



Wirral Children's Trust

Memorandum of Understanding

September 2013

DRAFT

Wirral Children's Trust Memorandum of Understanding

Contents

	Foreword	
1.0	Introduction	1
2.0	Statement of Commitment	1
3.0	Aims of Wirral Children's Trust	1
4.0	Partnership Principles	1
5.0	Governance and Accountability Arrangements	2
6.0	Decision Making	2
7.0	Challenge Process	3
8.0	Partner Roles and Responsibilities	3
9.0	The Scope of Involvement	3
10.0	The Role of the Director of Children's Services & Lead Member	4
11.0	Protocol between WCT and the Wirral Safeguarding Children Board	4
	11.1 Roles	4
	11.2 WSCB Responsibilities	5
	11.3 Children's Trust Responsibilities	6
	11.4 Operational Arrangements	6
	11.5 Accountability	6
12.0	Leadership	6
13.0	Commissioning	7
14.0	Performance Management	7
15.0	Information Sharing	7
16.0	Risk Assessment	7
17.0	Equalities and Inclusion	7
18.0	Dispute and Conflict Resolution	8
19.0	Review of the Memorandum of Understanding	8
	Figure 1 The Structure of Wirral Children's Trust	9
20.0	Wirral Children's Trust Board	10
	20.1 Role of Wirral Children's Trust Board	10
	20.2 Terms of Reference	10
	20.3 Membership	10
	20.4 Meeting Arrangements	11
21.0	Wirral Children's Trust Executive	12
	21.1 Role of Children's Trust Executive	12
	21.2 Terms of Reference	12
	21.3 Membership	12
	21.4 Meeting Arrangements	12
22.0	Strategy Groups	13
	22.1 Role of Strategy Groups	13
	22.2 Terms of Reference	13
	22.3 Membership	13
	22.4 Meeting Arrangements	13
23.0	Wirral Children's Trust Support	14

Foreword

Children and young people are society's future and with them rest our hopes and aspirations. Supporting their interests and welfare is paramount. Through Wirral Children's Trust we will secure an active partnership of services, parents and carers, working together to deliver the best outcomes for all our children and young people and thus enabling them to fulfil their potential.

The purpose of this Memorandum of Understanding is to ensure that the structure and governance arrangements of Wirral Children's Trust provide an effective and transparent framework and clarity of roles and responsibilities and that effective use is made of public resources for the benefit of children and young people.



Councillor Tony Smith
Lead Member for Children's Services

Tony Smith



Julia Hassall
Director of Children's Services

J Hassall

Wirral Children's Trust Memorandum of Understanding

1.0 Introduction

- 1.1 Children's Trusts are local partnership arrangements to improve children's well-being. There is a requirement for each Local Authority to have a Children's Trust Board which must include representatives of 'relevant partners'. They are underpinned by a 'duty to co-operate' in Section 10 of the Children Act 2004. This Memorandum establishes Wirral Children's Trust (WCT) arrangements for governance, integrated working, joint planning and commissioning, and accountabilities in order to deliver improved outcomes for Wirral's children and young people.

2.0 Statement of Commitment

- 2.1 The member organisations of WCT are committed to working together at every level to improve the quality of life and wellbeing of all children and young people in Wirral.

3.0 Aims of Wirral Children's Trust

- 3.1 *"Our vision is to enable Wirral's children, young people and families to access services quickly in order to be secure, healthy, have fun and achieve their full potential."*
- 3.2 The aim of WCT is to work across professional and agency boundaries to make a difference to the experience and life chances of children, young people and their families. The trust will agree priorities and actions for children's services ensuring safeguarding underpins all activity and provide a framework for the effective operation of local arrangements. The framework will support a focus on preventative and early intervention services and ensure service providers understand what is expected of them. Monitoring of performance will inform future planning and commissioning, ensuring clear strategic direction and providing value for money.

