

DEVON CHILDREN'S TRUST

Constitution and governance arrangements



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Version 9 Constitution (04 April 2007)

DEVON CHILDREN'S TRUST

Constitution and Governance arrangements

The Devon Children's Trust is a partnership of statutory and voluntary agencies, operating under the leadership of the County Council to fulfil the Children Act 2004, s 10 'Duty to co-operate' requirements

1.0 Children's Trust Statement of Purpose

- 1.1 The Trust has been established in response to national policy for services to children and young people and to reflect the collective responsibilities of the County Council and its partners in realising the objectives of the *Change for Children* programme.
- 1.2 The Trust's work is aligned with *Devon County Council's Strategic Plan 2006–11*, one of the priorities of which is "giving children and young people the best possible start in life." Running through the Strategic Plan is **a commitment to promote independence, aspiration and choice for families and to build strong communities in which our children can grow up, flourish and succeed.**
- 1.3 This Constitution sets out the arrangements within which integrated working, joint planning and commissioning processes and service delivery will operate. It also sets out accountabilities for decision making and resource allocation.
- 1.4 The governance arrangements consist of a Board, and a Professional Executive with support from a Chief Officers' Joint Commissioning Group with defined relationships to other partner bodies (Appendix1).
- 1.5 The *Devon Children & Young People's Plan* (C&YPP) April 2006–March 2009, sets out the priorities to be addressed, as agreed by the County Council and its partners. These form the basis of a common vision, an agreed work programme and the difference we are trying to make for children and young people in Devon. These are the shared intent and the work of the Devon Children's Trust. The plan also states the common aims of the children's block of the Local Area Agreement and the relevant elements of the County Sustainable Community Plan.
- 1.6 The relationship between the *Children's Trust* and Devon Children and Young People's Services (C&YPS) can be a difficult one to grasp. C&YPS are accountable for the delivery of a wide range of Devon County Council services to children and young people, many of which are specialist services. There are, however, a range of services which are best delivered by joint working between a variety of different agencies with a common purpose.
- 1.7 The *Trust* is the vehicle for that joint working. It is not a stand alone employer; rather it is a partnership vehicle from which the different agencies achieve agreed outcomes towards the delivery of their core service, greater efficiencies and economies of scale, more accurate information, targeting of appropriate resource and access to specialist skills. The result will deliver a more comprehensive and effective service to those children and young people.
- 1.8 The Plan is expected to evolve in response to experience and national policy, as is the structure of the Trust. Devon County Council provides the primary administrative support to the Trust.

- 1.9 The Trust has adopted the Nolan Committee's *Seven Principles of Public Life* (see Appendix 2) as the basis on which the Board, Professional Executive and Chief Officers' Commissioning Group will operate.

GOVERNANCE STRUCTURE

Children's Trust Board

2.0 Role of the Children's Trust Board

The Board's role will be to provide leadership of the Children's Trust within a framework of prudent and effective controls.

2.1 Terms of Reference

Responsibilities

The Board will :

- 2.1.1 oversee the Executive's implementation of *the Children & Young People's Plan* (C&YPP), including a rolling programme of progress reports from the Executive on each of the Plan's "outcomes and enablers";
 - 2.1.2 make arrangements for the recruitment and selection of an independent chair;
 - 2.1.3 promote the values and standards of the Children's Trust as set out in this constitution;
 - 2.1.4 support and challenge the Trust's Professional Executive;
 - 2.1.5 approve proposals for the revision and development of the *Plan*;
 - 2.1.6 consider the report of any inspection of the Trust itself or of services for children and young people provided by Trust partners;
 - 2.1.7 approve any improvement plan arising from such reports and monitor implementation of such plans;
 - 2.1.8 make recommendations to the Chief Officers' Joint Commissioning Group and the Professional Executive on priorities for the implementation of aspects of the *C&YPP* and for the allocation and prioritisation of resources;
 - 2.1.9 evaluate, each year the effectiveness of the Trust and its component elements, review and adjust plans and processes to maximise learning and refocus effort to ensure effective delivery;
 - 2.1.10 oversee the development of future governance arrangements and approve such arrangements;
 - 2.1.11 approve the Trust's annual report (referred to in para 6.7).
- 2.2 The Board's meetings will normally be held in public, except where exempt or confidential information (as defined in the *Access to Information Procedure Rules* of Devon County Council's Constitution) is to be discussed.

