

1. Scope of Core and Support Services

In August 2016 Cabinet approved an initial proposed scope of services to be explored during the design phase of the Programme. This paper sets out the recommended scope of services to be included within the proposed Birmingham Children's Trust and its Shadow phase.

The August 2016 Cabinet Report set out 3 categories of services, those recommended to be IN, those OUT, and those that required more investigation.

Using that report as a starting point, the transition programme has engaged with the senior management of Children's Social Care, senior managers of all support services under consideration, and staff groups in various fora.

The following sections set out the results of this work:

- Section 2 outlines the recommended Core Services **in** scope.
- Section 3 outlines the recommended People Directorate Support Services **in** scope.
- Section 4 outlines the recommended Corporate Support Services **in** scope.
- Section 5 outlines the recommended services **out** of scope
- The services are listed in alphabetical order.

In terms of TUPE it can be assumed (subject to appraisal of models for transfer of staff and formal consultation) that:

- The staff in Core Services are in scope for TUPE (or the agreed model for transfer of staff)
- The services out of scope will not be transferred to the Trust
- The Support Services will be subject to further analysis, which includes considerations such as:
 - mapping precisely how each service directly supports the core services
 - conducting an analysis to look at instances where parts of teams, or parts of a person's job, are to support Children's Social Care. This analysis will need to look at how people are allocated. In some cases discussions will be necessary as to whether the people within that support service should fully transfer to the Trust or the Trust buys back that work (service) from BCC and the staff stay as BCC employees
 - where a whole function or team supports the core services, then the current assumption is that all the staff in that area will be subject to TUPE (or the agreed model for transfer of staff)

However, that assumption needs to be tested in terms of whether the people in that support service should fully transfer to the Trust or the Trust buys back that work (service) from BCC and the staff stay as BCC employees
 - how budgets have been allocated within the People's Directorate or centrally (corporately) will need to factor in how it is decided which functions and therefore people are allocated to the Trust.
- This paper reflects the position for the January 2017 Cabinet Report.

A further report on the scope will be submitted to Cabinet in July 2017 to reflect any modifications in the light of formal consultation and the early experiences of the Shadow Trust and to inform Council budget planning for 2018/19.

2. Core Services – IN SCOPE	
Adoption	Central service – recruiting and matching potential adoptive families and post-adoption/SGO support. We are exploring regional adoption agencies and would want the Trust to be able to move its adoption service into any such agreed regional arrangements in future. The proposed Trust would work with the new provider to ensure continuing close collaboration with children in care teams.
Assessment and Short-Term Intervention (ASTI) teams	In main area offices – good timely assessment of needs of those referred and short-term solution-focused help to children and families.
Child Protection chairs and Independent Review Officers, LADO, Disclosure team	Core statutory CSC functions
Children in care teams	In area main offices – supporting children in care into permanency or return home, including through family court process and up to 18 – includes specialist teams for unaccompanied asylum seeking children (UASC).
Complaints service; quality assurance; policy; research; PSWs	Quality assurance and staff development and learning function
Disabled Children’s Social Care	Disabled Children’s Social Care (DCSC) has recently moved to children’s services (formerly part of the Special Educational Needs [SEN] service within Education). This service is closely connected to SEN and Health is these relationships, and with Adult services for transitions will need to be closely maintained
Family Support – intensive interventions with disadvantaged families	Locality based – delivered by primarily non-social work qualified staff.
Fostering	Central service located close to placements service – recruiting and supporting in-house foster carers.

2. Core Services – IN SCOPE	
Leaving Care teams	<p>In area offices – supporting care leavers up to age 25.</p> <p>The proposed Trust would need to be able to explore the possibility of establishing with other LAs/ the third sector a Leaving Care trust that included Birmingham care leavers. The relationship and collaboration with children in care teams would have to remain connected and strong and the Leaving Care Trust arrangements would be best negotiated from within the proposed Children’s Trust to ensure continuity of care.</p>
No Recourse to Public Funds team; homeless young people’s team; Edge of Care teams; specialist assessment, rights and participation, family group conferencing and contact service.	All of these teams are integral to the provision of statutory children’s social care service
Partnership management and development	Trust support to LSCB and to wider Birmingham Partnership work for children and families
Residential care homes for disabled children	BCC residential homes for disabled children should be managed alongside DCSC.
Safeguarding teams	In localities – long-term intensive child in need and child protection interventions with the most disadvantaged families.
Single point of entry for all contacts and referrals	Child & Family Advice Service and Multi-agency Safeguarding Hub (MASH), including Emergency Duty Team for children.
Therapeutic Emotional Support Service	Mental health support primarily for children on edge of care/ in care and foster carers.
Youth Offending Service (YOS)	There is considerable overlap between safeguarding and children in care teams in relation to young people worked with. The current Ministry of Justice review of YOS nationally is suggesting closer integration with Children’s social care.