4.0 Partnership Principles

- 4.1 The members agree to work together actively to achieve the aims of WCT, on the basis of:
- visible commitment and 'ownership' by the various member organisations and individual representatives;
 - mutual trust and respect;
 - openness and transparency;
 - effective communication and accountability;
 - shared ownership of resources where appropriate;
 - combined expertise;
 - creative and innovative solutions to problems;
 - identification and sharing of best practice, based on mutual learning;
 - removal of barriers to equality of access and opportunity;
 - clear purpose, clarity of expectations and agreed targets for action;
 - effective decision-making;
 - shared mechanisms for risk management, monitoring, evaluation, reviewing and reporting on performance, progress and success;
 - allowing each constituent member unobstructed access to the audit records of the partnership, on request.

5.0 Governance and Accountability Arrangements

- 5.1 The governance and accountability arrangements set out in this document put into operation the duty to cooperate as set out in Section 10 of the Children Act 2004.
- 5.2 This applies to all services provided or commissioned by WCT that support children and young people, aged 0 to 19, and specific groups of young people up to age 25.
- 5.3 WCT requires each partner agency to retain full responsibility for its statutory duties and functions at all times and allows for these duties and functions to be carried out through a system of joint planning and commissioning. This supplements existing organisational arrangements and provides additional robust accountabilities outside of existing partner agency arrangements.
- 5.4 The Board will take responsibility for setting the strategic direction for services to children, young people and their families. This includes setting priorities, joint planning and commissioning decisions, the alignment of resources at strategic level and agreeing service models based on service performance and agreed service specifications.
- 5.5 Through the Children and Young People's Plan (CYPP), the Board will act as the single coordination body for all children's services planning and commissioning arrangements and will be the focus for facilitating joint working, leading to the integration of multi agency services for children and young people and their families.
- 5.6 The Board will be responsible and accountable for the performance and commissioning decisions made by all other planning and commissioning groups in children's services.
- 5.7 The Board will be accountable to the Wirral Safeguarding Children Board (WSCB) for the actions it takes in ensuring that all children and young people in Wirral are adequately safeguarded.
- 5.8 The Board is committed to working with the new Health and Wellbeing Board. Both Boards support an approach of alignment of activity to ensure effective partnership working.
- 5.9 WCT assumes all partners accept collective responsibility and accountability for all decisions made by the Board. However, within this collective responsibility and decision-making process it is recognised there are different levels of accountability and risk for individual agencies and organisations.

6.0 Decision Making

- 6.1 Each partner agency accepts collective responsibility for all decisions made by the Board. All decisions will be transparent and informed by open debate, advice, performance reporting and analysis, best practice, risk assessment and option appraisal.
- 6.2 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 a show of hands. In the event of a tied vote, the person chairing the meeting may exercise a second or casting vote.
- 6.3 The Children's Trust Executive (CTE) and the multi-agency Strategy Groups will be responsible for providing advice to the Board to support the decision-making processes.

7.0 Challenge process

- 7.1 In exercising collective responsibility for all decisions made by the Board each partner agency will be open to challenge and scrutiny through the formal processes of the accountable body (the Council) and of the other agencies.
- 7.2 Progress on the delivery of the Children and Young Peoples Plan (CYPP) will be performance managed by the Board and an annual review will be published which is open to challenge by any interested party.