- 2.3 At its first meeting, the Board will make arrangements to recruit a Chair, who must be a person independent of the County Council. This will be a nationally advertised appointment. In the absence of the Chair from any meeting, those present will elect one of their number to chair that meeting.
- 2.4 The Chair will serve for four years unless he/she resigns from the office or is removed from office by resolution of the Board.
- 2.5 The quorum for the Board will be one third of its membership, provided that the Director of Children & Young People's Services (or his/her representative) is present. If there is no nominated person acting on behalf of the Director present, the meeting cannot be quorate.
- 2.6 Decision-making will be by consensus, wherever possible, but if a consensus cannot be reached, decisions will be taken on a simple majority of those present and voting will be by show of hands. In the event of a tied vote, the person chairing the meeting may exercise a second or casting vote.
- 2.7 Meetings of the Board will be held bi-monthly (avoiding school holidays) and convened by the Committee Secretariat of the County Council.
- 2.8 Any member of the Board may give written notice to the Committee Secretariat that he/she wishes an item to be included on the Board's agenda and such an item will be included on the agenda of the next meeting, provided that notice is received at least ten working days before the meeting is to take place. An agenda will be circulated 7 days before the meeting. The Chair will have discretion to rule items out of the agenda.
- 2.9 A record of meetings and decisions of the Board will be maintained and published by the Committee Secretariat.

3.0 Board Membership

- 3.1 The Board will comprise:
 - 3.1.1 an independent Chair;
 - 3.1.2 the County Council's Chief Executive (or his/her representative);
 - 3.1.3 the Council's Executive Member for Children & Young People's Services;
 - 3.1.4 the Council's Executive Support Member for Schools;
 - 3.1.5 the Council's Executive Support Member for Social Care;
 - 3.1.6 the Council's Director of Children & Young People's Services (or his/her representative);
 - 3.1.7 the Chief Executive of the Devon Primary Care Trust (or his/her representative);
 - 3.1.8 one non-executive representative of the PCT Board;
 - 3.1.9 Children's Trust Programme Director;
 - 3.1.10 one representative of the Devon Local Safeguarding Children Board;
 - 3.1.11 one clinician nominated by the PCT;

- 3.1.12 two representatives of the Devon Association of Governors, one of whom to be a parent Governor;
- 3.1.13 two representatives of parents of early years children, commissioned through the National Council for Voluntary Child Care Services (NCVCCO);
- 3.1.14 two parent carers, nominated by Parent Carer Voice;
- 3.1.15 one representative of the Learning & Skills Council;
- 3.1.16 the Chief Executive (or his/her representative) of Connexions Cornwall & Devon;
- 3.1.17 two representatives from Devon District Councils; constituency to be decided;
- 3.1.18 two representatives of the voluntary sector nominated by NCVCCO (for the early years and primary phase) and VYS (for youth services);
- 3.1.19 one representative of the Devon & Cornwall Police Authority;
- 3.1.20 one representative of the Devon & Cornwall Constabulary;
- 3.1.21 representatives of the faith communities;
- 3.1.22 one representative from each of LGBT and minority ethnic communities;

The Children's Trust Professional Executive

4.0 Role of the Children's Trust Professional Executive

The role of the Children's Trust Professional Executive is to lead on the implementation of the CYPP with a specific focus on integrated processes, integrated delivery, information sharing, performance management and the common assessment process.

4.1 Terms of Reference :

Responsibilities

The Executive will :

- 4.1.1 ensure that each of the "five outcomes" has clear targets for evaluating impact and clear lines and arrangements for accountability;
- 4.1.2 develop main processes and systems, including performance management arrangements and process reporting;
- 4.1.3 manage the planning, budget alignment, commissioning and delivery of appropriate services;
- 4.1.4 ensure project management and risk management are embedded in the Trust's working methods;
- 4.1.5 review and question performance and be accountable for performance to the Trust Board, reporting on a regular basis;

- 4.1.6 take the managerial and operational decisions required to put the Trust's policies and programmes into effect and to further its aims;
- 4.1.7 ensure that partnership working is effective and propose improvements where these appear to be needed.
- 4.2 The Director of Children and Young People's Services will chair the Professional Executive in support of the statutory responsibility of this role.
- 4.3 The Executive is accountable to the Board for the implementation of the Children & Young People's Plan, and for the delivery of the CYP block of the Local Area Agreement.
- 4.4 The Executive may make recommendations to the Board to vary or amend the Plan in the light of experience implementing it. It may also be necessary to amend the plan in line with changing priorities in the Local Area Agreement and Sustainable Community Plan derived from the Devon Strategic Partnership,
- 4.5 The quorum for the Board will be one third of its membership, provided that the Director of Children & Young People's Services (or his/her representative) is present. If there is no nominated person acting on behalf of the Director present, the meeting cannot be quorate.
- 4.6 If a consensus cannot be reached, decisions will be taken on a simple majority of those present and voting will be by show of hands. In the event of a tied vote, the person chairing the meeting may exercise a second or casting vote. Any member(s) disagreeing with a decision may submit a minority report to the Board.
- 4.7 Meetings of the Executive will be held monthly, convened by the Children's Trust Programme Office.
- 4.8 Any member of the Executive may give written notice to the Children's Trust Programme Office that he/she wishes an item to be included on the agenda and such an item will be included for the next meeting, provided that notice is received at least ten working days before the meeting is to take place. An agenda will be circulated 7 days before the meeting. The Chair will have discretion to rule items out of the agenda.
- 4.9 A record of meetings and decisions of the Executive will be maintained by the Children's Trust Programme Office and are a matter of public record, accessible on the Children's Trust website.

