



# **Wirral Children's Trust**

## **Memorandum of Understanding**

June 2009

# Wirral Children's Trust Memorandum of Understanding

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## Foreword

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

In the past few years significant and sustained improvements in outcomes for children and young people have been delivered at all levels in the Wirral partnership. National legislation and self review of existing arrangements indicate that we need to build on the good foundations and develop the trust further. Consideration of the governance and organisational arrangements of the Children's Trust will ensure the best use is made of public resources for the benefit of children and young people.

It is our intention that this new structure and governance arrangements provide an effective and transparent framework and clarity of roles and responsibilities to sustain and improve outcomes for all our children and young people.



Councillor Phil Davies  
Lead Member for Children's Services

A handwritten signature in black ink that reads "P.L. Davies". The signature is written in a cursive style with a horizontal line underlining the name.



Howard Cooper  
Director of Children's Services

A handwritten signature in black ink that reads "Howard Cooper". The signature is written in a cursive style.

# Wirral Children's Trust Memorandum of Understanding

## Introduction

Strategic developments and national legislation have required a review of existing governance arrangements to ensure Wirral's partnership working for children and young people is fit for purpose.

The purpose of this document is to outline a new partnership governance structure and how the new structure and governance arrangements will operate to deliver improved outcomes for Wirral's children and young people. There is a requirement for a formal agreement that the Children and Young People's Strategic Partnership Board becomes the Children's Trust Board.

## Statement of Commitment

The member organisations of the Children's Trust (CT) are committed to working together at every level to improve the quality of life and wellbeing of all children and young people in Wirral.

## Aims of Wirral Children's Trust

"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"

The aim of the CT 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.

## Partnership Principles

The members agree to work together actively to achieve the aims of the CT, 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.

## **Governance & Accountability Arrangements**

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.

This applies to all services provided or commissioned by the Trust that support children and young people's 0 to 19 and specific groups of young people up to age 25.

The Trust 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.

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.

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.

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.

The Board will be accountable to the Local Safeguarding Children's Board for the actions it takes in ensuring that all children and young people in Wirral are adequately safeguarded.

The Children's Trust (CT) 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.

## **Decision Making**

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.

The Children's Trust Executive (CTE) the multi-agency Strategy Groups and the District Boards will be responsible for providing advice to the Board to support the decision-making processes.

## **Challenge process**

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.

Progress on the delivery of the Children and Young Peoples Plan (CYPP) will be performance managed by the Board and is open to challenge by any interested party.

A formal review of the progress made by the Board will be reported to Wirral Council Cabinet on an annual basis and on other occasions on request. The annual review will be published.

## Partner Roles and Responsibilities

- The Local Authority (Council) is responsible for leading the Trust and the Council in the improvement of outcomes for all children and young people. In this respect the Council is the accountable body for the CT. 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.
- The Primary Care Trust (PCT) is responsible for ensuring that health provision meets the identified needs of children, young people and their families on behalf of the CT. The PCT is responsible for ensuring health provision is aligned to the priorities agreed in the CYPP, and for the commissioning of health service on behalf of the Partnership.
- The Police are responsible for ensuring that the Local Policing Plan is consistent with the Partnership vision and the priorities in the CYPP.
- Merseyside Fire and Rescue Service are responsible for ensuring that their strategic planning encompasses the Partnership vision and the priorities in the CYPP.
- Through the Youth Justice Board (YJB) the Youth Offending Service (YOS) is responsible for the production of the Youth Justice Plan. This plan must be consistent with the Partnership vision and with the priorities agreed in the CYPP. The Plan should state how the pooling and alignment of resources will contribute to the improvement of outcomes for children, young people and their families.
- The responsible bodies for delivering the roles of information and advice for young people and Post 16 function (currently the Merseyside Connexions Partnership and Learning and Skills Council (LSC)) provide and secure services that enable and encourage young people to participate in education, training and employment. It is the responsibility of these bodies to provide information on the needs of young people to inform Partnership priorities and inform commissioning decision-making.
- The voluntary and community sector have a significant expertise in the delivery of services and in engaging children and families in identifying needs, innovative service models and commissioning priorities. The voluntary and community sector representation is responsible for informing the Partnership on these areas of expertise and for ensuring the sector has a voice in identifying priorities and actions in the CYPP.
- Schools and Sixth Form and Further Education Colleges representatives are responsible for ensuring the sector inform and influence priority setting in the CYPP and advise the Partnership on engagement with schools in Wirral.
- Job Centre Plus representatives are responsible for ensuring their organisation inform, influence and advise the Board.

