

Item No. 13.	Classification: Open	Date: 9 February 2016	Meeting Name: Cabinet
Report title:		Southwark Children's and Adults' Services: Independent Local Test Of Assurance 2015	
Ward(s) or groups affected:		All Wards	
Cabinet member:		Councillor Peter John, Leader of the Council	

FOREWORD – COUNCILLOR PETER JOHN, LEADER OF THE COUNCIL

The Council's Children's and Adults' Services Directorate is right at the heart of our vision to provide a 'Fairer Future for All'. This independent 'test of assurance' provides clear confirmation to Cabinet, councillors, council staff, partner agencies and most importantly local residents that the statutory functions of the Director for Children's Services being combined with responsibility for Adults Services has not weakened our focus on securing the very best for all our children and young people. In fact, this report clearly lays out the benefits we gain; from joint working across Children's and Adults for our most vulnerable families; to the transition of young people to adult services; to the streamlining of needs assessments; to providing a single point of contact for other partner agencies.

RECOMMENDATION

1. That the Independent Local Test of Assurance (2015) as set out in Appendix 1 be noted.

BACKGROUND INFORMATION

2. The London Borough of Southwark established a directorate of Children's and Adults' Services in October 2012. The proposal was part of a council-wide programme of transformation that was designed to achieve '*cultural change both within the organisation and in the way we engage with our residents and stakeholders*'. As part of this change, there would be a need to '*work in a more cross cutting and collegiate way across portfolios and departments to be more than the sum of our parts and achieve more with less*'. It was expected that the new structure would place the council 'in the best position to deal with the diversity of emerging challenges whilst releasing savings already earmarked'. The particular benefits of combining Children's and Adults' Services were identified as: joint working and commissioning around vulnerable families; common interest areas such as personalisation and transition of young people to adult services; efficiencies of back office functions; streamlining of key enablers such as needs assessment; workforce planning, equalities and community engagement; and a single point of contact for health and other agencies.
3. The roles of Director of Children's Services (DCS) and Lead Member for Children's Services (LMCS) are covered by statutory guidance from the Department for Education (DfE). Local authorities must have regard to this guidance in relation to the appointment of the DCS and the designation of the LMCS. Consideration of this guidance is particularly important where a local authority is proposing to combine the DCS functions with other officer

responsibilities. The guidance states that in such circumstances *'local authorities should undertake a local test of assurance so that the focus on outcomes for children and young people will not be weakened or diluted as a result of adding other such responsibilities'*. The test of local assurance is intended to assess the extent to which the local authority's organisational structure fulfils the following criteria:

- a) Meeting statutory duties effectively (including that children, young people, and families receive effective help and benefit from high educational standards locally);
 - b) Transparency about accountabilities and responsibilities;
 - c) Support effective interagency and partnership working.
4. In accordance with statutory guidance the council undertook a local test of assurance in 2012 before establishing the role of Strategic Director of Children's and Adults' Services. It concluded that: *'sufficient safeguards are in place in order that outcomes for children and young people are not at risk of being weakened or diluted by the statutory Director of Children's Services acquiring additional responsibilities.'* A further conclusion was that the *'changes will enable statutory functions of Director of Adult Social Services (DASS) to be carried out effectively and the joining of departments has potential to add value to responsibilities of both roles.'*
 5. As part of the Directorate's self-assessment of its leadership and governance arrangements, the current Strategic Director (appointed in October 2014) commissioned an updated review of the council's local test of assurance. At the time of the fieldwork for this review, proposals for the realignment of functions between directorates and a senior management restructuring below chief officer level were under active consideration.

KEY ISSUES FOR CONSIDERATION

6. The 2015 senior management restructure intended to enable the council to deliver its 'fairer future' vision by building on the effective cross cutting and collegiate working that has been increasingly evident since 2012. At the same time, the rationalisation of functions across directorates and the reduction in senior management posts make a significant contribution to the council's overall savings requirement. The table below provides a summary of the rationalisation of directorate functions and changes to senior management posts as they relate to the Children's and Adults' Services Directorate.

SENIOR OFFICER RESTRUCTURE 2015
Directorate Functions
Transferred to Children's and Adults' Services: <input type="checkbox"/> Safeguarding Partnerships <input type="checkbox"/> Public Health <input type="checkbox"/> Adult Learning
Senior Management Changes
<input type="checkbox"/> Deletion of post of Director, Strategy and Commissioning
Other Changes (relevant to Local Test of Assurance)
<input type="checkbox"/> Modernise (encompassing IT, HR, Corporate Facilities Management and Modernise) to Housing and Modernisation

7. The findings of the Independent Local Test of Assurance 2015 are set out in Appendix 1, from paragraph 8 to 33 of that document.
8. In summary, the Children’s Improvement Adviser from the Local Government Association concluded that the requirements of the local test of assurance are met:

LOCAL TEST OF ASSURANCE - SUMMARY		
Statutory Duties	Met	Senior management and service structure ensures statutory duties met in respect of Children’s Services, Education, Adult Social Services and Public Health
Accountabilities and Responsibilities	Met	This criterion is met. The Chief Executive has appropriate arrangements in place for directly holding to account officers in key statutory roles. There are robust governance and performance management arrangements in place.
Effective partnership and inter-agency working	Met	The respective Safeguarding Boards meet statutory requirements and operate within a partnership protocol with the Health and Well-Being Board. The senior management structure allows for distributed leadership such that the Strategic Director is visible and influential in supporting effective partnership and inter-agency working.

9. The Independent Local Test of Assurance (2015) was shared with the Leader of the Council and Lead Member for Children’s Services at the time. Presenting it to Cabinet now ensures that the whole Cabinet are aware of the findings and places the document in the public domain so that local residents, councilors, partners and council staff can be assured that this important independent test of assurance has been met.

Community impact statement

10. Section 149 of the Equality Act, lays out the Public Sector Equality Duty (PSED) which requires public bodies to consider all individuals when carrying out their day to day work – in shaping policy, in delivering services and in relation to their own employees. It requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people when carrying out their activities. The council is committed to ensuring that equality is an integral part of our day to day business.
11. Children’s Services support the most vulnerable children, young people and families in our community and it is due to the importance of this duty that the council is required to have independent assurance that arrangements locally are appropriate and effective. The children, young people and families supported by our Children’s Services represent the full spectrum of our local community diversity and protected characteristics as set out in Equality legislation. There are no specific equality issues arising from the Independent Local Test of Assurance 2015.

Resource implications

12. None arising from this Independent Local Test of Assurance.

Consultation

13. None required.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**Head of Procurement**

14. Not required for this report.

Director of Law and Democracy

15. Not required for this report.

Strategic Director of Finance and Governance

16. Not required for this report.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
None		

APPENDICES

No.	Title
Appendix 1	Southwark Children's And Adults Services: Independent Local Test Of Assurance 2015

AUDIT TRAIL

Lead Officer	Chief Executive	
Report Author	Strategic Director of Children's and Adults' Services	
Version	Final	
Dated	20 January 2016	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Democracy	No	No
Strategic Director of Finance and Governance	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	29 January 2016	