5.0 Executive Membership

- 5.1 The Professional Executive will comprise:
 - 5.1.2 the Director of Children & Young People's Services or his/her representative (current chair);
 - 5.1.3 Children's Trust Programme Director;
 - 5.1.4 four Children & Young People's Services officers, to include education, the youth service, children, young people and families and youth offending;
 - 5.1.5 one NHS Children's Lead;
 - 5.1.6 one representative of NHS acute paediatrics;

- 5.1.7 one representative of NHS community paediatrics;
- 5.1.8 one representative of NHS public health;
- 5.1.9 one representative of NHS child & adolescent mental health services;
- 5.1.10 two representatives from District Councils, to be decided;
- 5.1.11 one representative of Child Concern (AXS Pathway;)
- 5.1.13 one primary school head teacher (nominated by the relevant professional association);
- 5.1.14 one secondary school head teacher (nominated by the relevant professional association);
- 5.1.15 two representatives of the voluntary sector nominated by NCVCCO (for the early years and primary phase) and VYS (for youth services);
- 5.1.16 one representative of the Devon & Cornwall Constabulary;
- 5.1.17 one representative of Connexions Devon and Cornwall;
- 5.1.18 the chair or a representative from each of the CTIGs;
- 5.1.19 one representative of the Chief Executive's Directorate;
- 5.1.20 one representative of Devon Probation Service;
- 5.1.21 one representative of Post 16 Further Education;

6.0 Accountability of Trust Partners

- 6.1 All members of the Board and Executive are accountable to the organisations which appointed them and employees of partner organisations are accountable to their respective employers. Each member has a responsibility and a role to play in the communication of the Trust's business and progress through their respective agencies mechanisms. They should be of sufficient seniority to represent the views of their organisation and to commit resources to Children's Trust business. It will be the responsibility of each partner agency to determine what those arrangements are. This should include consideration of an interface with broader strategic partnerships covering boundaries of a geographic or organisational nature outwith the County.
- 6.2 Children's Trust activities occur within a framework whose agreement by parties is led by the County Council as "Local Authority." Members of the Trust who represent the Local Authority agree to operate within the framework of the Trust's decisions. The Local Authority remains the accountable body for co-ordinating overall delivery.
- 6.3 Children's Trust outcomes are about children and young people; it is thus entirely appropriate the engagement of a representative group of young people is secured and that group is afforded a scrutiny function. To this end the Framework of the Trust Delivery Programme will enable specific meetings between the young people's Shadow Executive and Scrutiny Group with relevant members of the Programme. Their feedback will be fed directly into the Board and Executive reporting mechanisms. The Devon Children and Young Peoples Plan specifically commits the partnership to achieving the advanced level of the national "hear by right" standards. This involves a detailed programme of participation by children and young people in many aspects of children's service delivery. Devon is also

involved in a National research programme aimed at securing participation and is at the forefront of work in this area.

- 6.4 In the interests of public accountability and transparency, all the Trust partner organisations agree to provide the relevant Overview/Scrutiny Committee of the County Council with such information about the planning, provision and operation of children and young people's services within their area as the committee may reasonably require to discharge their scrutiny functions. Partners will not however be required to give:
- (a) confidential information which relates to and identifies an individual unless the information is disclosed in a form ensuring that individuals' identities cannot be ascertained, or an individual consents to disclosure;
 - (b) any information the disclosure of which is prohibited by or under any enactment;
 - (c) any information, the disclosure of which would breach commercial confidentiality.
- 6.5 Trust partners agree that their officers will attend and answer such questions as appear to the committee to be necessary for discharging its functions. The committee will give the officers concerned reasonable notice of the intended date of his/her appearance.
- 6.6 Where a committee makes a report or recommendation to a Trust partner, that body will respond in writing within 28 days, explaining what it proposes to do in response to those recommendations and, if it rejects any of them, why it has done so.
- 6.7 The Trust will prepare an annual report on its activities, copies of which will be available to all Trust Partners, to other interested parties, to the public and to the media.

7.0 Parent and Voluntary Sector Representation on the Board

- 7.1 Parent and Voluntary Sector representatives provide a unique perspective and important influence in the development and improvement of children and young people's services throughout Devon. In recognition of this "critical friend" role to support and challenge the Trust's work, clearly defined mechanisms are required to secure participation. These arrangements are set out in Appendix 3 with a proposed profile for parent representatives at Appendix 5.

