

Report to the Schools, Children and Families Overview & Scrutiny Committee

DATE: 13th September 2017

TITLE OF REPORT: Children's Trust Development – Update Report

Purpose of the Report

To brief the Committee on progress made on the establishment of the Birmingham Children's Trust and developing the service delivery contract for the Trust.

Recommendation

That Members note the information contained in this report.

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1.0 Background

- 1.1 In January 2017 Cabinet approved the proposal to create the Birmingham Children's Trust as a wholly owned company and as a community interest company (CIC) and put in place a shadow period (from April 2017 to March 2018) to test the governance arrangements between the Council and the Trust prior to full transition (go-live) at April 2018.
- 1.2 This was alongside the establishment of a set of programme management arrangements to coordinate and oversee activity to ensure that the Trust implementation achieves the April 2018 'go live' date, whilst supporting children's social care with its on-going improvement journey.
- 1.3 On 25th July 2017 Cabinet gave approval for:
 - a) The proposed children's social care and related support services required by the Birmingham Children's Trust as the basis for formal consultation and for negotiation between the Council and the Trust to agree the Service Delivery Contract;
 - b) The indicative 2018/19 Trust budget; and the approach to the transfer of staff from the Council to the Trust at April 2018.
- 1.4 The purpose of this paper is to provide an update to the Children, Families and Schools Overview and Scrutiny Committee on progress made with the establishment of the Birmingham Children's Trust and the underpinning service delivery contract.

2.0 Preparing for Operational Readiness in the Trust

- 2.1 Significant progress has been made with recruitment to key posts in the Trust.
 - a) Andy Couldrick joined the Trust as Chief Executive on the 14th August 2017;
 - b) John Harrison joined the Trust as Interim Director of Resources on the 21st August 2017 with the process of recruitment to the permanent post started;
 - c) All appointments have been made to Non-Executive Director positions within the Trust. The details of the Non-Executive Directors are provided in Appendix A.
- 2.2 These appointments have provided much needed leadership and capacity to drive progress in the shadow operational period. Line management of the Heads of Service in key functions changed from BCC to the Trust on the 14th August in recognition of the new senior leadership in the Trust. An induction programme has been provided to new starters and a Trust Board induction and initial Board meetings have been scheduled.

- 2.3 All staff that will be transferring into the Trust have been identified and TUPE letters have been sent to all affected staff. A number of engagement and consultation sessions for staff will be taking place during September and October. These sessions will provide opportunities to present to staff the reasons for movement to a Trust model, what it means for staff involved and will provide information about what additional support will be made available to individuals during this transitional period. The sessions will also give an outline of the process and timescales and an opportunity to ask questions. The sessions will be jointly led by senior officers from Birmingham City Council and the Trust.
- 2.4 Weekly meetings between senior officers of the Trust, BCC Children's Services and the Trade Unions have also been established.
- 2.5 A new Trust headquarters has been established in Lancaster Circus and staff have been migrated to this new base. A review of the CAB estate has been undertaken.
- 2.6 Following a procurement process, Burges Salmon have been appointed as legal advisors to the Trust on Trust establishment and contractual issues.
- 2.7 Work has commenced on consultation, engagement and communication with staff and wider partners.
- 2.8 Dave Hill, the Children's Commissioner, and Andy Couldrick, the Trust Chief Executive, will be attending the committee's November meeting.

3.0 Service Delivery Contract Development

- 3.1 The Interim AD for Commissioning started on 1st August. An early piece of work has been to review the existing programme management and governance arrangements that have been in place to underpin the development of the Trust. These are being refreshed in line with the development of the service delivery contract and work is currently taking place to refresh programme and project plans accordingly.
- 3.2 Bevan Brittan have been appointed as legal advisors to BCC following a competitive process. The initial set up meeting has taken place with weekly conference calls scheduled. An outline early draft of the service delivery contract and supporting schedules will be completed by the end of September with a detailed draft completed by the end of December. This will allow for 3 months of testing before operational go-live on 1st April 2018. The development of the service delivery contract and supporting schedules will be led by BCC and co-produced with the Trust. Key pieces of activity in the next 2 months will be the development of the service specification, the performance management framework and the financial mechanism. In the above the Council's role as commissioner and in holding the Trust to account (including via scrutiny) will be referenced.

- 3.3 Weekly touchpoint discussions continue between the Director of Children's Services and the Department for Education to keep all parties updated and appraised on key issues. The next stocktake meeting with the Department for Education is planned for mid-October.

4.0 Key Issues

- 4.1 Key issues for the next period include:

- a) Determining and agreeing Reserved Matters (where decisions will need the approval of or consultation with the Council);
- b) Finalising the support services budget;
- c) Developing and testing proposals and arrangements for the Council's Intelligent Client function;
- d) Ensuring sufficient capacity and capability is in place;
- e) Developing the draft service delivery contract and supporting schedules;
- f) Ensuring plans for changes to SAP (HR and finance) fit with the operational go-live date of 1st April 2018;
- g) Finalising agreements for the support services contracts (BCC services provided to the Trust).