## The Scope of Involvement

The Trust 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. The Trust will “inform and influence” the work of the LSP in regards to children, young people and families and ensure that these groups are reflected in within the LAA. It will ensure that the CYPP is consistent with the strategic vision of the Sustainable Community Strategy.

The views of children and young people are at the centre of strategic planning and service design. The Trust 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.

### **Role of the Director of Children's Services & Lead Member**

The Director of Children's Services (DCS) is professionally accountable for the delivery across the Every Child Matters (ECM) five outcome areas for children and young people. The DCS together with the Lead Member (LM) has a key role in leadership, strategy and effectiveness of services. Both work to drive forward the development of a dynamic Children's Trust encompassing partnership working and to integrate and transform services.

The Lead Member exercises political accountability for the same range of services as the Director and is expected to ensure there is a clear focus on safeguarding.

Both the DCS and LM therefore have particular and distinct responsibilities as memberships of the Board. This entitles both the Director and Lead Member to hold other agencies to account for the joint planning and commissioning of integrated services.

### **Role of the Local Safeguarding Children's Board**

The Local Safeguarding Children's Board (LSCB) will maintain a close working relationship with the Children's Trust. The role of the LSCB is to ensure appropriate scrutiny and impartiality and to take responsibility for challenging every member of the Children's Trust through the Board on their success in ensuring that children and young people are kept safe. The LSCB will also support the Trust to implement recommendations within agreed timescales ensuring improvements are made in leadership, staffing, training, supervision and practice across all services.

To ensure clarity between the roles and responsibilities between the LSCB and the Children's Trust the LSCB will maintain its independence and will have an independent chair. It will have appropriate representation on the CT Board and ECM Strategy Groups and ensure that safeguarding is clearly represented and reported in the Children and Young People's Plan.

Both the DCS and the Lead Member will be members of both the Children's Trust Board and the LSCB. The LSCB will report to the CTB and publish an annual report on the effectiveness of safeguarding in Wirral.

### **Leadership**

Each Board member will act on behalf of their organisation as an ambassador for children 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 the CT and engaged in the delivery of the CYPP.

### **Commissioning**

The Board, supported by joint commissioners, 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 partnerships preventative framework by identifying shifts in activity and resource allocation that will enable the development of planned targeted interventions.

All planning and commissioning decision making will be informed by:

- Needs analysis
- Prevention priorities
- Performance
- Risk analysis

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.

### **Performance Management**

Each member of the Board will take full responsibility and accountability for the delivery of the five ECM outcomes. The specific responsibility for the performance management of the ECM outcomes will be held by the Children's Trust Executive (CTE).

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, Local Area Agreement (LAA), National Indicator (NI) set and relevant areas of Wirral Council's Corporate Plan.

### **Locality Working**

In ensuring that joint planning and commissioning priorities are relevant to the diverse communities in Wirral, the Board has established District Boards. These groups are accountable to the CTB.

### **Information Sharing**

The Board will ensure that information sharing protocols are designed to enable intelligence gathering for effective needs analysis to be carried out on a continuous basis. Information sharing arrangements will also be developed to ensure the effective implementation of ContactPoint and the common assessment framework (CAF).

### **Risk Assessment**

On an annual basis the Board will undertake a formal risk assessment process in order to identify:

- The effectiveness of the Board's work.
- The impact the partnership is having on outcomes for children and young people.

### **Equalities and Inclusion**

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. This includes representation and participation on the partnership.

On an annual basis the Board will undertake an equality impact assessment on the CT functions, policies and services.



## **Dispute and Conflict Resolution**

Members of the partnership:

