

Report to: **Children's Services Scrutiny Committee**

Date: **11 November 2013**

By: **Chief Executive**

Title of report: **Reconciling Policy, Performance and Resources (RPP&R)**

Purpose of report: **To enable the Committee to continue its engagement in the Council's business and financial planning process (Reconciling Policy, Performance and Resources) for 2014/15 and beyond.**

RECOMMENDATIONS: The Scrutiny Committee is recommended to:

- (1) consider the responses to any outstanding points from the September scrutiny committee deliberations on RPP&R;**
 - (2) agree the membership of the RPPR Scrutiny Board to meet on 7 January 2014; and**
 - (3) identify any further work or information needed to aid scrutiny's contribution to the RPP&R process for consideration at the RPPR Board.**
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1. Financial implications

1.1 The *State of the County 2013* report was agreed by Cabinet on 23 July 2013. That report initiated the Council's business and financial planning process known as *Reconciling Policy, Performance and Resources* (RPP&R) for 2014/15 and beyond. The Council has also agreed that **four cross-cutting priority outcomes** for the Council as a whole should be reflected in future business and financial plans. These are:

- Driving economic growth;
- Keeping vulnerable people safe from harm;
- Building resilience for individuals and families to live independently; and
- Making the best use of our resources.

2. Scrutiny engagement in RPP&R

2.1 When developing portfolio plans for next year, Cabinet Members are focusing on how services we and our partners provide contribute to the four priority outcomes. With diminishing resources available in future, the Council needs to develop ever more innovation in achieving efficiencies and 'providing more for less'. The kinds of strategies that are becoming increasingly apparent include: ensuring fair and effective demand management for the services we wish to provide; and focusing on earlier intervention, where appropriate, to prevent more costly intervention 'further down the line'.

2.2 Scrutiny's engagement in the RPP&R process is vitally important. The **September 2013 scrutiny committees** examined the current portfolio and savings plans to become familiar with the scope and functions of the Cabinet portfolios within their remit. The committees assessed how services were performing against previously agreed targets and budgets, and questioned Lead Members and senior officers about the impacts of previous spending decisions. The committee identified a number of questions for further scrutiny. Information relating to these points is presented in Appendix 1 and will be examined further as part of the RPPR Board's work.

2.3 Appendix 1 provides a high level description of the key commissioning outcome requirements for Children's Services and is presented for discussion.

2.4 The committee is asked to agree the Membership of its RPP&R scrutiny review board which will consider the developing portfolio plans and savings proposals in more detail as they emerge in December/January. Members are invited to volunteer to be on the Board.

3. Next steps

3.1 Each scrutiny committee will provide commentary and recommendations to be taken into account by Cabinet and Council before a final decision is taken on next year's budget and Council Plan early in 2014. In recent years, the messages sent by scrutiny to Cabinet have predominantly highlighted the *impact* of proposed spending plans on services provided by the County Council and its partners. Increasingly, however, scrutiny has also:

- proposed mitigating action to offset perceived negative impacts of spending reductions in some cases
- recommended shifts in the balance of priorities between different activities, giving prominence to priorities that have emerged from the evidence scrutiny has uncovered;
- made judgements about value for money for areas of above-average costs;
- sought to identify additional efficiencies; and
- challenged performance targets to try to ensure better return on investment through increased performance.

3.2 The **RPP&R scrutiny review boards** will meet in December 2013/January 2014 to agree the detailed comments and any recommendations on the emerging portfolio plans and savings proposals to put to Cabinet on behalf of their parent scrutiny committees. The Chairs of all the scrutiny committees are invited to attend all the scrutiny review boards.

3.3 The **March 2014 scrutiny committees** will review the process and their input into the RPP&R process, and make recommendations for improvements for the future RPP&R process.

BECKY SHAW
Chief Executive

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Background Documents
None

CSD Core Priorities and Services

1. The Core Commissioning outcome requirements for Children's Services, which support the Council's four priorities are set out in the table below.

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| 6 | Priority commissioning outcome |
| | (i) An effective multi agency child protection and early help system, which ensures that children and young people who are, or are likely to be, at risk of harm are identified and protected and which is underpinned by strong statutory multi agency governance and scrutiny (Local Children's Safeguarding Board) |
| | (ii) The provision of good quality early years education and school/college/training places for all children and young people aged 3 to 18, and early years education places for some 2 year olds |
| | (iii) Free home to school transport for those travelling over a prescribed distance or with Special Educational Needs or Disabilities (SEND) |
| | (iv) High quality integrated education, health and care for children and young people with SEND from birth to age 19 (with possible extension to 25), with clear information for parents about the local offer |
| | (v) Appropriate monitoring, support and intervention for young people who are at risk of entering and/or do enter the criminal justice system, to prevent further anti social behaviour or offending |
| | (vi) Delivery of a universal children's centre offer for 0-5 year olds and their families, meeting the requirements of primary legislation and statutory guidance |
| | (vii) Delivery of effective community health services for children and young people from birth to age 16 (universal) or 19/26 for children and young people with SEND |
| | (viii) Ensuring sufficient child care availability across the county for 0-11 year olds |
| | (ix) Leading effective arrangements for cooperation across key public service agencies designed to improve outcomes for children and young people, including the operation of effective models of support for families avoiding duplication or unnecessary complexity and cost. |

2. In terms of the extent of activity required, (i) is the biggest single area and (viii) and (ix) the smallest.
3. There is a very substantial body of legislation which has to be taken into account in making choices about the nature and level of activity which has to be commissioned. A number of these areas are the subject of detailed commissioning strategies/service reviews.
4. The requirements for effective delivery of each of the outcomes above are considered below in turn, followed by consideration of support needs across the department.

