at a high level. There are a number of reasons for this:-

- (i) No detailed plan for the preferred structure has been developed;
- (ii) The Government's requirements and expectations for service improvements are still being formulated;
- (iii) No final announcements have been made, as the level and nature of any additional financial support that may be provided to the Council.

10.2 From the work already carried out within EAL and Social Services, a provisional growth bid of £600k has been made to cover revenue costs in 2005/6 and beyond. This is in addition to the resources already held within base budgets (EAL £30k and Social Services £100k), and a set-up grant allocation of £50k.

These figures will be reviewed before the final budget is agreed, to ensure a more robust figure is eventually included. The expectation based on current information is that the 2005/06 initial allocation will be more than sufficient but increasing investment will be required in future years. This is the position for all the options.

10.3 Some investment may be required from capital to fund set-up costs, such as accommodation costs and IT Systems. Again these will be developed as more detailed plans are agreed.

10.4 There is a sub-group of SMOG dealing with Finance, which will oversee these issues.

## **11.0 Legal Implications**

11.1 The Children Act received Royal Assent on the 15<sup>th</sup> November and we are awaiting a printed copy of the Act, and accompanying guidance. As this report explains, there is likely to be a requirement to appoint a Director of Children's Services. There may also be a requirement to nominate a lead member with responsibility for Children's Services.

- 11.2 The appointment of a Director of Children’s Services does not necessarily require a structural change to the organisation of the Council, but there is a risk that a less radical approach may not be as effective, and the Council would encounter criticism if a less radical approach fails to deliver what is required by the emerging legislation. The establishment of a Children and Families Department under a statutory Director of Children and Families provides clarity to members, staff, service users and our partner agencies. It may also assist generally in implementing other changes that will be required under the Act.
- 11.3 It is important to consider the impact this will have on staff, both those who will move into the new department, and those who will not be part of the new department. It is important to consult staff on the proposals and to take their views into account before finally deciding which approach to take.
- 11.4 The new appointment will be made by the Appointments Sub- Committee and will be subject to the special rules that apply to senior appointments as set out in staff standing orders.
- 11.5 The Constitution will need to be amended to reflect the structural changes, both on the officer side and the member side, and to include new delegations and officer authorisations. The Constitutional changes will need to be approved by Full Council in due course
- 11.6 One of the options cited is a Children’s Trust. This could in fact take a number of forms although, perhaps surprisingly given the title, it is unlikely to take the form of a separate legal entity or at least not for some time yet. It is more likely to be an informal partnership in which the respective partners will work together to achieve the desired outcomes for children and young people. It would probably have some form of management board which would steer the partnership and might be underpinned by a series of pooled budget agreements or similar. Although the report says that this is not the preferred option, there will in fact be a multi-agency Children’s Partnership Board which will fulfil this role more or less. It will be an all embracing partnership which will involve all the major stakeholders. In time this could evolve into a more formal Children’s Trust if necessary.
- 11.7 What is more important than the structure of the ‘trust’ or ‘partnership’ is to actually make sure that the various agencies are all working together to deliver the desired outcomes. There will need to be a clear plan for integrating services over time, and this plan should be reported to members in due course.

## **12.0 Diversity Implications**

- 12.1 Officers have undertaken a preliminary assessment of the diversity implications of setting up a new Children and Families department. A full Equality Impact Assessment will be produced as part of further work on implementation and will be contained in the follow up report which will be submitted to the February 2005 Executive meeting. Given the boroughs demographic profile, with some 70% of children in our schools being of BME origin, it is anticipated that the new Department will give a stronger focus to the needs of such children and their families. The new Department's focus on integrated services to children and families will be of benefit to vulnerable children of all backgrounds and will give a sharper definition to their needs. By bringing resources into a single professional and managerial framework, the Council will be able to target vulnerable children and households more clearly and develop more 'joined up' and multi-disciplinary approaches to meeting their needs.

## **13.0 Staffing and Accommodation Implications**

- 13.1 There will be significant staffing and accommodation implications as a result of this reorganisation. Some implications have been identified in this report, but further details will be presented to future meetings of the Executive. The Children Act proposes changes to the roles of Chief Education Officer and Director of Social Services and further guidance will be issued by the Department for Education and Skills and the Department of Health.
- 13.2 Staff likely to be affected are mainly although not exclusively, based within Social Services and Education, Arts and Libraries. The extent of the impact will vary, but may in some instances, include the introduction of new roles, changed work content, different reporting lines, change of work base, etc. The changes will also include the establishment of the post of Director of Children and Families, further guidance on which is awaited from the Department for Education and Skills and the Department of Health. The detail of this and other key roles will be addressed in a future report.
- 13.3 The Director of Human Resources and Diversity and the Director of Communications and Consultation will work closely together to ensure there is a co-ordinated approach to communication and consultation with staff. This work will range from broader awareness raising which the Director of Communications and Consultation will lead on through to the more formal consultation process with staff and their recognised Trade Union representatives which the Director of Human Resources and Diversity will lead on. A detailed project plan for this work will be included in a later report.