3. People Directorate Support Services – IN SCOPE	
BSCB support team	Safeguarding Children Boards are primarily concerned with child protection. The Council/ Trust is the lead agency and in this respect in terms of leadership and management, the support staff resource is best managed within the Trust.
Commissioning and Contracting	<p>In summary this area would need to cover:</p> <ul style="list-style-type: none"> • The contracting interface with BCC (contract management, performance reporting). • The proposed Trust commissioning services. • The proposed Trust commissioning services in conjunction with partners. <p>The proposed Trust would need its own commissioning/ contracting arrangement, especially in relation to purchasing external placements. It would be essential that the placements service is part of the Trust and it is focused on current plans to reduce costs, grow in-house foster placements and hold providers to account for quality of work with children.</p> <p>The commissioning function would be needed for forward planning so that the proposed Trust would be able to make best use of available resources by determining which services / functions it buys in, the contractual arrangements for new approaches (e.g. Adoption; Leaving Care) or using resources differently.</p>
Communications	It is recommended that the trust have its own communications resource.
IT Services	<p>It is recommended that the trust have its own ICT management resource.</p> <p>This would include support to implement and maintain the system which is to replace CareFirst.</p>
Performance Data and Analysis Function	The performance data and analysis function, including the maintenance of the social care data base and staff support and training around use of the system, would need to be part of the proposed Trust. . The performance unit would also need to report back to the Council commissioners in terms of performance of the proposed Trust against commissioned outcomes.
Professional Support Services.	At present Children's Services do not manage administrative support to the service (Professional Support Services). These would need to be included in any Trust arrangement.

3. People Directorate Support Services – IN SCOPE	
Projects and Programmes	It is recommended that the Trust Projects and Programmes support to act as an enabler on the Improvement Journey. This could be an SLA/traded agreement with BCC.
Workforce Development Function	A workforce development function would need to be part of the proposed Trust.

4. Corporate Support Services – IN SCOPE	
Communications	The Trust is able to buy back some functions from the council such as web hosting and printing.
Finance	A small finance function would be required to professionally discharge the management of the finances received as part of the contract with the council and to enable the Trust to manage its financial resources. It would be free however to buy back functions such as payroll.
HR	A small HR function is required to manage recruitment and retention for the Trust as well as provide professional HR advice to the Trust's Board and senior management. This could be an SLA/traded agreement with BCC.
IT Services	It is proposed that IT services are in scope and initially remain the responsibility of the council and are covered by a buy back arrangement between BCC and the Trust.
Legal Services advice	The children's legal services function in relation to the Family Court and Public Law Outline (PLO) process would be part of the proposed Trust. Children's legal services need to work closely and collaboratively with social workers in order to ensure the needs of children are effectively represented in the Family Court, delays are minimised and social workers are given sound legal advice.
Property	It is recommended that the trust would have responsibility for its own accommodation which initially would be bought back from the council.

5. Out of Scope	
Early Years, school nursing and health visiting	These services are currently subject to a large scale commissioning redesign. These services are at Levels 1 (universal) and level 2 (universal plus) and are not part of the targeted levels 3 and 4 social care offer to families in greatest need.
Education Services	<p>Education has made significant improvement since 2014 and is on a good trajectory, validated by the final report of the Education Commissioner Sir Mike Tomlinson. Education remaining outside the Trust is a positive choice, reflecting the continued improvement within BCC and with existing partners (S4E and BEP).</p> <p>It is therefore recommended that the Council's statutory responsibilities for education, including its work with schools around school improvement, school places, tracking pupils, supporting schools to fulfil their range of safeguarding responsibilities, ensuring the full education offer for excluded children and those with EHC plans are not part of the Trust.</p> <p>Were some of these services in scope, this would broaden the proposed Trust's professional responsibilities and dilute its primary social work Children Act 1989 functions.</p>
Virtual School for children in care	Discussions and feedback initially placed this as out of scope but it is recognised further discussions are required (and planned) before any final decision.