



BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

TELEPHONE: 020 8464 3333

CONTACT: Kerry Nicholls
kerry.nicholls@bromley.gov.uk

DIRECT LINE: 020 8313 4602

FAX: 020 8290 0608

DATE: 17 February 2015

To: Members of the

**CARE SERVICES POLICY DEVELOPMENT
AND SCRUTINY COMMITTEE**

Councillor Pauline Tunnicliffe (Chairman)

Councillor David Jefferys (Vice-Chairman)

Councillors Ruth Bennett, Mary Cooke, Judi Ellis, Hannah Gray, Terence Nathan, Charles Rideout and Melanie Stevens

Non-Voting Co-opted Members
Sarah Dowding, Young Advisers
Maureen Falloon, Bromley Council on Ageing
Joanna Frizelle, Bromley Experts by Experience
Linda Gabriel, Healthwatch Bromley
Tia Lovick, Living in Care Council
Peter Moore, Mental Health Forum
Catherine Osborn, Carers Forum

**EDUCATION POLICY DEVELOPMENT AND
SCRUTINY COMMITTEE**

Councillor Nicholas Bennett J.P. (Chairman)

Councillor Neil Reddin FCCA (Vice-Chairman)

Councillors Teresa Ball, Kathy Bance MBE, Alan Collins, Mary Cooke, Judi Ellis, Alexa Michael and Keith Onslow

Church Representatives with Voting Rights
Mary Capon and Joan McConnell

Parent Governor Members with Voting Rights
Darren Jenkins, Mylene Williams and Tony Wright-Jones

Non-Voting Co-opted Members
Jo Brinkley, Head Teacher Representative
Adil Ghani, Young People's Representative
Alison Regester, Pre-school Settings and Early Years Representative

A joint meeting of the Care Services and Education Policy Development and Scrutiny Committees will be held at the Council Chamber, Bromley Civic Centre on
WEDNESDAY 25 FEBRUARY 2015 AT 7.00 PM

MARK BOWEN
Director of Corporate Services

Paper copies of this agenda will not be provided at the meeting. Copies can be printed off at <http://cds.bromley.gov.uk>. Any member of the public requiring a paper copy of the agenda may request one in advance of the meeting by contacting the Clerk to the Committee, giving 24 hours notice before the meeting.

Items marked for information only will not be debated unless a member of the Committee requests a discussion be held, in which case please inform the Clerk 24 hours in advance indicating the aspects of the information item you wish to discuss

A G E N D A

PART 1 AGENDA

Note for Members: Members are reminded that Officer contact details are shown on each report and Members are welcome to raise questions in advance of the meeting.

STANDARD ITEMS

1 CONFIRMATION OF CHAIRMAN

2 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

3 DECLARATIONS OF INTEREST

4 QUESTIONS TO THE CARE SERVICES PDS CHAIRMAN OR EDUCATION PDS CHAIRMAN FROM MEMBERS OF THE PUBLIC AND COUNCILLORS ATTENDING THE MEETING

To hear questions to the Care Services PDS Committee or Education PDS Committee received in writing by the Democratic Services Team by 5.00pm on Thursday 19th February 2015 and to respond. Questions must relate to the work of the scrutiny committee.

5 QUESTIONS TO THE CARE SERVICES PORTFOLIO HOLDER OR EDUCATION PORTFOLIO HOLDER FROM MEMBERS OF THE PUBLIC AND COUNCILLORS ATTENDING THE MEETING

To hear questions to the Care Services Portfolio Holder or Education Portfolio Holder received in writing by the Democratic Services Team by 5.00pm on Thursday 19th February 2015 and to respond. Questions must relate to the work of the scrutiny committee.

6 INFORMATION ITEMS

The items comprise:

1. Bromley Safeguarding Children Board (BSCB):
 - a. Terms of Reference
 - b. Membership List
 - c. Structure Chart
 - d. Policies and Procedures
 - e. The Child's Journey in Bromley – A Partnership Model for providing services to support children and families in Bromley
 - f. Business Plan 2014/15
 - g. Inter-Agency Training Brochure 2014/15
 - h. Annual Report 2013/14
2. Child sexual exploitation – the Bromley view
3. Children missing education

Members and Co-opted Members have been provided with advance copies of the briefing via e-mail. The briefing is also available on the Council's Website at the following link: <http://cds.bromley.gov.uk/ieListMeetings.aspx?CId=559&Year=0>

POLICY DEVELOPMENT AND OTHER ITEMS

7 PURPOSE OF THE MEETING

“To scrutinise the arrangements, organisational structures, and procedures and processes of the Council and partner organisations with regard to child safeguarding to ensure there is clear cooperation, no unnecessary duplication and effective management and supervision of frontline staff.”