## **Background Papers**

- Every Child Matters Report to CMT – 12<sup>th</sup> February 2004
- Report to and Minutes of the Executive Meeting 26 April 2004
- Project Plan
- Children Act
- Services for Children and Young People in Brent Arrangements for Partnership Working - DRAFT

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## **Services for Children and Young People in Brent Arrangements for Partnership Working - DRAFT**

The Children Act 2004 is the legislative spine for developing effective and accessible services focused on the needs of children, young people and families. The Act places a new duty on many statutory agencies that provide services for children to co-operate with arrangements to improve the well-being of all children in Brent.

We intend to fulfil this duty by working closely with all our partners including schools, the Primary Care Trust, the Hospital Trusts, Police, Probation Service and the voluntary and community sectors, by establishing formal partnership arrangements which are firmly based on improving outcomes for all children and young people. We will actively engage with our children, young people, their families and carers to ensure they have a strong voice in the planning, commissioning and delivery of services for children.

### ***Children's Strategic Partnership Board***

The Brent Children's Partnership Board will ensure that every stakeholder is engaged at its most senior level and actively supports the delivery of a local strategic plan for children's services. It will be the fundamental driving force for change, empowered and enabled to achieve real transformations, at the same time as adopting policies and strategies informed by children, their families and communities.

The Terms of Reference for the Board may include:

- Providing strategic leadership
- Securing improved outcomes for all Children and Young People in Brent
- Determine priorities on behalf of and informed by Children and Young People
- Ensure effective governance is in place which secures appropriate high quality provision
- Effective financial monitoring
- Agree and monitor the change management process
- Accountable for improved local and nationally determined outcomes
- Ensure strong Child Protection framework
- Develop workforce model which effectively meets the identified needs of Children and Young People



- Approve the Children & Young Peoples Plan

### *Membership of the Children's Strategic Partnership Board*

(jointly chaired by Directors of Social Services & EAL, supported by Assistant Director Children's Partnerships)

- 2 representatives from schools: primary & secondary
- 2 representatives from the voluntary sector: local & national
- Chief Executive of the Mental Health Trust
- Chief Executive of the Acute Trust
- Chief Executive of the Primary Care Trust
- Police
- Probation Service
- Learning & Skills Council
- Brent Council representatives: Directors of Social Services, EAL, Housing, Environment & PRU
- Lead Member for Children's Services

### **Implementation Group**

The Terms of Reference for the Executive Group may include:

- Delivering commitment from all agencies to maximise outcomes for Children and Young People
- Ensuring there is effective consultation with Children, Young People and their families
- Ensuring effective management structures are in place which secure appropriate high quality provision and meet the identified needs of children and young people
- To be responsible for the change management process which can deliver nationally determined outcomes for children, including a strong child protection framework
- To act as a channel of communication between the Children's Partnership Group and the Children's Partnership Board
- Effective financial management
- To be responsible for preparing the Children & Young Peoples Plan

## *Membership of the Implementation Group*

- Director of Social Services
- Director of EAL
- Asst Director SS: Children's Services
- Deputy Director EAL: Achievement & Inclusion
- Asst Director: Children's Partnerships
- Director of PRU
- PCT Director for Joint Working

## ***Children's Operational Partnership Group***

The Terms of Reference for the Group may include, to:

- Ensure strategy is translated into effective operational practice
- Identify gaps in services, obstacles to progress and further developments required
- Report to Children Partnership Board on progress of implementation and to make recommendations for improvements, including for example
  - Workforce developments
  - Service integration (pooled budgets, co-location, management)
  - Information sharing and assessment
  - Involvement of children, families and communities
- Be responsible for ensuring communication of Children's Services development within their respective agencies.
- Be responsible for ensuring that there is ongoing needs analysis which informs decision making and prioritisation.
- Maintain overview of statutory and non-statutory groups whose work may impact on the outcomes for children. To influence the prioritisation and work programme of these groups
- Be responsible for ensuring systems are in place to enable the effective monitoring of key outcomes.

*Membership of the Children's Partnership Group*  
(chaired by Assistant Director Children's Partnerships)

- Sure Start
- Voluntary Organisations
- Children & Adolescents Mental Health Service
- Police
- Children's Services
- Consultant Paediatrician
- Sexual Health
- Young Person Substance Misuse
- ON TRACK Programme
- Family Support Division
- Achievement & Inclusion Division
- Strategy and Partnerships Division
- Youth and Connexions Service
- Early Years Service
- Teenage Pregnancy
- Youth Offending Service
- Children's Fund
- Housing Service
- Family Learning
- Joint Commissioning
- Children's Act Project
- Policy & Regeneration
- Quality Protects
- Identification, Referral & Tracking
- Extended Schools