8.0 Relationships to other bodies

- 8.1 Relationships to:
- 8.1.1 the Devon Strategic Partnership;
 - 8.1.2 the Local Safeguarding Children Board;
 - 8.1.3 Crime & Disorder Reduction Partnerships and
 - 8.1.4 Youth Offending Teams;
 - 8.1.5 Young People's Shadow Executive and Scrutiny Group as set out in Appendix 4.
- 8.2 If so requested by a County Committee, a representative of the Trust will attend a subsequent meeting of any of the above to explain the progress of, and plans for, services

for children and young people in the area concerned. In making such reports, the Trust will not disclose confidential information which relates to and identifies an individual unless the information can be presented in a form ensuring that individuals' identities cannot be ascertained.

9.0 Children's Trust Delivery Programme

9.1 A Programme Office has been created as a multi-agency team to co-ordinate the delivery of the *Children and Young People's Plan*. The team is small and has a facilitative role, initially managing the delivery of a portfolio of programmes and projects. Specific functions will include:

- 9.1.1 CYPP Programme Management
- 9.1.2 Performance reporting
- 9.1.3 Local Area Agreement, Children's Block Co-ordination
- 9.1.4 CYPP Updates/rewrites
- 9.1.5 Children's Trust Communications
- 9.1.6 Hosting a joint commissioning unit
- 9.1.7 Children's Trust Secretariat

The programme will be managed using the methodology prescribed by the Office of Government Commerce (OGC) and disseminated as 'Managing Successful Programmes' (MSP) for use in the public sector where complex business change is enacted. Other functions may be added as necessary. A schematic structure of the programme framework is attached at Appendix 6 reflecting a high level stakeholder map in which the key influencers for the programme are identified.

9.2 **CT Programme Mandate** : A formal programme mandate has been signed off by the CT Executive as follows:

9.2.1 "The Devon Children's Trust is a partnership of statutory and voluntary agencies, operating under the Leadership of the County Council to fulfil the *Children Act 2004*, s.10 'duty to co-operate' requirements. The *Children and Young People's Plan 2006-09* (CYPP) describes the strategic planning and performance / quality improvement priorities and expectations that the partnership will work to deliver.

9.2.2 The trust will make transition from a phase developing strategies and plans aimed at securing the greater integration of services for children and young people and piloting new ways of working : to a phase achieving co-ordinated delivery of the plans and strategies that have been agreed, as mainstream business across the County.

From 'Consensus building' to 'Common practice' and 'Outcome focus'.

9.2.3 The Children's Trust Programme will deliver the plan over a three year period, working to achieve the five 'Every Child Matters' outcomes, providing the best opportunity for the children and young people of Devon to grow up:

- Being Healthy
- Staying Safe
- Enjoying and Achieving
- Making a positive contribution
- Achieving Economic Well being".

- 10 Joint Commissioning Unit :** Commissioning is becoming the mechanism by which organisations make investment and disinvestment decisions for priority populations of need.
- 10.1 In order to ensure, more holistic commissioning of services for children and young people a joint commissioning unit, bringing together a range of specialist inter-agency skills and disciplines, will be established as a part of the Children's Trust Programme Delivery Office portfolio.
- 10.2 The unit will undertake joint commissioning of services at two levels. It will support countywide strategy and planning and will also undertake tactical and targeted work in support of priorities set by the Children and Young People's Plan (CYPP).
- 10.3 The joint commissioning unit will be responsible for the commissioning of services to meet the needs of defined populations of children and young people. These have initially been identified as children with mental health and emotional well being needs (CAMHS) and children aged 0-5 their families, parents and carers. It will also be responsible for general population needs analysis. The composition of the unit will be sufficiently flexible to support further joint commissioning developments for the Children's Trust. One of the most important ways that commissioning will improve our planning and delivery will be the active involvement of stakeholders, in particular Families, Parents and Carers, Children and Young People and the Voluntary sector. The methods for achieving this will be detailed in separate working documents.
- 10.4 As a part of the Children's Trust Programme Delivery Office portfolio, the joint commissioning unit will operate within the formal governance framework of the Children's Trust having a direct line of accountability to the Chief Officers' Joint Commissioning Group. The unit will undertake joint commissioning activity in line with the strategic decisions and funding arrangements agreed by the Chief Officers' Joint Commissioning Group.

