

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

4TH DECEMBER 2014

REPORT OF CHIEF EXECUTIVE

CABINET DECISION

LEADER OF THE COUNCIL – Councillor Bob Cook

ASSURANCE STATEMENT – DIRECTOR OF CHILDREN'S SERVICES AND LEAD MEMBER – CHILDREN AND YOUNG PEOPLE

1. Summary

The report provides members with details of a local test of assurance that has been carried out in relation to the roles of Director of Children's Services and Lead Member – Children & Young People in compliance with Statutory Guidance. Reference is also made to the roles of Director of Adult Services and Lead Member – Adults and health. The outcome from the assurance test has indicated no need to change the current arrangements. The assurance test has been carried out independently of the Children, Education and Social Care Service and will be subject to regular review.

2. Recommendations

- i. Members note the outcomes from the assurance test
- ii. Members agree to regular monitoring via the Resources Service Grouping risk assessment arrangements

3. Reasons for the Recommendations/Decision(s)

Authorities are required to carry out a regular test of assurance of their arrangements in relation to the Director of Children's Services and Lead Member – Children & Young People, especially where the role(s) is/are combined with other functions.

4. Members' Interests

Members (including co-opted Members) should consider whether they have a personal interest in any item, as defined in **paragraphs 9 and 11** of the Council's code of conduct and, if so, declare the existence and nature of that interest in accordance with and/or taking account of **paragraphs 12 - 17** of the code.

Where a Member regards him/herself as having a personal interest, as described in **paragraph 16** of the code, in any business of the Council he/she must then, **in accordance with paragraph 18** of the code, consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest and the business:-

- affects the members financial position or the financial position of a person or body described in **paragraph 17** of the code, or
- relates to the determining of any approval, consent, licence, permission or registration in relation to the member or any person or body described in **paragraph 17** of the code.

A Member with a personal interest, as described in **paragraph 18** of the code, may attend the meeting but must not take part in the consideration and voting upon the relevant item of business. However, a member with such an interest may make representations, answer questions or give evidence relating to that business before the business is considered or voted on, provided the public are also allowed to attend the meeting for the same purpose whether under a statutory right or otherwise (**paragraph 19** of the code)

Members may participate in any discussion and vote on a matter in which they have an interest, as described in **paragraph 18** of the code, where that interest relates to functions of the Council detailed in **paragraph 20** of the code.

Disclosable Pecuniary Interests

It is a criminal offence for a member to participate in any discussion or vote on a matter in which he/she has a disclosable pecuniary interest (and where an appropriate dispensation has not been granted) **paragraph 21** of the code.

Members are required to comply with any procedural rule adopted by the Council which requires a member to leave the meeting room whilst the meeting is discussing a matter in which that member has a disclosable pecuniary interest (**paragraph 22** of the code)

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SUMMARY

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RECOMMENDATIONS

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DETAIL

1. Statutory guidance in relation to the roles of the Director of Children's Services and the Lead Member for Children's Services was released by the Department for Education in 2005, 2009, 2012 and updated in 2013.
2. Local authorities in England must have regard to it in relation to the appointment of the Director of Children's Services and the designation of the Lead Member for Children's Services.
3. Whilst there isn't any up to date statutory guidance in relation to the role of Director of Adult's Services or the Lead Member role for Adults, both of these roles are referenced in the Statutory Guidance relating to the Children's roles where, as in Stockton's case, there is a joint appointment.
4. The test of assurance document at Appendix 1 sets this out in more detail and provides the position within Stockton alongside a diagrammatical representation of the assurance arrangements.
5. The risk assessment undertaken has reached a conclusion that the current control measures are sufficient to mitigate the risks identified in the statutory guidance but that this will be kept under regular review as part of the corporate arrangements for risk management.

6. The risk assessment has been subject to scrutiny by the Corporate Management Team and the Corporate Governance Group.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

LEGAL IMPLICATIONS

This report sets out our compliance against a duty as part of statutory guidance.

RISK ASSESSMENT

The test of assurance has categorised the risk as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

EQUALITIES IMPACT ASSESSMENT

This report is not subject to an Equality Impact Assessment because it is not making any recommendations for changes to policy or service delivery.

CORPORATE PARENTING

This report ensures that the arrangements in place relating to the Director of Children's Services and the Lead Member for Children & Young People comply with statutory guidance. Both of these roles have a responsibility in respect of corporate parenting.

CONSULTATION INCLUDING WARD/COUNCILLORS

N/A

Name of Contact Officer: Neil Schneider

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Education related? Yes

Background Papers

Statutory guidance on the roles and responsibilities of the Director of Children's Services and the Lead Member for Children's Services for Local Authorities. Department for Education.

Ward(s) and Ward Councillors:

N/A

Property

N/A