8.0 Partner Roles and Responsibilities

- 8.1 The Local Authority (Council) is responsible for leading WCT and the Council in the improvement of outcomes for all children and young people. In this respect the Council is the accountable body for WCT. The Council is responsible for the development and implementation of the CYPP as the single agreement between the partnership on priorities and actions for children and young people.
- 8.2 National Health Service organisations are responsible for ensuring that health provision meets the identified needs of children, young people and their families on behalf of WCT. Partner health organisations are responsible for ensuring health provision is aligned to the priorities agreed in the CYPP, and for the commissioning of health services on behalf of WCT.
- 8.3 Merseyside Fire and Rescue Service are responsible for ensuring that their strategic planning encompasses the WCT vision and the priorities in the CYPP.
- 8.4 The Youth Offending Service (YOS), the police and probation service work together within the criminal justice system. They have roles in prevention of offending and re-offending, identification of suitable intervention programmes and identifying children and young people at risk of harm or other poor outcomes. The Police are responsible for ensuring that the Local Policing Plan is consistent with the WCT vision and the priorities in the CYPP.
- 8.5 The Voluntary Community and Faith Sector (VCF) has a significant expertise in the delivery of services and in engaging children and families in identifying needs, innovative service models and commissioning priorities. VCF Sector representation is responsible for informing WCT on these areas of expertise and for ensuring the sector has a voice in identifying priorities and actions in the CYPP.
- 8.6 Schools, Academies, Sixth Form and Further Education Colleges, School Governor and School Forum representatives are responsible for ensuring the sector informs and influences priority setting in the CYPP and advise the WCT on engagement with schools in Wirral.
- 8.7 Job Centre Plus representatives are responsible for ensuring their organisation inform, influence and advise the Board.

9.0 The Scope of Involvement

- 9.1 WCT Board will demonstrate clear links to other thematic partnerships through the Local Strategic Partnership (LSP) to ensure that strategies are not fragmented and that different services share priorities and thinking. WCT will inform and influence the work of the LSP with regards to children, young people and families.
- 9.2 The views of children and young people are at the centre of strategic planning and service design. WCT Board will ensure ongoing high quality consultation with children, young

people and their families is undertaken to empower and engage the wider community. Specific consultation will be carried out during the preparation of the CYPP.

10.0 Role of the Director of Children's Services and Lead Member

- 10.1 The Director of Children's Services (DCS) has professional responsibility for children's services, including operational matters; the LMCS has political responsibility for children's services. Together with the Chief Executive and Leader the DCS and LMCS have a key leadership role both within the local authority and working with other local agencies to improve outcomes for children and young people.
- 10.2 The DCS has professional responsibility for the leadership, strategy and effectiveness of local authority children's services including services which address the needs of all children and young people, including the most disadvantaged and vulnerable, and their families and carers. In discharging these responsibilities, the DCS will work closely with other local partners to improve the outcomes and well-being of children and young people.
- 10.3 The LMCS, as a member of the Council Executive, has political responsibility for the leadership, strategy and effectiveness of local authority children's services. The LMCS is also democratically accountable to local communities and has a key role in defining the local vision and setting political priorities for children's services within the broader political context of the Council.
- 10.4 The DCS and LMCS roles provide a clear and unambiguous line of political and professional accountability for children's well-being. Both work to drive forward the development of a dynamic partnership to integrate and transform services.

11.0 Protocol between Wirral Children's Trust and the Wirral Safeguarding Children Board

11.1 Roles

- 11.1.1 Wirral Children's Trust (WCT) and Wirral Safeguarding Children Board (WSCB) have important but distinctive roles in keeping children safe. It is not a hierarchical relationship. WCT is accountable for overseeing the delivery of the CYPP. In progressing this plan the Trust is accountable for ensuring services deliver improved outcomes for children and young people.
- 11.1.2 WSCB is responsible for challenging each relevant partner of WCT, through the WCT Board, on their success in ensuring that children and young people are kept safe in the Borough.
- 11.1.3 In order to ensure the complementary roles of the two bodies and the necessary challenge the two bodies are chaired by different people.
- 11.1.4 The Director of Children's Services (DCS) and the Lead Member for Children's Services have central roles. The DCS has lead responsibility for improving outcomes for children in the Borough. The Lead Member is politically accountable for ensuring:
 - the Local Authority (LA) fulfils its legal responsibilities for safeguarding and promoting the welfare of children and young people;
 - effective quality assurance systems for safeguarding are in place and functioning effectively across service areas and levels of need;
 - the political leadership is provided for the effective co-ordination of work with other relevant agencies with safeguarding responsibilities.