An effective child protection and early help system

5. This requires:

(i) Sufficient qualified social workers and support staff (including independently commissioned staff) to:

- 5.i.1. Assess whether statutory powers to take steps to safeguard children and young people need to be exercised
- 5.i.2. Work with families where possible to enable them to retain responsibility for their children
- 5.i.3. Intervene where necessary using statutory powers including taking proceedings through family courts to make alternative arrangements for the care of children
- 5.i.4. Quality assure and scrutinise all care planning
- 5.i.5. Secure alternative arrangements for children where appropriate, including through the fostering and adoption of children
- 5.i.6. Ensure that children in foster placements continue to be safe and develop well (exercising the responsibilities of the authority as the corporate parent of these children)
- 5.i.7. support adoptive families in supporting their children
- 5.i.8. Investigate allegations of abuse, mistreatment or poor practice by staff across all local public service agencies (a legal requirement)
- 5.i.9. Provide independent advocacy support for children

(ii) Targeted one to one support for families and in some cases individual young people designed to prevent the need for statutory intervention.

(iii) Universal and targeted services for groups of families/young people in local areas designed to build individual and community resilience

(iv) Secure understanding and vigilance across public and voluntary organisations in relation to identifying and responding to safeguarding risks for children and young people, including through statutory mechanisms (Local Children's Safeguarding Board and designated leads for child protection)

(v) Market development to ensure a good supply of services for procurement both by the authority and other agencies, for example schools.

Good quality early years education and school/college/training places

6. Securing this outcome priority requires investment in:

- (i) planning for sufficient school places, whether provided by the local authority or through free schools or academies
- (ii) the organisation of admissions to local authority maintained schools according to statutory requirements, including appeals against decisions not to admit children
- (iii) provision of transport to school where legally required. This is a significant budget element for the department, which pays for both regular school bus services and individual/group taxis for children with SEND. Communities, Economy & Transport (CET) manage procurement but the service costs are met by CSD
- (iv) ensuring sufficient early years education places (supporting independent settings or providing places directly)
- (v) a programme of support, challenge and training for school governors and advice on senior leadership appointments for governing body appointment panels.
- (vi) clarity of policy and strategy in relation to the local authority's responsibility for monitoring, challenge, advice and support
- (vii) management of information and data regarding the performance of schools and other providers to determine the targeting of resources and ensure the appropriate use of the local authority's formal intervention powers in underperforming schools
- (viii) commission support for schools causing concern as set out in the Education and Inspection Act 2004
- (ix) strategies to support effective leadership and management in schools and other providers.
- (x) brokering advice and guidance for schools where necessary on school improvement, including partnerships between schools and alliances between groups of schools
- (xi) market development to secure a range of services to support schools for procurement by the authority or schools

Integrated education, health and care planning and provision for children and young people with SEND

- 7. The local authority is responsible for providing education and care for children and young people with disabilities, either through direct provision or through the purchase of independent provision. The cost of specialist education in the independent sector, including residential provision where necessary, is a significant element of the department's budget.
- 8. In addition to direct provision, this priority requires investment in:
 - (i) The administration of statutory statements of special educational needs, to be replaced from 2015 with integrated individual Education, Health and Care plans for a larger number of children (with parallel running of both systems together in the school year 2014/2015). This requires integrated specialist assessment of the needs of individual children and young people. This area is the subject of a major reform programme over 2013-2015.

- (ii) Joint commissioning of services for this group, including health services such as therapies and services for children with complex needs
- (iii) Market development of relevant services including inclusion support services for schools to help them provide good education for children with SEND

Support for young people in the criminal justice system

9. The local authority is legally required to monitor young people who have offended and provide advice and guidance to them to help them deal with problems and prevent any reoffending. The number of young people requiring support from the Youth Offending Team (YOT) has declined significantly in recent years partly because of the use of community orders for young people with less serious offences. The cohort now supported by the YOT have more complex needs and a greater history of offending. The service is developing family keywork as a holistic response to the needs of young offenders and their families.

Universal children's centre offer

10. The local authority is legally required to commission/directly provide children's centre services for 0-5 year olds and their families designed to promote good child development and school readiness. The minimum required offer is not defined in detail in primary legislation but there is an expectation that all families can access at least some services. Statutory guidance and inspection expectations currently set a high bar. The East Sussex offer has recently been reshaped with a new focus on targeted work, and an increase in capacity to support volunteering with a view to sustaining universal services, in particular, in part through community volunteer support.

