

CORPORATE PARENTING BOARD

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<p>CORPORATE PARENTING – A SHARED RESPONSIBILITY</p>

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PURPOSE OF REPORT

1. The purpose of this report is to inform the Corporate Parenting Board about new statutory guidance that sets out the roles and responsibilities of elected Members and senior managers in relation to corporate parenting.

BACKGROUND

2. In July 2009, new statutory guidance on “*The Roles and Responsibilities of the Lead Member for Children’s Services and the Director of Children’s Services*” was issued by the Department for Children, Schools and Families under the Children Act 2004. This guidance covers their responsibilities, and those of other Members and Officers, in respect of all children and young people and in relation to corporate parenting.
3. The Children Act 2004, which underpins Every Child Matters, requires each Local Authority to appoint a Director of Children’s Services and a Lead Member for Children’s Services. The Director of Children’s Services and the Lead Member must work together to provide strategic leadership for local authority education and social care services for children. They must also lead and facilitate local partnership arrangements including those which underpin the Children’s Trust, the Children and Young People’s Plan, the Local Safeguarding Children Board, information sharing and formal arrangements relating to children’s health. These responsibilities extend to all children receiving services in the area.

4. Whilst the Lead Member and Director of Children's Services have lead responsibilities for children's services, the Council Leader and Chief Executive also have responsibilities in this area. Local authority Chief Executives and Council Leaders must ensure that the importance of improving outcomes for children and young people is reflected across the full range of the business of both the Local Authority and the Local Strategic Partnership. They are the people to whom the Lead Member and Director of Children's Services report and have ultimate responsibility for the corporate working of the Council. They also have responsibility for ensuring that overall partnership working is effective.
5. This includes ensuring that children's issues are given appropriate priority within the Sustainable Community Strategy, the Local Area Agreement and the Local Authority's Corporate Plan. The guidance also sets out the responsibilities of the Chief Executive and the Council Leader in relation to a new requirement for an annual report to address safeguarding issues.
6. The Executive considered the statutory guidance on the roles and responsibilities of the Lead Member and the Director of Children's Services on 15/9/09. In respect of corporate parenting, it was confirmed that the Corporate Parenting Board would continue to advise the Executive in relation to enabling the Council to fulfil its corporate parenting responsibilities and that the Children and Learning Scrutiny Panel will continue to consider relevant safeguarding issues in its programme of work.

CORPORATE PARENTING RESPONSIBILITIES

7. The new statutory guidance makes particular reference to corporate parenting and identifies a range of responsibilities to be fulfilled by specific elected Members and senior managers. The guidance is clear that all Members of the local authority have a shared responsibility for corporate parenting. However, some Members and senior Officers have specific, statutory responsibilities in relation to corporate parenting.

Council Leaders and Chief Executives – Joint Responsibilities

8. Council Leaders and Chief Executives have overall responsibility for ensuring that local authorities are well led, managed, accountable and effective. This includes:
 - ensuring that the authority as a whole acts as a good corporate parent, and that services across the Council take this role seriously.
 - reporting on their assessment of arrangements for safeguarding children, at least once a year.
 - monitoring the performance of the Lead Member and Director of Children's Services in securing better outcomes for children and young people.
 - providing support to the Lead Member and Director of Children's Services in the discharge of their responsibilities.
 - supporting the Lead Member and Director of Children's Services in ensuring that children and young people's well-being is reflected in corporate and partnership working.

Lead Member and Director of Children's Services - Joint Responsibilities

9. The Lead Member and Director of Children's Services are jointly responsible for leading corporate parenting arrangements, both across the authority and with its partners in the Children's Trust. In particular, the Lead Member and Director of Children's Services are responsible for:
- providing leadership across the local authority in safeguarding and promoting the welfare of children looked after.
 - ensuring that looked after children are listened to, individually and collectively, and that their needs are addressed.
 - ensuring that governance arrangements are in place to implement any decisions regarding looked after children across the authority and partner agencies.
 - ensuring that the strategic plans of the local authority and joint plans with partner agencies meet the needs of looked after children and care leavers, including unaccompanied asylum-seeking children and young people.
 - ensuring that everyone within the local authority and each of their Children's Trust partners is aware of their shared responsibility for improving outcomes for the children looked after by the authority, regardless of where they are placed.
 - delivering on the Council's Pledge to children looked after.

In addition, the Lead Member and the Director of Children's Services have specific individual responsibilities.