- 11.1.5 The DCS is a member of both WCT and WSCB. The DCS will be held to account by the LA Chief Executive for the effective working of the WSCB. The Lead Member is Chair of WCT and is a 'participant observer' of WSCB as described by "Statutory Guidance on the Roles and Responsibilities of the Director of Children's Services and the Lead Member for Children's Services" (2012).
- 11.1.6 The LA Chief Executive and Council Leader also have critical roles to play. The Chief Executive must ensure that the DCS is fulfilling managerial responsibilities for safeguarding and promoting the welfare of children and young people; in particular the DCS will be held to account for the effective working of the WSCB.
- 11.1.7 The wider public has an important role to play: keeping children safe is everyone's responsibility. WCT has actively sought the views of the local community and consulted children, young people and their families when drawing up the CYPP.
- 11.1.8 WSCB arrangements are open to wider public scrutiny through the appointment to the WSCB of lay members drawn from the local community. Lay members operate as full members of the WSCB and their wider roles are to help to make links between the WSCB and community groups, to support stronger public engagement in local child safety issues and to improve public understanding of the WSCB's child protection work.

11.2 WSCB Responsibilities

- 11.2.1 The WSCB is the decision making body for multi-agency safeguarding activity within Wirral. It is a statutory partnership and its work is directed by statutory guidance which dictates its functions. The DCS has a statutory responsibility for ensuring that an effective Safeguarding Children Board is in place for the local area.
- 11.2.2 The work of the WSCB falls into three broad areas, all of which aim to safeguard children and promote their welfare by:
- Protecting children from maltreatment;
 - Preventing impairment of children's health or development;
 - Ensuring that children grow up in circumstances consistent with the provision of safe and effective care.
- 11.2.3 The WSCB is well positioned through its various quality assurance processes to advise, and where appropriate, challenge WCT arrangements. For example, learning from Serious Case Reviews, Child Death Overview Panels, Section 11 self assessments and multi-agency critical incident reviews. This includes oversight of the commissioning arrangements for safeguarding by ensuring there is sufficient capacity to meet the needs of children in Wirral and ensuring that planned service changes have the child at the centre.
- 11.2.4 The WSCB publishes an Annual Report on the effectiveness of arrangements locally, and the contribution and activities of each local partner for keeping children safe. In addition the Council has agreed a Safeguarding Reference Group, chaired by the leader of the Council, to oversee the annual reports from both the WSCB and the Safeguarding Adults Partnership Board (non-statutory) to ensure there is an appraisal of the safeguarding arrangements organised by Council services.
- 11.2.5 The WSCB Independent Chair, who is also a member of the WCT will present regular safeguarding updates to the WCT which will include performance information, progress against priorities identified in the WSCB Annual Report and recommendations from the monitoring and evaluation of safeguarding arrangements during the year.

11.3 Children's Trust Responsibilities

- 11.3.1 WCT is the local partnership that brings together organisations responsible for children's services. It is a thematic group of the Local Strategic Partnership (LSP).
- 11.3.2 WCT takes responsibility for developing and publishing a Children and Young People's Plan (CYPP). The plan sets out how WCT partners co-operate to improve the well-being of children in the local area and will monitor how partners act in accordance with the plan.
- 11.3.3 WCT must ensure the work of all the strategy groups takes into account the safeguarding needs of children in the development of the CYPP.
- 11.3.4 WCT, as part of its CYPP Annual Review, will make an assessment of the effectiveness of partnership arrangements in supporting the best possible standards for safeguarding children. In its response WCT will ensure that any refresh to the plan include priorities identified by the WSCB.
- 11.3.5 WCT will seek approval from WSCB regarding any proposed commissioning arrangements which are linked to the factors which impact on safeguarding children, including compromised parenting.

11.4 Operational Arrangements

- 11.4.1 The WSCB will report to the CT each quarter on the arrangements for local safeguarding by monitoring and scrutinising activity and offer robust challenge to partners and the Trust on its activity. It will provide an annual report setting out the assessment of local safeguarding and its findings and make recommendations for improvement. The WSCB will also reflect within the annual report priorities for commissioning of safeguarding activity.
- 11.4.2 Once agreed by WCT Board and the WSCB, this protocol will be embedded in Wirral Children's Trust Memorandum of Understanding and will be reviewed annually with the Memorandum.