11.0 Children's Trust Implementation Group (CTIG)

11.1 Roles and Functions

The role and functions of the Children's Trust Implementation Group are to:

- 11.1.1 encourage local participation by children, young people, parents and carers;
- 11.1.2 enable integrated working at a local level;
- 11.1.3 support delivery of integrated processes;
- 11.1.4 inform local needs assessment, performance and quality monitoring;
- 11.1.5 inform the commissioning process particularly in relation to specification and design;
- 11.1.6 recommend to Trust Board, customised local application of service delivery;

11.2 Objectives

The objectives of the CTIGs are to:

- 11.2.1 improve the life chances for children and young people as described in the five outcomes of *Every Child Matters*;
- 11.2.2 streamline the number of partnerships / planning groups relating to children and young people and ensure correlation and co-ordination of all plans within a CTIG area;
- 11.2.3 adopt small numbers of outcome indicators as outlined by DfES, used to measure the well-being of children and young people in the area;
- 11.2.4 regularly monitor performance against outcome indicators to ensure that targets are being met;
- 11.2.5 support sustainable and costed schemes for children and young people's participation in service planning and development;.
- 11.2.6 ensure that local priorities are communicated to the Children's Trust for inclusion within countywide priorities;
- 11.2.7 be the local implementation mechanism for the Children's Trust;
- 11.2.8 contribute to the development of the Children's Trust and ensure local agencies are kept informed of new developments;
- 11.2.9 ensure that wider local partnerships take account of the needs of children and young people in their plans and that there is an integrated approach;

11.3 Service Delivery

The value of the CTIG is to implement and deliver the policies and strategies of the Children's Trust Board at a local level with the local delivery being based on child concern (AXS) Pathway Networks.

The emphasis is on engagement of stakeholders at a local level and the Implementation Group is, therefore, a venue for all partners who deliver a service to children and young people to meet and confirm local commissioning arrangements in line with the overall direction of the *Children and Young People's Plan*. The intention is for the CTIG to take on local commissioning responsibility extending to delegated accountability with relevant funding where appropriate. It is hoped to empower local practitioners to draw up the specification of targeted local services and with the support of the Children's Trust Joint Commissioning Unit, enable sustained performance managed service delivery and outcomes. The common denominator will be the delivery of services to defined standards with standard reporting mechanisms.

11.4 Boundaries and Membership

There will be eight Children's Trust Implementation Groups (CTIGs), one for each District Council area. Recognising the wide variation in need across Devon, the constitution and selection arrangements for the CTIG are not prescribed. Guidance is for membership to be broadly drawn from:

- CYPS

- District Council(s) (up to two officers)
- County and District Councillors (up to three Councillors)
- Primary Care Trust
- Police
- Early Years
- Parent Representatives (up to three)
- Children's Centres representatives (up to two)
- Young People representatives (no limit)
- Connexions
- Local Learning Communities
- Youth Service
- Youth Offending Team
- Child and Adolescent Mental Health Services (CAMHS)
- Voluntary Sector

The Implementation Groups, meet 6–8 times per annum and commission time-limited action groups to take on specific pieces of work throughout the year. Chairing will be resolved by election from within the membership with maximum tenure of two years. The groups will act as the conduit between local service delivery of the AXS Networks and the overall strategic management of the Children's Trust.

12.0 Changes to the Constitution

- 12.1 Changes to the Constitution may only be approved by the Board, except that the Director of Children & Young People's Services will be responsible for routine updating necessary to reflect the decisions of the Board;

APPENDIX 1

The Chief Officers' Joint Commissioning Group

1.0 Role of the Chief Officers' Joint Commissioning Group

- 1.1 The Chief Officer's Joint Commissioning Group will be responsible for strategic decision-making on the commissioning of services and funding arrangements. This body supports the Board and Executive responsibilities of the Children's Trust by maintaining the resource accountability at a strategic level.
- 1.2 Public Service delivery has become increasingly complex, and government expectations are for greater integration of services requires Heads of Service to take a collective view on how to share/ pool or align their respective funding or resources to enable the integrated work to happen.
- 1.3 By establishing common aims, the Heads of Service can then commission according to agreed protocol a range of services from joint resources. The outputs from those resources will deliver to core targets and objectives of those agencies at the same time delivering to their shared purpose. Essentially each agency can claim the benefits. Sometimes those will be a result of work in which they may not have had direct input.

2.0 Terms of Reference

- 2.1 The Chief Officers' Joint Commissioning Group secures oversight of the inter-agency commitments funding frameworks, and balanced priorities between the following strategic partnerships:
 - 2.1.1 the Children's Trust;
 - 2.1.2 the Local Safeguarding Children Board;
 - 2.1.3 the Local Area Agreement Board;
 - 2.1.4 the Devon Youth Offending Service;
 - 2.1.5 the 'Integrated Youth Support Service Board'.

3.0 Responsibilities

3.1 The Group will :

- 3.1.1 take executive decisions in relation to major service developments, investment and disinvestment decisions and the prioritisation and allocation of resources;
- 3.1.2 consider recommendations from the Trust Board on resource allocation;
- 3.1.3 Scrutinise performance reports from the Executive reports to inform resource prioritisation decisions;
- 3.1.5 agree in principle resource allocation (subject to ratification from Trust partner organisations) and to agree in principle and take action to achieve pooled and/or

aligned budgets to support joint or integrated commissioning;

3.1.6 receive recommendations and act on strategic decisions required from business plan programme of work of the Local Safeguarding Children's Board (LSCB);

3.1.7 receive proposals and act on strategic recommendations from The Integrated Youth Support Services Board.

