



Director of Children's Services and Director of Adult
Services

Test of Assurance

September 2014 (Revised and updated September 2015)

Purpose

The purpose of this document is to set out how Stockton Borough Council has assured its executive and political leadership that the arrangements in relation to filling the posts of Director of Children's Services and Director of Adults Services in compliance with the statutory obligations placed on the Council and the Statutory Guidance relating to the roles are sound.

National Context

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 and 2012 and was updated in 2013. 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. The guidance covers the legislative basis for the two appointments, roles and responsibilities of the post holders, and how this relates to Government expectations. Should authorities depart from it they need to have 'clear reasons for doing so'. Clauses within it have the potential to present a risk to the Council should the necessary assurances not be in place.

The clear requirements within the guidance arising from one of the recommendations in the Munro review are that authorities should give due consideration to protecting the discrete roles and responsibilities of Directors of Children's Services and Lead Member for Children's Services before allocating them any additional functions other than children's services. Whilst it is legally permissible for the DCS and LMCS roles to be combined with other operational and political functions, where authorities choose to allocate additional functions they should subject the decision to a local test of assurance that is reviewed on a regular basis. The DCS and LMCS are appointed for the purposes of discharging the education and children's social services functions of the local authority and the guidance states that "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", and that, "local authorities should give due consideration to protecting the discrete roles and responsibilities of the DCS and LMCS before allocating to them any additional functions other than children's services". The assurance needs to ensure that the focus on outcomes for children and young people is not weakened or diluted as a result of having additional responsibilities and due consideration needs to be given to the potential impact on adult services where a DCS role is combined with that of the Director of Adults Services.

Statutory Guidance relating to the role of Director of Adult's Services was issued in 2005 and whilst it makes reference to the Lead Member role it should be noted that this was in advance of the statutory arrangements relating to Health and Well Being Boards and no up to date guidance in relation to adult services has been issued.

Around a third of local authorities with responsibility for children and adult services have combined the responsibilities into a single Director portfolio. In some instances these also include additional responsibilities such as housing, public health, education and learning. The key reasons for combining functional responsibilities into a single post include:

- Having a single conversation with key stakeholders (particularly partners in the health sector)
- The opportunity to focus on a 'whole family' approach and integrated commissioning of services
- The need to make savings in local government budgets

The Stockton position

The decision to create the post of Director of Children's and Adult's Services is a long standing one which was taken in 2004 following the outcome of Planning for the Future 2 , which created the new service groupings of Children, Education and Social Care, Development and Neighbourhood Services and Resources and associated Corporate Director roles. There have subsequently been 2 incumbents (including the current one). Following the departure of the previous incumbent of the joint role to a new role out of the local authority area, an assessment was made of the merits and risks of continuing the arrangement and for the reasons outlined below it was deemed appropriate to continue with the appointment as a joint one.

- The integration of 'people' related services in to one Service Grouping supports joined up strategic planning, commissioning and delivery
- Provides a focus on the whole family
- Supports transition
- Facilitates effective and efficient service delivery

Following the statutory guidance issued in 2012 a risk assessment was undertaken and presented to the Corporate Management Team and to Cabinet for challenge. The outcome was subsequent endorsement of the arrangements. Following a further update to the guidance in 2013 and the identification of a number of issues pertaining to the functional areas covered by the role the risk assessment was again reviewed and presented to Cabinet in December 2014. The key areas of identified risk were associated with the increase in numbers accessing Children's Social Care Services and capacity within the service. This has, and continues to be, reported regularly to Cabinet alongside the actions being taken to address it.

Changes and impact in terms of demand and need as a result of demographic trends and implementation of national policy such as Care Act, Better Care Fund, increasing integration of Health and Social Care, the introduction of Education, Health and Care Plans, Welfare Reform etc. are indicating increased demand for services alongside a clear need for changes in the way services are delivered, at a time of reducing capacity in the organisation. A three-pronged approach to tackling this is being taken across the organisation. The first element linked to improving organisational capacity and resilience Council-wide is being addressed through the Shaping a Brighter Future Programme with its underpinning work

streams. The programme was approved by Cabinet in January 2014 and has continued to progress. The latest update to Cabinet was in September 2015.

The second element is the review of Children's Services agreed by Cabinet in September 2014 which concluded in March 2015. The outcome from that review is that whilst the current Director will retain responsibility for both Children and Adult's Services a number of changes have been made that take account of the context presented above and the timescales for implementation of the changes as a result of national policy. The outcome from the review has increased the Head of Service capacity in relation to children's services through the creation of 3 new posts with an enhanced focus on improving outcomes for children and young people and provides a managed transition to the wider structural arrangements proposed as part of Planning for the Future.

The senior managerial support underpinning the Director role through the 3 new Head of Service posts established a Head of Service post with responsibility for Early Help, Partnership and Planning which also fulfils the role of Deputy to the current Director of Children, Education and Social Care and takes account of the need for succession planning. Responsibility for some corporate and information governance elements have been transferred to the Corporate Resources Service Grouping and the Children's Commissioning Team transferred to the Director for Public Health. These arrangements have helped ensure an enhanced focus on Children's Services from both a strategic and operational perspective. Details of the structure post review are provided as an Appendix to this document.

Following the completion of the programme of reviews arising from the Efficiency, Improvement and Transformation Programme, progress to date with the 'Big Ticket Reviews' of Children's and Adult's Social Care and the need for further budget reductions as a result of changes in Central Government Funding Stockton Borough Council has developed its Big Picture Programme as a means of achieving the required reductions. The intention is that the Big Picture Programme will be delivered taking account of the policy principles articulated in the Council Plan. As part of that programme the Chief Executive has undertaken a review of the senior management and the overall structure of the organisation – 'Planning for the Future' and has been approved, in principle (subject to consultation) by Full Council. (September 2015). The details of this are available in the reports to Cabinet and Council and are intended to be fully implemented by 2018.

The proposed changes in terms of structure as part of the Planning for the Future Review by 2018 are also presented as an Appendix to this document for ease of reference. The key changes in the context of Children's Services will mean that the current Director of Children, Education and Social Care relinquish the post of Director of Children, Education and Social Care from April 2016. The authority and responsibilities will change with the Director of Children's Services focussed on fulfilling the duties and responsibilities within the statutory DCS guidance, supported by 2 Assistant Directors, one with a focus on Safeguarding and Looked After Children and the other on Schools and Special Education Needs.

Responsibility for Adult Services will form part of the new role of the Director of Adults and Health reflecting the move towards integration of health and social care. This role will be underpinned by 2 Assistant Directors, one with a focus on public health and one on Adult Social Care. The current Director of Children, Education and Social Care will remain in the organisation until August 2017 as part of the transition arrangements.

The risk assessment has again been visited in line with the statutory guidance and previous assessments with the finding that the current arrangements, control and scrutiny measures are sufficient to mitigate against the risks identified in the statutory guidance.

Should the arrangements within the Planning for the Future document be fully implemented as proposed it is not felt necessary to revisit the risk assessment in future unless the responsibilities within the DCS role are broadened or the statutory guidance is amended.

The Assurance Test

The risk assessments identified in the previous section are part of a wider assurance framework that provides scrutiny and challenge to practice and performance in relation to the areas of children's and adult's services and this framework can be found at the end of this document.

The risk assessment was undertaken independently from the Children, Education and Social Care Service Grouping and was subject to challenge by the Corporate Management Team, Corporate Governance Group and the Council's Cabinet.

Assurance Framework