11.5 Accountability

- 11.5.1 The WSCB will request evidence from WCT as to its rigour in commissioning or developing services that safeguard children and young people. WSCB will call member organisations of the Children's Trust to account should it have evidence that children are not being adequately safeguarded by one or more relevant partners. The resolution will require a formal response/action from WCT within a specific timeframe which will be agreed mutually.

12.0 Leadership

- 12.1 Each Board member will act on behalf of their organisation as an ambassador for children's services locally, regionally and nationally. Board members will take responsibility for ensuring the agreed actions are carried out and their agency/sector is fully informed about the work of WCT and engaged in the delivery of the CYPP.

13.0 Commissioning

- 13.1 The Board, supported by the Joint Commissioning Group, will be responsible for the identification of need and the setting of priorities to support the development of integrated multi-agency services for all children, young people and their families. Commissioners will ensure there is a comprehensive, up-to-date analysis of children and young people's needs upon which informed decisions on the design and commissioning of services can be based. They will coordinate the implementation of the partnership's preventative framework by identifying shifts in activity and resource allocation that will enable the development of planned, targeted interventions.
- 13.2 All planning and commissioning decision making will be informed by:
- needs analysis
 - prevention priorities
 - performance
 - risk analysis
- 13.3 The Board will carry out an annual review of commissioning and evaluate how outcomes and services have been improved through the alignment and pooling of resources and jointly agreed priorities.

14.0 Performance Management

- 14.1 The Board will review progress in achieving improved outcomes for all children on a regular basis. Management information reports will inform the Board of the progress being made in achieving the key targets set out in the CYPP and relevant areas of Wirral Council's Corporate Plan. The specific responsibility for the performance management of outcomes will be held by the Children's Trust Executive (CTE).

15.0 Information Sharing

- 15.1 The Board will ensure that information sharing protocols are designed to enable appropriate data sharing between organisations and that intelligence gathering for effective needs analysis can be carried out on a continuous basis.

16.0 Risk Assessment

- 16.1 Risks associated with the delivery of the CYPP will be managed by the CTE and escalated to the Board for formal assessment when necessary.

17.0 Equalities and Inclusion

- 17.1 The Children's Trust will operate on the basis of principles that actively value the benefits of diversity and ensure fair treatment and equality of opportunity.
- 17.2 On an annual basis an equalities impact assessment will be carried out through the CTE alongside the review of the CYPP.

18.0 Dispute and Conflict Resolution

- 18.1 Members of the partnership:
- Must not use their position improperly, confer on, or secure for themselves or any other person, an advantage or disadvantage.