4.0 The Joint Commissioning Group members will report to the organisations represented by its constituent membership.

4.1 It will meet three-monthly, aligned to Council planning cycles.

4.2 Meetings will be chaired by the Council's Executive Member for Children & Young People's Services as part of his / her statutory leadership role and convened by the Director of Children & Young People's Services.

4.3 A record of meetings and decisions of the Joint Commissioning Executive will be maintained by the Director of Children & Young People's Services.

5.0 Membership

5.1 The Joint Commissioning Group will consist of the "duty to co-operate" partners and the lead member for Children's Services and will include CEO and / or CO drawn from the Local Authority, Devon Primary Care Trust, Devon & Cornwall Constabulary, the Learning & Skills Council, The Devon and Cornwall Police Authority, The Peninsula Strategic Health Authority. Representation should be at the highest level as befits the function of Chief Officer decision making, resource allocation and commitment..

APPENDIX 2

1.0 Principles and Standards

1.1 The Trust has adopted the Nolan Committee's *Seven Principles of Public Life* as the basis on which its Board, Professional Executive and Joint Commissioning Executive will operate. These principles are:

1.2 Selflessness

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.

1.3 Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

1.4 Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

1.5 Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

1.6 Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

1.7 Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

1.8 Leadership

Holders of public office should promote and support these principles by leadership and example.

APPENDIX 3

1.0 Voluntary Sector participation in the Children's Trust:

- 1.1 The Voluntary Sector is essential to the development and business of the Devon Children's Trust. It provides much of the direct work in Devon with children and families, especially in preventive services, but increasingly in contracts with the statutory agencies. The Voluntary Sector is not only a significant provider, but can secure grants and other funding streams, and can commission providers of services. It can reflect the needs of communities and can empower these to increase their capacity to meet their own objectives.
- 1.2 The range of organisations reflects the vibrant diversity of the private, independent and voluntary sector, which is often now referred to as the Third Sector.
- 1.3 In line with Guidance for Children's Trust arrangements, and to reflect the expectations from Government, and as set out in national and local COMPACT arrangements, the voluntary sector will be assisted to play a full part in the Children's Trust.
- 1.4 In Devon, the Sector has been organised through two network organisations:
- 1.4.1 Devon Voluntary Youth Services (VYS) who will represent voluntary and community groups working with young people 11-19 years.
 - 1.4.2 National Council for Voluntary Child Care Services (NCVCCO) who will represent voluntary and community groups working with pre-school and primary aged children.
 - 1.4.3 These networks will produce representatives to the CT Board, Executive and all other levels of strategic and service planning groups.
 - 1.4.4 Representatives will accept a Role Description (attached) and will be responsible for communicating with other voluntary organisations in an attempt to secure the wider voice of the Sector, and to encourage adoption of best practices and approaches being developed by the Children's Trust.
 - 1.4.5 Representatives will receive induction and ongoing training and support for their role, alongside other agency partners/representatives.
 - 1.4.6 The Children's Trust will reimburse essential expenses for voluntary sector representatives to the Board and Executive.
 - 1.4.7 Voluntary Organisations will also be invited to take part in thematic sub-groups where they have specific knowledge, expertise and/or connection with service users and their communities.

2.0 Role Description

- 2.1 **Purpose**
To contribute to strategic planning of children and young people services giving the perspective of the voluntary sector
- 2.2 **Key responsibilities**
The key responsibilities of the voluntary sector are to:

- 2.2.1 actively promote the Devon Compact;
- 2.2.2 work to achieve the outcomes within *Every Child Matters* and *Devon's Children and Young People's Plan*;
- 2.2.3 promote the value of maintaining the ethos, independence and diversity of the sector within the context of collaborative partnership work;
- 2.2.4 ensure that all partners within Devon Children's Trust are aware of key issues affecting the voluntary and community sector both locally and nationally;
- 2.2.5 facilitate effective two way communication between the Board and voluntary and community organisations, using the sector infrastructure arrangements - specifically VYS, NCVCCO, CVS and any other networks of support.
- 2.2.6 bring to the table the expertise and the value of the voluntary and community sector in strategic development and in service provision.
- 2.2.7 champion the voice of the children and young people voluntary and community sector in Devon.
- 2.2.8 promote the voice of children, young people and families as equal and valued partners in all processes

3.0 Expected workload

This may vary, but will involve regular attendance at the required meetings, preparation for agenda, presentation of reports, feedback to sector constituencies etc.