8 OVERVIEW OF THE BROMLEY SAFEGUARDING CHILDREN BOARD (HELEN DAVIES, INDEPENDENT CHAIR)

9 MULTI-AGENCY RESPONSIBILITIES AND ARRANGEMENTS (PRESENTATIONS)

a DIRECTOR OF CHILDREN'S SERVICES (TERRY PARKIN)

- Role of the Director of Children's Services and Lead Member for Children's Services
- Children's Social Care
- Education

b BROMLEY METROPOLITAN POLICE SERVICE (DCI KEVIN CLARKE)

c BROMLEY CLINICAL COMMISSIONING GROUP (SONIA COLWILL)

10 QUESTIONS TO THE PANEL

- Helen Davies, Chair of Bromley Safeguarding Children Board
- Terry Parkin, Director of Children's Services
- DCI Kevin Clarke, Bromley Metropolitan Police Service
- Sonia Colwill, Bromley Clinical Commissioning Group
- Jane Bailey, Assistant Director: Education
- Kay Weiss, Assistant Director: Children's Social Care

11 ASSURANCE OF THE ARRANGEMENTS FOR DIRECTOR OF CHILDREN'S SERVICES AND LEAD MEMBER FOR CHILDREN'S SERVICES IN BROMLEY (Pages 5 - 12)

12 SUGGESTIONS FOR AREAS OF SCRUTINY FOR CARE SERVICES AND EDUCATION PDS COMMITTEES FOR 2015/16

13 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT 2000

The Chairman to move that the Press and public be excluded during consideration of the items of business listed below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

Items of Business**Schedule 12A Description****14 EXEMPT (PART 2) INFORMATION ITEMS**

Information which is subject to any obligation of confidentiality.

The Exempt (Part 2) items comprise:

1. Minutes of the BSCB Meeting held on 18th November 2014

Members and Co-opted Members have been provided with advance copies of the Exempt (Part 2) briefing via e-mail.

.....

Report No.
JPDS 15001

London Borough of Bromley

PART 1 - PUBLIC

| | | | |
|-------------------------|--|---------------|---------|
| Decision Maker: | Joint Meeting of the Care Services and Education PDS Committees | | |
| Date: | 25th February 2015 | | |
| Decision Type: | Non-Urgent | Non-Executive | Non-Key |
| Title: | ASSURANCE OF THE ARRANGEMENTS FOR DIRECTOR OF CHILDREN'S SERVICES AND LEAD MEMBER FOR CHILDREN'S SERVICES IN BROMLEY | | |
| Contact Officer: | Terry Parkin, Executive Director of Education, Care and Health Services Tel: 020 8313 4060 E-mail: terry.parkin@bromley.gov.uk | | |
| Chief Officer: | Doug Patterson, Chief Executive | | |
| Ward: | Boroughwide | | |

1. Reason for report

- 1.1 To allow for the proper Scrutiny of the arrangements for the discharge of the statutory duties relating to the safeguarding of children, specifically in relation to the arrangements in place to fulfil the statutory roles for the Director of Children's Services (DCS) and those of the Lead Member for Children Services (LMCS). These arrangements are required to be subject to local testing when either the DCS or the LMCS undertake more than one role as is the case in Bromley. We ask that Members of the Joint PDS recommend that the appropriate Portfolio Holders validate the present arrangements through looking at the processes and procedures in place to ensure children in the London Borough of Bromley are safeguarded adequately.
- 1.2 Further, the independent Bromley Safeguarding Children Board on behalf of its partner agencies has oversight of our safeguarding procedures. The independent chair also has a duty to observe the work of the local system and, should it have failings, report those to the DCS and Chief Executive. Members will have an opportunity to ask questions of the independent chair and to test the strength of local partnership arrangements.

2. **RECOMMENDATION(S)**

- 2.1 That the Chairman of the Education and Care PDS Committees in their Scrutiny role should agree that the arrangements to discharge the statutory role of Director of Children's Services are safe and that the assurance test be repeated and reported bi-annually.
- 2.2 That through the minutes of this meeting, this should be communicated to the Chief Executive in his role as head of the service.