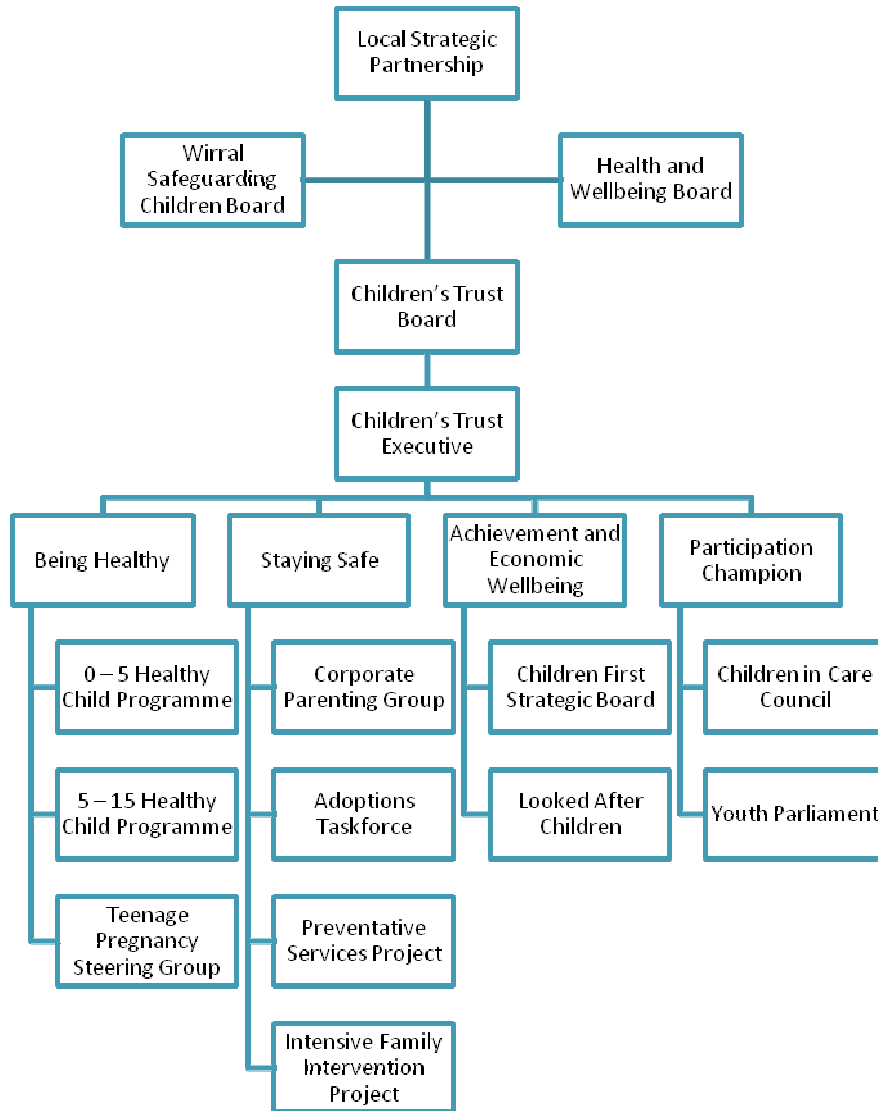
- Must not unduly influence any person in the paid employment of any of the partner agencies.
- Must ensure that activities are not undertaken for political purposes.

18.2 Issues of conflict within the partnership will be resolved initially by informal discussion. If this is not successful the issue will be referred to the Chief Executive of each agency who will meet to attempt to resolve the issue. If the issue is still not resolved appropriate alternative dispute resolution (ADR) will be considered.

19.0 Review of the Memorandum of Understanding

19.1 This Memorandum of Understanding will be reviewed on an annual basis.

Figure 1: The Structure of Wirral Children’s Trust



20.0 Wirral Children's Trust Board

20.1 Role of Wirral Children's Trust Board

21.1.1 The Boards role is to provide leadership for the Children's Trust within a framework of effective controls. Each Board member will act as an ambassador for children's services locally, regionally and nationally.

20.2 Terms of Reference

20.2.1 Board members will:

- Co-ordinate services for children and young people.
- Oversee the preparation, agreement, monitoring and review of the Children and Young People's Plan to meet both statutory requirements and local need.
- Ensure that children, young people, their families and carers are able to contribute effectively to the design and delivery of services for them.
- Determine the integrated strategies required to improve the outcomes for children's well-being with robust performance monitoring with regard to outcomes and impact.
- Agree joint commissioning strategies and be responsible for pooled budget arrangements.
- Create a shared culture and vision amongst partners.
- Identify and celebrate best practice.
- Ensure that there is appropriate challenge where partnership working becomes ineffective.
- Ensure that their agency/sector is fully informed about the work of the Board and engaged in the delivery of the CYPP.
- Oversee the arrangements for the sharing of information about children and young people.
- Maintain a strategic link to the Wirral Safeguarding Children's Board.
- Demonstrate clear links to other thematic partnerships through the Local Strategic Partnership (LSP).
- Oversee inspection arrangements and support agencies to meet the requirements of the Ofsted Children's Services Inspection regime.
- Oversee the development of future governance arrangements and approve such arrangements.