3.1 Process of selection / nomination

- 3.1.1 Arrangements for securing appropriate representation will be as appropriate for each strategic planning or implementation group, but will include:
 - 3.1.2 representatives nominated to the Children's Trust Board from NCVCCO and VYS respectively
 - 3.1.3 representatives nominated to the Children's Trust Executive from NCVCCO and VYS respectively. To ensure continuity of representation, but to open potential for new representatives, it is envisaged that members will serve for 2-3 years on any Board or Partnership.

4.0 Person Specification for Voluntary Sector Representatives

4.1 Knowledge

- 4.1.1 knowledge of the key issues and drivers affecting the development of universal and targeted children and young people services across the age range
- 4.1.2 knowledge of relevant legislation
- 4.1.3 developments within wider Voluntary & Community Sector, including Compact arrangements

4.2 Experience

- 4.2.1 experience of managing or contributing to organisational developments at strategic level

4.2.2 experience of partnership development at senior level

4.3 **Skills and qualities**

4.3.1 commitment to promoting the interests of the sector as a whole

4.3.2 able to work in an even handed, open and transparent manner

4.3.3 confident and positive communication skills

4.3.4 able to challenge effectively

4.4 **Circumstances**

4.4.1 having sufficient time to absorb the required information, attend meetings, and disseminate and communicate to others as needed.

Additional note:

Devon Children's Trust will reimburse essential expenses for activities carried out by the voluntary sector representatives in contributing to strategic development, planning and governance on behalf of the Children's Trust.

APPENDIX 4

RELATIONSHIPS TO OTHER BODIES

1.0 The Devon Strategic Partnership and the Local Area Agreement

1.1 The Devon Strategic Partnership is changing its governance arrangements. Upon completion by April 2007, the DSP will have responsibility for the Local Area Agreement and the current LAA Project Board will cease to exist. Among its other duties the Children's Trust will have responsibility and accountability to the DSP for the delivery of the Children and Young People's block of the Devon Local Area Agreement. It will also be the delivery agent for the Children and Young People's theme of the Sustainable Community Strategy for Devon. The Children's Trust will be represented on the DSP.

2.0 The Local Safeguarding Children Board

2.1 Unlike the Children's Trust, the LSCB is a statutory body and has its own powers and duties.

2.2 Its work is part of the wider context of Children's Trust arrangements which aim to improve the overall wellbeing of all children in the local area across the "five outcomes."

2.3 The LSCB has an independent voice within the Trust regarding its statutory duties but will review its own work (business plan) against the agreed objectives in the "stay safe" section of the Devon Children and Young People's Plan for which it has a lead responsibility.

2.4 The LSCB will contribute to children's services planning and ensure "safe commissioning" decisions.

2.5 Links between the LSCB and the Trust will be through:

2.5.1 the role of the Director of Children & Young People's Services who chairs the LSCB and is an integral member of the Children's Trust;

2.5.2 the County Safeguarding Manager's role in the commissioning and procurement of children's services;

2.5.3 the Plan's "stay safe" outcomes, where the LSCB is directly accountable for leading and contributing directly to the Trust's work programme;

2.5.4 the Chief Officers Commissioning Group, responsible for taking decisions on integrated planning and commissioning.

2.6 County Council officers sitting on the LSCB have a duty to attend Overview/Scrutiny Committees to answer questions if required to do so.

3.0 Youth Offending Service

3.1 This Service, chaired by the Chief Executive of the County Council includes representatives of the Youth Offending Teams, Connexions, the Youth Service, Education and Employment agencies. Since many of these organisations are represented in the Trust structure, it is

proposed that the Service's role is subsumed by the Chief Officer's Joint Commissioning Group.

4.00 Young People's Chief Officer Group

- 4.1 A separate Chief Officer Group of funding partners meets the Executive Member for Children & Young People's Services regularly to review performance and pooled funding arrangements for the Devon Youth Offending Service (see above). This group also has much common membership with the Trust. It is proposed to subsume the remit of this group within the Chief Officer's Joint Commissioning Group.

5.0 Local Area Agreement

The Children and Young People's block of the LAA is completely aligned with the *Devon Children and Young People's Plan*. A representative of the Children's Trust is responsible for co-ordination and reporting to the LAA programme office for the children & Young People's block. This will contribute to prioritisation and project planning for the refreshment of the block for December 2006 and the new LAA from April 2008.

6.0 Crime and Disorder Reduction Partnership (CDRP)

- 6.1 Trust partners are represented on the CDRP's Executive.

7.0 Young People's Shadow Executive and Scrutiny Group

- 7.1 Allowing for a balance between access and time constraints alongside meaningful engagement, the CT Programme team will meet on a regular basis in a structured but informal setting, to secure the requisite feedback on progress and where possible, quality assure some of the highlight outcomes and deliverables of the CYPP.