Corporate Policy

1. Policy Status: Existing policy.
 2. BBB Priority: Children and Young People.
-

Financial

1. Cost of proposal: N/A
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: N/A
 4. Total current budget for this head: £N/A
 5. Source of funding: N/A
-

Staff

1. Number of staff (current and additional): N/A
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: Statutory requirement.
 2. Call-in: Call-in is not applicable.
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

Overview

- 3.1 All top tier authorities in England have the responsibility of overseeing the local arrangements for the safeguarding of children. They are required to appoint a Director of Children's Services (DCS) and a Lead Member for Children's Services (LMCS) whose responsibilities are defined from time to time by Parliamentary Order. These roles are therefore covered by Statutory Guidance to which Local Authorities must have regard: <http://www.education.gov.uk/aboutdfe/statutory/g00206029/statutory-guidance-on-the-roles-and-responsibilities-of-the-director-of-childrens-services-and-the-lead-member-for-childrens-services/roles-and-responsibilities-of-the-dcs-and-lmcs>
- 3.2 The most recent guidance (April, 2013) states:
- The DCS and LMCS are appointed for the purposes of discharging the education and children's social services functions of the local authority. The functions for which they are responsible are set out in section 18(2) of the Children Act 2004. This includes (but is not limited to) responsibility for children and young people receiving education or children's social care services in their area and all children looked after by the local authority or in custody (regardless of where they are placed).
 - Within this legal framework, it is for individual local authorities to determine their own organisational structures in the light of their local circumstances. However, local authorities must ensure that there is both a single officer and a single elected member each responsible for both education and children's social care. The DCS and LMCS should each have integrated children's services brief, ensuring that the safety and the educational, social and emotional needs of children and young people are central to the local vision. Between them, the DCS and LMCS provide a clear and unambiguous line of local accountability.
 - The DCS has professional responsibility for children's services, including operational matters; the LMCS has political responsibility for children's services. Together with the Chief Executive and Leader, the DCS and LMCS have a key leadership role both within the local authority and working with other local agencies to improve outcomes for children and young people.
- 3.3 **Assurance Process where the DCS is responsible for additional functions.**
The guidance also outlines that local authorities need to ensure that an assurance process is undertaken where the DCS is responsible for additional functions not related to local authority children's services and that local authorities review their arrangements regularly to satisfy themselves that they continue to be effective. This local test of assurance ensures that the focus on outcomes for children and young people will not be weakened or diluted as a result of adding such other responsibilities.
- 3.4 The local test of assurance needs to ensure their structures and organisational arrangements enable them to:
- fulfil their statutory duties effectively (including ensuring that children, young people and families receive effective help and benefit from high educational standards locally);
 - be transparent about responsibilities and accountabilities; and
 - support effective interagency and partnership working.
- 3.5 **National Context**
Around 40 local authorities including across the country including Bromley, have integrated Adults' and Children's services under one Director. This is seen as strengthening the

social care offer as it results in an enhanced ability to work with families in a more holistic way. This is not precluded by Statutory Guidance. However, the British Association of Social Workers (BASW) has stated that “When you have one Director responsible for both Children’s and Adult services, you need a structure in place with specialist and senior management posts so that nothing critical is lost in the shuffle”. A key part of the test will therefore be; is there strong and distinct leadership of children’s and adult safeguarding?

3.6 Assurance of arrangements in Bromley

The Executive Director continues to ensure that a range of assurance systems remain in place these include:

Strategic

- Children’s Board, including regular 1-1s between the DCS and LMCS;
- Bromley Safeguarding Children’s Board, including the Annual Report of the Chair, and the reporting within that of the section 11 contributions made by the various teams of Bromley Borough Council to the safeguarding of children;
- Scrutiny of decision making through the respective PDS committee’s;
- An annual business plan approved by the respective Portfolio Holders;
- Executive Working Party: Safeguarding and Corporate parenting;
- That the Chief Executive in consultation with the Leader and Portfolio holder continue to monitor the effectiveness of the current arrangements against the Council’s requirements and the need for assurance set out in government guidance new in 2013;
- In the event of a change of Director, the portfolio of responsibilities should be reviewed new in 2013;

Operational

- Robust supervision from the Chief Executive to the DCS, and from the DCS to his direct reports;
- The Assistant Director for Children’s Social Care, the head of the Quality Assurance, and the independent chair of the LSCB should attend the Children’s Board and ECHS DMT quarterly and report on critical issues; thresholds, caseloads (numbers and type), workforce (including stability, use of agency, sickness/stress absence, incidents of violence and complaints) new in 2013;
- Weekly meetings between the DCS or his nominee and the respective Portfolio Holders;
- From April 2013, a departmental balanced scorecard reviewed bi-monthly supported by monthly performance data to service managers, AD and DCS;
- An actively managed risk register feeding into the Corporate risk register;
- A designated principal social worker, and a clear professional development programme for qualified social workers;

Bromley children’s services are also committed to sector-led improvement with the DCS a former Ofsted inspector and a trained sector-led (peer) reviewer. We also have a number of staff from second and third tier roles trained as peer reviewers, and, indeed, as present and former Ofsted inspectors. This gives considerable strength when we audit our own performance. Findings of sector-led reviews are incorporated into post-inspection action plans and also provide a critical analysis of whether improvement plans are on track.