5.0 Conclusion

- 5.1 The Children's Trust programme progress is currently assessed as amber. Section 4 (key issues) of this paper provides a summary of the issues that need progressing to achieve a green status.

6.0 List of Appendices

Appendix A – Details of Birmingham Children's Trust Non-Executive Directors

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ANDREW CHRISTIE – CHAIR

Andrew was Director of Children’s Services (DCS) for the Tri-borough partnership of Hammersmith & Fulham, Kensington & Chelsea and Westminster from 2011 until his retirement in May 2016.

Prior to this Andrew was DCS for Hammersmith & Fulham from 2006. He began his career in social work in 1974. He has worked for East Sussex, Lewisham and Surrey. In 1998 he moved to Hammersmith and Fulham to be AD of Children's Services.

He chaired the Association of London DCSs, and the ADCS Health, Care & Additional Needs Committee. Appointed Commissioner for Birmingham Children's Services by the Secretary of State, in December 2015, he continued in that role until December 2017, when he was appointed Chair of the Birmingham’s Children’s Trust.

He also chairs the Adoption Leadership Board and Lambeth's LSCB.

BRIAN CARR

Brian has been chief executive of Birmingham Voluntary Service Council since 2005, and joined the organisation after periods working as a personnel manager with Marks and Spencer plc and as managing director of a local Citizens Advice Bureau.

His role involves strategically leading BVSC in the full range of its activities, which focus on providing advocacy and development support to charities, community groups, and volunteers, and supporting the public and private sectors to better engage with voluntary groups.

A past chair of Healthwatch Birmingham and Birmingham Race Action Partnership, Brian is currently chair of the Birmingham Changing Futures Together Partnership and a partner governor of Birmingham Community Healthcare NHS Trust. He is the author of two books, including the Amazon bestselling career guide, *How to Find Your Vital Vocation*.

BAL DHANOA

Bal is the CEO and founder of Progress Care Solutions. She has spent the last 35 years working within Health and Social care, managing frontline services for local authorities, voluntary and private sectors. Bal’s entrepreneurial career has helped her shape the standards of care towards achieving outstanding outcomes for the most vulnerable children, young people and adults, creating an industry-leading company that offers job and career opportunities for staff across the East and West Midlands.

Bal is married and a mother to 3 young independent adults and a grandmother. Her interests include travel, food and gardening.

RUTH HARKER

Ruth taught in Birmingham for just over forty years, twenty of these as Principal / Executive Headteacher, before retiring in August 2016. Working in a diverse range of schools, she saw the challenges faced by many children and was involved in innovative partnerships to help tackle these issues. After opening the new Shenley Academy, the consistent award of 'Outstanding' by OFSTED for safeguarding was an endorsement of the emphasis given to safeguarding and children's welfare. Having successfully led two of Birmingham's largest schools during periods of challenge, Ruth oversaw several other schools in difficulties. As Chair of the local network Behaviour Group, she led the project group to set up a new Alternative Provision Free School.

For five years Ruth was a Governor at the University Hospitals Birmingham NHS Foundation Trust. She is married with one daughter, who is a teacher.

COLIN HORWATH

Colin is a qualified accountant, who has spent his career working with the public sector.

He was a partner with KPMG, based in Birmingham for 20 years, leading audit and advisory assignments. His internal responsibilities included heading the national public sector practice.

Since leaving KPMG he has continued his involvement with the public sector as a Non-Executive Director in the NHS and is currently interim deputy Chair of Birmingham Women's and Children's NHS FT. He is also a partner in a small executive recruitment and search firm. He was also Governor at an Academy for 8 years. He is married with grown up children. His interests are classic cars and music, as well as learning to speak German badly.

ELIZABETH STAFFORD

Liz has many years of experience as a Chief Executive of Probation organisations, including Warwickshire Probation Trust and the Warwickshire and West Mercia Community Rehabilitation Company. Before becoming Chief Officer for Warwickshire Probation Area in 2001, she was a senior manager for West Midlands Probation.

She is pleased to be able to bring her skills and experience to support Birmingham Children's Trust having lived in Birmingham since 1982 and having worked for Birmingham City Council Social Services Department and Education Departments from 1982 to 1990.

PROFESSOR JON GLASBY

Jon is Head of the School of Social Policy at the University of Birmingham and Professor of Health and Social Care. A qualified social worker by background, he is involved in regular research, teaching, consultancy and policy advice around health and social care partnerships, community care and personalisation. He is Editor-in-Chief of the *Journal of Integrated Care* and a Non-Executive Director of Heart of England NHS Foundation Trust

(a Trust in Birmingham and Solihull with three hospitals and a series of community health services). He has provided policy advice to the Department of Health, the Cabinet Office and Downing Street on the future of health and social services, and from 2003 to 2009 was the Secretary of State's representative on the Board of the Social Care Institute for Excellence (the national body responsible for identifying and disseminating what works in social care). He is currently a Senior Fellow of the UK School for Social Care Research, a Fellow of the Royal Society of Arts and of the Academy of Social Sciences, and Adjunct professor at Curtin University, Western Australia. From 2008 to 2015, he was Director of the University of Birmingham's Health Services Management Centre (HSMC).