This is seen as the formal representation of a comprehensive participation agenda managed by the CT Programme Office which is integrated with the Children and Young People's Participation team. The 'Hear by Right' initiative to which the Children's Trust are committed sets a range of standards for participation with which the Trust complies to advanced standard. The range of informal contact and participation is considerable and Devon leads the way nationally, showcasing national research in this area.

APPENDIX 5

1.0 Parent Participation in the Children's Trust: Principles

- 1.1 The inclusion of the views of parents has proven to assist in better decision making in relation to service development.
- 1.2 Representation by a small number of parents as lay representatives of communities, service users and as the primary carers for most children and young people has improved the quality of communication and understanding within Children's Trust meetings.
- 1.3 Involvement should centre on mechanisms through which parents can most effectively influence the development and improvement of children and young people's services throughout Devon.
- 1.4 Roles which are expected to help this are:
 - 1.4.1 acting as a 'critical friend' to form part of the system of accountability and the scrutiny of decisions and performance of the Children's Trust and CYPP;
 - 1.4.2 Contributing a 'specialist' perspective of service users, and of carers for children with specific needs;
 - 1.4.3 Building links with local communities to better reflect the diversity within the County.
- 1.5 Representatives will be able to contribute more effectively if they relate to clearly defined interests as captured within specific constituencies or forums. This will provide them with support and focus for the views they express, wider sources of information, a range of specialist knowledge and interests from other service users. Furthermore, it will provide a further scrutiny role as representatives communicate back the work of the Children's Trust.
- 1.6 Two Parent representatives will be drawn from each of the following:
 - 1.6.1 Parent/Carer users of early years services (Devon Children's Centre Parents' Forum – to be established);
 - 1.6.2 Parent/Carer users of services for Children and young people with special needs (Devon Parent/Carers Voice);
 - 1.6.3 Parent/Carer users of School services (Parent Governors from the Devon Governors Association);

2.0 Compact with Parent Representatives

- 2.1 Parents will remain lay/volunteers within the Children's Trust, and do not have the same support structures as for agency representatives.
- 2.2 Therefore, every effort should be deployed to enable their full contribution to the Children's Trust:
 - 2.2.1 Parent representatives will be provided with expenses to cover travelling, subsistence and child care where this is necessary to attend meetings;

- 2.2.2 Parent representatives to the Board will be provided with computer/phone links to be able to access papers and essential communication etc. This should reduce the need for some meetings, and should secure two way communication;
- 2.2.3 Children's Trust meetings will be arranged at times of the day, and in localities which enable parent representatives to carry out their roles to the best effect;
- 2.2.4 Children's Trust Partners should ensure that parent representatives have timely access to Meeting Agenda, Minutes and supporting papers;
- 2.2.5 There may be the need for Briefings by the Children's Trust Secretariat before Board meetings. Parent representatives will be afforded the opportunity for briefing and debriefing within existing arrangements for the NCVCCO and VYS or 3rd Sector representatives.

3.0 Proposed Profile for Parent Representatives

- 3.1 Representatives from each CTIG/constituency will be nominated for a term of no more than 4 years. This will assist the development of confidence in the role, specific knowledge and experience of the work of the Trust.
- 3.2 Changes in the representation will be agreed by each CTIG/constituency and will reflect the fact that parents do move on in their roles as carers, and that the next generation of parents needs appropriate representation. No representative may serve more than two four-year terms.
- 3.3 To fulfil the requirements of the position the incumbent will need to:
 - 3.3.1 devote substantial time and effort to the work of the Trust, including preparing for and regularly attending the Board's meetings and other meetings and events associated with his/her membership;
 - 3.3.2 develop a good understanding of the role, powers and principles of the Trust; understand the role and responsibilities applicable to Board membership;
 - 3.3.3 understand and execute any responsibilities assigned to him/her by the Board;
 - 3.3.4 participate in training and development opportunities offered by the Trust;
 - 3.3.5 become known to parents and carers within their CTIG/constituency. This includes having contact details on the Children's Trust membership list and Website. Represent families' perspectives, not just their personal views.
 - 3.3.6 support and promote the Trust's work among the people of Devon and encourage others to give their support;
 - 3.3.7 help ensure that the Board takes account of the needs and wishes of the people of Devon;
 - 3.3.8 exercise personal responsibility, always acting in good faith and avoiding any conflict of interest or potential advantage to his/her self, family, friends or associates;
 - 3.3.9 declare Board membership when attending other events where conflict of interest or the disclosure of privileged information may occur;

- 3.3.10 ensure that in all discussions he/she makes known the full range of views that have been represented to him/her;
- 3.3.11 be aware of and act in accordance with the Freedom of Information Act while respecting exempt or confidential information as defined in the Access to Information Procedure Rules of Devon County Council's Constitution (see 2.3 above).



