

Brighton & Hove City Council

For general release

Meeting: Children Families and School Sub-Committee

Date: Monday 8 September 2003

Report of: Director of Children, Families and Schools

Subject: Children's Trust Governance Arrangements

Wards affected: All

1. Purpose of the report

1.1 To establish a Board for the Children's Trust

2. Recommendations

2.1 That the establishment of a Board, as set out in section 4 of the report, with the membership and terms of reference as outlined in Annex 1, be approved in principle;

2.2 That the proposals be recommended for approval by the Education & Social Services Committee and the Policy and Resources Committee.

3. Information/background

3.1 The Expression of interest submitted on behalf of the City Council and the PCT to set up a pilot Children's Trust has been successful, and Brighton & Hove is now one of 35 pathfinder areas. A progress report needs to be submitted to the DfES Children and Families Department by 31 October.

3.2 The original expression of interest set out the proposed governance arrangements for the trust. A copy of the expression of interest is attached at Annex 2. Three levels of decision making are proposed. Two of these – the Children and Young People's Strategic partnership, and the Chief Officers' Group – are already in being. The third – called a "Children and

Families Committee” in the Expression of Interest, and referred to in this paper as the Children’s Trust Board - has yet to be established. The original timetable given in the trust bid envisaged the establishment of the Board by August 2003. However, delay in approving the pilots has led to some slippage in the original timetable, and it is now proposed to establish the Board by the end of September.

- 3.3 The proposal to establish the Board is in line with the recommendations of the Laming report. The Government’s response to this proposal will be included in the forthcoming Children’s Green Paper, which is due to be published in September. It is likely that the Green Paper will endorse the kind of governance arrangements proposed in this paper.

4. Proposed Board

- 4.1 The Children’s Trust will not be a separate legal entity, nor will it remove any statutory functions from either the Council or the PCT. It will, however provide the governance oversight for pooled budgets, integrated commissioning and integrated service delivery. What is proposed, therefore, is a Board composed equally of members nominated by the Council’s Education and Social Services Committee and of non-executive Board members of the PCT, together with a number of co-optees from partner organisations, as set out in the Expression of Interest. It is proposed to keep the numbers low – three members from each side, making a total of six, plus seven co-optees. As this will be a joint sub-committee of the Council and the PCT, each side will have one block vote, and in the event of a disagreement, the matter will be referred back to both parent bodies for determination.
- 4.2 On the Council side, the constitutional position of the Board will be as a sub-committee of the Education and Social Services Committee. This requires a resolution from the Policy and Resources Committee. It will refer items to the Children, Families and Schools Sub-Committee as necessary.
- 4.3 The Board’s remit will be to oversee and direct the work of the Trust. It will have delegated responsibility for any pooled budgets, integrated commissioning and management arrangements, as agreed by the CFS Subcommittee and the PCT Board, and will advise both the CFS subcommittee and the PCT Board of progress on a regular basis. Draft membership and terms of reference are set out in Annex 1 to this paper.

5. Consultation

5.1 The Chief Officers Group of the Children and young People's Strategic Partnership has been consulted on this proposal, and has indicated its support.

COMMITTEE REPORT APPENDIX



Meeting/Date	Policy and Resources Committee – 17 September Education and Social Services Committee – date tbc CFS Sub-Committee – 8 September 2003 Brighton and Hove City PCT Board – 23 September 2003
Report of	David Hawker, Director of Children, Families and Schools
Subject	Children’s Trust Governance Arrangements
Wards affected	ALL

Financial implications

The establishment of the Children's Trust Board creates the vehicle for the management of pooled budgets using flexibilities set out in Section 31 of the 1999 NHS Act. The establishment of any pooled budgets will need to be separately agreed by the Council's Policy & Resources Committee and the PCT Board and will also need to follow the Department of Health's notification requirements and be subject to clear legal agreements. One of the tasks of the Children's Trust Board will be to establish criteria for determining which budgets should be pooled and the timeframe for doing so. The experience gained from the existing pooled budget arrangements for some Adult Services will need to be used to influence this decision making process.

Finance Officer consulted: Catherine Vaughan Date: 31 July 2003

Legal implications

The governance arrangements for the Children’s Trust will be the framework through which the council ensures it makes lawful decisions and complies with its statutory duties in relation to children’s services. As the Children’s Trust proposals will use the s31 Health Act 1999 flexibilities the arrangements will require written agreements between the partners which address a list of specific issues. The agreements will need to be approved by the council’s Policy and Resources Committee and until those agreements are in place the Children’s Trust Board will not be in a position to take decisions regarding commissioning, designing or procuring services.

The CT Board would benefit from a written constitution which will set out its remit and ways of working, to be annexed to the s31 Partnership Agreements.

Lawyer consulted: Elizabeth Culbert Date: 13th August 2003.

<p>Corporate/Citywide implications The Children’s Trust is an important vehicle for bringing about more effective integration of children’s services, which is a key objective for the Council, and is shared by the major</p>	<p>Risk assessment A risk Assessment is included in Section 5.5 of Annex 2 to this report.</p>
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COMMITTEE REPORT APPENDIX



providers of services within the City.	
Sustainability implications None specifically arising from this report.	Equalities implications The establishment of a children’s trust has very significant equalities implications, as it is premised on the need to make better provision for all children, young people and their families, leading directly to a more equitable society.
Implications for the prevention of crime and disorder The Children’s Trust will have a positive impact on creating more effective preventative services, which should in turn have a positive impact on crime and disorder. Representatives of Sussex Police sit on both the ACPC and the Chief Officers Group, and a member of the Police Authority will be invited to join the Board as a non – voting co-optee.	

Contact Officer David Hawker, Director of Children, Families and Schools