Lead Member's Responsibilities

10. The Lead Member for Children's Services has a strategic political role in respect of decisions on local authority services for children looked after. This includes taking the lead political role in ensuring that children looked after by the local authority have their interests protected, their opportunities maximised, their educational achievement enhanced, their voices heard and care services shaped to meet their needs. In particular, the Lead Member is responsible for:
- ensuring that the local authority fulfils its responsibilities to the children for which it is the corporate parent, including children and young people placed outside the local authority's area, and children who are placed in the local authority area, including those in foster care and children's homes, as well as disabled children in residential care.
 - being aware of the needs and circumstances of particular groups of looked after children who may be especially vulnerable, such as those placed outside of the local authority area, children with disabilities and children looked after who are in custody.

- ensuring that effective arrangements for transition into adulthood are in place for care leavers. This will involve being confident that the local authority children's services department has effective links with adult services, housing agencies and appropriate third sector bodies, including young people's and families' advocacy and guidance organisations.
- ensuring that systems are in place to enable the voices of these young people to be heard, and to help inform the Council's strategy for corporate parenting.
- contributing to and being satisfied that the local authority demonstrates high standards of corporate parenting.
- encouraging all Members to:
 - ❖ promote the educational achievement and health and well-being of looked after children and children leaving care
 - ❖ attend corporate parenting panels
 - ❖ undertake training and seminars on the corporate parenting role
 - ❖ attend Children in Care councils
 - ❖ regularly meet organisations which act for children and young people
 - ❖ meet a representative group of looked after children regularly to listen to any concerns, acting upon these as appropriate, and providing feedback
 - ❖ attend annual awards ceremonies to celebrate achievement
 - ❖ share responsibility for visiting children and children's homes, including undertaking spot checks.
- working closely with elected members involved with adult social care services to assure that effective transition arrangements are in place for those who will need social care support throughout their lives.
- regularly discussing with other Executive Members how they will ensure that housing and leisure services prioritise support for looked after children.
- using information from inspection reports and the findings of the Overview and Scrutiny Committee to ensure that senior officers across the authority are held to account for their contribution to improving children's well-being.
- chairing key groups, such as corporate parenting panels or relevant groups within the Children's Trust.
- working closely with the Director of Children's Services to raise any issues with the Chief Executive.
- actively promoting the interests of children, young people and families within the Children's Trust and the Local Strategic Partnership.
- ensuring that partners' governing or executive bodies or boards are aware of their responsibilities under the Children Act 2004 and are actively promoting improved outcomes for children, particularly those from disadvantaged groups.

- ensuring that information on how those responsibilities are being met is available.
- encouraging partners to review and improve their own contribution.

Director of Children's Services' Responsibilities

11. The Director of Children's Services has overall, strategic responsibility for ensuring that all children's services are high quality and address the needs of children and young people. As a member of the local authority senior management team, the Director of Children's Services is responsible for promoting the interests of children, young people and families across the full range of local public services, including planning, housing, transport and leisure. The Director of Children's Services is also required to work closely with the Director of Adult Social Services to support young people with ongoing needs during the transition to the adult social care services system.
12. The Director of Children's Services is responsible for ensuring that children, young people, parents and carers are at the heart of consultation in the strategic planning of services. This includes making specific arrangements to target and engage hard-to-reach groups, for example by encouraging their participation in Youth Parliaments, School Councils or Children in Care Councils, and making use of information acquired from visits, correspondence and complaints. The Director of Children's Services is expected to feed back to the groups they consulted on how the issues they raised have been considered.
13. In relation to corporate parenting, the Director of Children's Services must act as the corporate parent for looked after children to help them lead a happy, healthy life and receive a good education. In particular the Director of Children's Services is responsible for:
 - safeguarding and promoting the safety and welfare of all children, especially looked after children, across all agencies.
 - supporting good parenting from every person involved in the child's life.
 - ensuring that services are planned and provided to take account of children and young people's views so that they have a real say in the decisions that affect their future.
 - providing children and young people with stability in their lives.
 - raising the aspirations of looked after children by expecting the same from them as any parent would expect from their own children.
 - focusing on improving the outcomes of children looked after, including health and educational attainment.
 - reviewing progress on what went well and where areas of weakness have been identified, for instance by attending Children in Care Councils.

- promoting strong corporate parenting.
- working closely with the Lead Member to fulfil their corporate parenting responsibilities.
- ensuring that the Lead Member and other elected members are supplied with full and accurate information about children's services in the local authority area and for children outside the area for whom the authority is responsible.
- working closely with key partner agencies, through the Children's Trust, to ensure that looked after children are given the support they need from mainstream and targeted services.