20.3 Membership

20.3.1 Chair: Lead Member for Children's Services

20.3.2 Deputy: To be appointed by the board

20.3.3 All partners under a statutory duty to cooperate will be represented and other persons or bodies the CT board consider appropriate. Attendees to be nominated by their constituent body.

20.3.4 The membership will include representatives from the following:

- Elected members
- Wirral Council
- Wirral National Health Service organisations
- Merseyside Police
- Merseyside Fire and Rescue Service
- Merseyside Probation Service

- Job Centre Plus
- The Voluntary, Community and Faith Sector
- Primary and Secondary (including Special) Schools, Sixth Form and FE Colleges and School and Governor Forum representatives

20.3.5 The membership will be reviewed on an annual basis.

20.4 Meeting Arrangements

20.4.1 The Children's Trust Board will meet bi-monthly.

21.0 Wirral Children's Trust Executive

21.1 Role of the Children's Trust Executive

21.1.1 The CTE will operate as an executive of the WCT Board. Whilst the strategic leadership, accountability and agreement reside with the Board, the CTE works to support the Board through a process of delegated and devolved decision making powers. All proposals concerning key strategic developments will be presented to WCT Board for final approval.

21.2 Terms of Reference

21.2.1 Executive members will take responsibility for:

- Delivering the identified needs of Wirral children and young people in terms of the five outcomes in the Children Act 2004.
- Developing the strategies required to improve the outcomes for children's well-being.
- The preparation and annual review of the Children and Young People's Plan.
- Identifying best practice and proposing joint commissioning of services and identifying shared resources.
- Annual review of joint commissioning arrangements.
- Implementing service improvement priorities.
- Establishing the evidence base behind development proposals.
- Ensuring that agreed actions are carried out.
- Ensuring that the cross agency strategy groups are fully informed about the work of WCT and are engaged in the delivery of the CYPP.
- Disseminating a shared culture and vision amongst partners in the working groups.
- Performance management.
- Preparing for and evaluating practice to inform inspection arrangements.

21.3 Membership

21.3.1 Chair: Director of Children's Services

21.3.2 Deputy: To be nominated by the Executive

21.3.3 The membership includes the Strategy Lead for each multi-agency strategy group and invited representatives.

21.4 Meeting Arrangements

21.4.1 The CTE will meet bi-monthly.

22.0 Strategy Groups

22.1 Role of the Strategy Groups

22.1.1 The multi-agency strategy groups (SG) are formed to ensure delivery of specific outcome areas for children and young people. They are responsible for delivering the CYPP. They are accountable to WCT Board and the CTE.

22.2 Terms of Reference

22.2.1 The Strategy Groups are responsible for:

- The monitoring and reporting on progress.
- Issues regarding their respective performance indicators, CYPP priorities, allocated tasks groups and any other locally based targets agreed by the partnership.
- Receiving information from and responding to requests from other groups and stakeholders.
- Making quarterly performance progress reports highlighting areas of poor performance, issues and risk.
- Developing opportunities for multi-agency involvement and networking to share best practice.
- Providing support and information to other groups within the Trust.
- Maintaining effective arrangements to consult with children, young people, families and carers, act on the results of the consultation and provide feedback.

22.3 Membership

22.3.1 Chair: Outcome area Strategy Lead / Agreed Children's Trust Board Member

22.3.2 Multi-agency representation related to each outcome area, including family representation.

22.4 Meeting Arrangements

22.4.1 To be agreed by each group.

23.0 Wirral Children's Trust Support

23.1 The Children's Services Department Universal Services Branch will oversee the provision of the following key functions to WCT Board and the CTE:

- Agenda.
- Minutes.
- Performance management reporting arrangements.
- Seek appropriate contributions from partners to support the CT governance framework.
- If required, send representation to advise groups in terms of processes relating to governance reporting and standard agenda items.



Wirral University Teaching Hospital 
NHS Foundation Trust



Cheshire and Wirral Partnership 
NHS Foundation Trust