Community health services

11. This priority requires investment in:

(i) Direct services in some areas. In particular

- 11.i.1. Mental health services. The authority has historically received an annual grant from the Government for mental health services, a part of which is expected to be allocated to services for children and young people. This is currently put together with the much larger Clinical Commissioning Group (CCG) allocation for specialist Child and Adolescent Mental Health Services under an agreement under section 76 of the NHS Act 2006, as a contribution to the costs of a single contract with Sussex Partnership Foundation Trust but the money is directed to areas which are particularly important to the local authority such as services for looked after young people.
- 11.i.2. Therapies. The department has historically invested in a range of therapeutic services for children with disabilities and special educational needs; following the creation of a single Children's Integrated Therapy and Equipment Service funding is added to greater funding from CCGs, again under a section 76 agreement, to meet the costs of a single contract, currently with Kent Community Healthcare Trust.
- 11.i.3. Community midwifery. The Children's Centre budget has historically been used to commission a small number of "Additional Support Midwifery" posts to provide supplementary support for vulnerable prospective parents.

- 11.i.4. School nursing. Funding for this is now part of Public Health Grant and CSD are responsible for commissioning the service
- 11.i.5. Health Visiting. From April 2015 this service too will be funded through Public Health Grant and the department will be responsible for commissioning it.

(ii) Commissioning activity around these and other health services, such as services for children with disabilities. The CCG lead commissioner for children and young people is managed by the department, in the same way as ASC manages CCG employed commissioners; the department contributes to the cost of joint commissioning activity including support for the new joint ESCC/CCG commissioning mechanisms (Joint Commissioning Board).

(iii) Market development to ensure a good supply of local services

Ensuring sufficient childcare

12. The authority is legally required to ensure that “sufficient” flexible childcare is available for parents across the county to purchase in order to help them enter employment/remain employed. There is little case law on the definition of “sufficient”; historically discharge of this duty has meant collating information on childcare providers and making this available to parents, providing information for potential providers on good practice and legal requirements and keeping the pattern of childcare provision under review. A very small amount of childcare is directly provided through children’s centre nurseries in specific areas.

Leading multi-agency cooperation

13. Following the Laming report on the Victoria Climbié case the Government legislated in 2004 to require Children’s Services Authorities (established in that act as local authorities responsible for education and social care functions) to establish arrangements designed to enable a number of listed public services to cooperate with the aim of improving outcomes for children and young people in specific areas. The Coalition Government withdrew statutory guidance and repealed subsequent detailed legislation (such as a statutory requirement for a Children’s Trust Board), but did not repeal the 2004 cooperation requirement. This requirement is discharged in East Sussex through a set of partnership groups known as the Children and Young People’s Trust (CYPT), overseen by the Children and Young People’s Trust Executive Group (CYPTEG), which includes the East Sussex members of the National Youth Parliament. A very small number of posts work part time to support the arrangements, including preparing draft multi agency strategies (such as the Child Poverty Strategy as well as the overarching multi agency Children and Young People’s Plan (CYPP)).
14. In addition to leading on discharge of the 2004 Act responsibility, the department currently takes the lead for the local authority on delivery of the national Troubled Families programme (for which ring fenced national grant is provided) and of the local reform programme to streamline and coordinate the provision of services to families/households where a number of different services can be involved in working with different family members. The department supports the multi agency Family Keywork Board, currently chaired by Sussex Police, which oversees both of these interrelated programmes.

Support services

15. Effective commissioning of the outcome requirements above requires investment in support services. Currently these services include:
- (i) Commissioning support, including use of the Commissioning Grants Prospectus
 - (ii) Planning and performance improvement. Coordinating CSD RPPR process, the development of service plans including the department's portfolio plan, analysis of a wide range of performance data, evaluation of services and supporting inspection preparedness.
 - (iii) Participation and engagement. Support for the participation of young people in developing local policy and strategy (eg through the East Sussex Youth Cabinet and the Children in Care Council), and for a consistent approach to service user feedback and engagement.
 - (iv) Equalities. Support for managers in preparing Equality Impact Assessments when changing service plans and in identifying and addressing equalities issues at all levels
 - (v) Complaints. Support for investigating and responding to complaints about the department's services
 - (vi) Support for the maintenance of Data systems and shared processes including a range of service databases, the multi-agency Children Index (which holds information on which services are currently or have previously worked with individual children), data analysis and statutory data returns and use of common tools such as the Early Help Plan.
 - (vii) Support for the management of change, restructuring and delivering savings including undertaking LEAN reviews etc
 - (viii) Workforce development
 - (ix) Departmental health and safety and Human Resources activities (e.g. Firstcare monitoring of absence)
 - (x) Information for families about services and information, advice and guidance for parents and carers of children and young people with SEND
 - (xi) Freedom of Information, data protection, Subject Access Requests, Information sharing
 - (xii) Business Services Department (BSD) links for transformation programmes/work strands eg Agile, Social Care Information System Programme, ICT strategy for schools, property, procurement, information governance and communications