Overview & Scrutiny Board

14. The guidance highlights the role of the overview and scrutiny committee in reviewing or scrutinising decisions made or actions taken in connection with the discharge of functions which are the responsibility of the Executive, including the delivery of children's services and all aspects of the work of the children's partnerships. In doing so, the committee can require the Lead Member to attend or answer questions on matters relating to children and young people in the area, covering the full range of services for children, not just those commissioned or provided by the local authority itself.
15. The guidance suggests that Lead Members might wish to encourage the overview and scrutiny committee to look closely at the priorities and associated work streams in the Children and Young People's Plan. This could provide extra leverage over partners in the Children's Trust to drive better delivery.

ARRANGEMENTS IN MIDDLESBROUGH

Corporate Parenting Board

16. The Corporate Parenting Board is responsible for "enabling the Council to fulfil its corporate parenting responsibilities for children and young people who are looked after or accommodated by the local authority, and care leavers". This includes:
 - ensuring that children & young people achieve the best possible outcomes.
 - listening to children and young people's views and make sure they are taken into account.
 - supporting the development of corporate responses.
 - overseeing the Pledge and the Corporate Parenting Policy & Strategy.
 - advising the Executive on issues relating to children looked after.

Children and Learning Scrutiny Panel

17. The Children and Learning Scrutiny Panel is responsible for fulfilling the overview and scrutiny functions of the Council in respect of all matters relating to children and learning. The Council's Scrutiny Handbook (2007) identifies the focus of overview and scrutiny as:

- holding the Executive to account for its decisions in its leadership of the local authority.
- considering existing Council policy or services to evaluate their effectiveness.
- being a very powerful force for improvement in highlighting areas of poor performance and investigating methods of improving that performance.
- engaging in external scrutiny by scrutinising any matter which has an impact on a community.

This includes scrutiny of services for children looked after, as reflected in the recent 'Scrutiny of Aspects of Corporate Parenting', which was reported to the Overview and Scrutiny Board in October 2008.

All Elected Members

18. The Council's Constitution sets out a 'role profile' for all Councillors, as corporate parents, which identifies the following key tasks:
- to act as champions for children looked after by Middlesbrough Council.
 - to ensure that all Council and Executive Committees on which Members serve fulfil their Corporate Parenting responsibilities.
 - to represent the Council's Corporate Parenting responsibilities in their involvement with outside bodies, in particular in relation to duties as a school governor.

Individual Elected Members

19. The Constitution also includes a role profile for all Councillors who regularly visit local residential children's homes as Rota Visitors under Regulation 33 of the Children Home Regulations 2001. The primary responsibility of Rota Visitors is:
- Contributing to the role of elected members as corporate parents by ensuring the safety and wellbeing of children and young people in residential care within Middlesbrough.
20. Membership of the Family Placement Panel includes an elected Member, nominated by the Council, who takes an active part in the panel's processes. The key role of the Panel is to make professionally sound and procedurally correct recommendations concerning children and carers.

SUMMARY AND IMPLICATIONS OF THE GUIDANCE

21. The Children Act 2004 and subsequent statutory guidance requires the Mayor, the Chief Executive, the Executive Member for Children, Families & Learning and the Director of Children, Families & Learning to fulfil specific roles in respect of safeguarding children and corporate parenting.
22. In addition, external inspections processes carried out by Ofsted and in connection with Joint Area Reviews and the Comprehensive Area Assessment now have a clear focus on services relating to safeguarding vulnerable groups, particularly children looked after. It should be noted that corporate parenting arrangements in Middlesbrough have consistently been recognised as 'good practice' in previous external inspections and performance assessment

processes. In order to maintain continuing positive feedback, it is essential that these arrangements are robust and reflect the new guidance.

24. The publication of new statutory guidance provides an opportunity to review existing arrangements to ensure that they are 'fit for purpose'. It is essential to clarify the complementary roles and functions of elected Members and senior managers; and ensure that Middlesbrough's corporate parenting arrangements add value by consistently and effectively contributing to safeguarding children looked after and promoting their well-being.

FINANCIAL, LEGAL AND WARD IMPLICATIONS

25. There are no immediate financial or legal implications arising from this report, although the new guidance does identify specific statutory requirements that the local authority must meet. This report will be of interest to all Members, in their role as corporate parents.

RECOMMENDATION

26. It is recommended that the Corporate Parenting Board advise the Executive to note the views of the Corporate Parenting Board with respect to the new statutory guidance.

REASONS

27. The local authority is responsible for ensuring that corporate parenting arrangements are clear and reflect statutory guidance. The Corporate Parenting Board has a key role to play in that process.

BACKGROUND PAPERS

The following background papers were used in the preparation of this report:

- *The Roles and Responsibilities of the Lead Member for Children's Services and the Director of Children's Services (2009, DCSF)*

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