3.7 External Assurance

As part of the validation process, Members will be aware that children’s social care is subject to regular Ofsted inspections. Ofsted provides four grades in its inspections from

inadequate through to outstanding. The majority of externally regulated services have been judged as adequate or good and these judgements include consideration of accountability and leadership evident politically and at executive officer level. None have been found to be inadequate.

Action plans arising from Ofsted inspections are taken to the relevant PDS and monitored by the respective Portfolio Holder. To date, the relevant Portfolio Holders and PDS committees have received action plans, and found progress on them to be acceptable.

3.8 **Future Assurance Process**

In the context of the very considerable savings to be found, the Chief Executive will want to be assured through this process that there remains sufficient capacity to safeguard children. Members should therefore feel free to provide feedback both through this formal process but also outside of it.

It is further proposed that the Care Services & Education Portfolio Holders and PDS Chairmen should consider the outcome of the bi-annual review of the current arrangements at a joint meeting of the relevant PDS committees. This will be undertaken through a self assessment carried out at arms length by the Strategic and Business Support service.

3.9 **Conclusion**

The council takes very seriously its responsibilities for all children in the borough and specifically for vulnerable children. The arrangements proposed in this report assure the council that sufficient additional safeguards are in place to ensure the continued delivery of the council's overarching responsibilities for all children and its specific responsibilities for vulnerable children are not compromised by the breadth of the role of Executive Director for Education, Care and Health Services.

- 3.10 The compliance statement is based upon the assessment checklist at Appendix One – the assessment for 2013/14 has been completed demonstrating that the current arrangements are compliant across 15 of the 17 measures which met in full the remaining two were met partially further work will be undertaken to ensure that these are being met fully. Measures that were partially met are:

- Robust supervision from the Chief Executive to the DCS, and from the DCS to his direct reports, and;
- AD for Children's Social Care, the head of Quality Assurance, and the independent chair of the LSCB should attend the Children's Board and ECHS DMT quarterly and report on critical issues; thresholds, caseloads

4. **POLICY IMPLICATIONS**

- 4.1 All top tier authorities in England have the responsibility of overseeing the local arrangements for the safeguarding of children. They are required to appoint a Director of Children's Services (DCS) and a Lead Member for Children's Services (LMCS) whose responsibilities are defined from time to time by Parliamentary Order. These roles are therefore covered by Statutory Guidance to which Local Authorities must have regard: <http://www.education.gov.uk/aboutdfe/statutory/g00206029/statutory-guidance-on-the-roles-and-responsibilities-of-the-director-of-childrens-services-and-the-lead-member-for-childrens-services/roles-and-responsibilities-of-the-dcs-and-lmcs>
- 4.2 The guidance is consistent with the corporate operating principles and the priorities within the Children's Strategy and Portfolio Plans.

| | |
|---|---|
| Non-Applicable Sections: | PERSONNEL IMPLICATIONS FINANCIAL IMPLICATIONS LEGAL IMPLICATIONS |
| Background Documents: (Access via Contact Officer) | |

| Assurance Measures for 2013/ 14 Assessment |
|---|
| Strategic |
| DCS in post; |
| First Tier Officer reporting to Chief Executive; |
| Professional responsibility for leadership of LBB Children's Services; |
| Professional responsibility for strategy of LBB Children's Services; |
| Professional responsibility for effectiveness of LBB Children's Services; |
| Children's Board, including regular 1-1s between the DCS and LMCS |
| Bromley Safeguarding Children's Board, including the Annual Report of the Chair, and the reporting within that of the section 11 contributions made by the various teams of Bromley Borough Council to the safeguarding of children |
| Scrutiny of decision making through the respective PDS committee's |
| An annual business plan approved by the respective Portfolio Holders |
| Executive Working Party: Safeguarding and Corporate parenting |
| Operational |
| Robust supervision from the Chief Executive to the DCS, and from the DCS to his direct reports |
| Weekly meetings between the DCS or his nominee and the respective Portfolio Holders |
| Weekly monthly and quarterly performance data considered by the DCS and his senior managers, including, from April 2013, a departmental balanced scorecard |
| An actively managed risk register feeding into the Corporate risk register |
| A designated principal social worker, and a clear professional development programme for qualified social workers |
| New Measures introduced 2014 |
| Chief Executive in consultation with the Leader and Portfolio holder continue to monitor the effectiveness of the current arrangements; |
| In the event of a change of Director, the portfolio of responsibilities should be reviewed; |
| AD for Children's Social Care, the head of Quality Assurance, and the independent chair of the LSCB should attend the Children's Board and ECHS DMT quarterly and report on critical issues; thresholds, caseloads (numbers and type), workforce (including stability, use of agency, sickness/stress absence, incidents of violence and complaints); |

This page is left intentionally blank