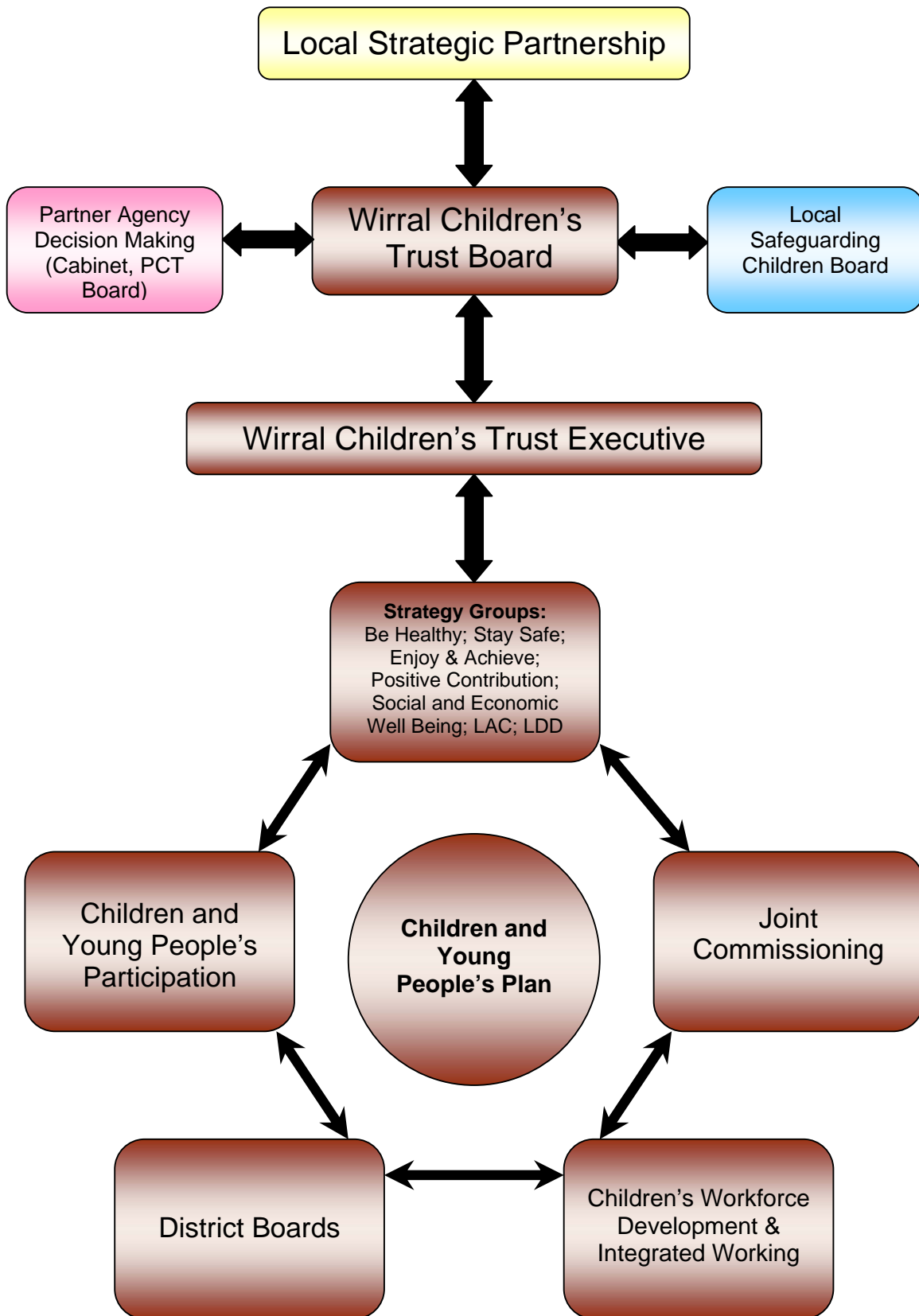
- Must not use their position improperly, confer on, or secure for themselves or any other person, an advantage or disadvantage.
- Must ensure that activities are not undertaken for political purposes
- Must not unduly influence any person in the paid employment of any of the partner agencies.

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.

## **Review of the Memorandum of Understanding**

This memorandum of understanding will be reviewed on an annual basis.

## The Structure of Wirral Children's Trust



## Wirral Children's Trust Board

### Terms of Reference

Each Board member will act as an ambassador for children services locally, regionally and nationally.

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 meeting local need.
- Ensure that children, young people and 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 arrangement for the sharing of information about children and young people (ContactPoint).
- Maintain a strategic link to the Local Safeguarding Children's Board.
- Demonstrate involvement in the Sustainable Community Strategy and clear links to other thematic partnerships through the Local Strategic Partnership (LSP).
- Monitor progress on the Children and Young People's block in the Local Area Agreement.
- Oversee inspection arrangements and support agencies to meet the requirements of the Comprehensive Area Assessment.

### Membership

Chair: Lead Member for Children's Services

Deputy: To be appointed by the board

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.

The membership will include representatives from the following:

- Elected members
- Wirral Council
- Wirral National Health Service organisations
- Merseyside Police
- Merseyside Fire and Rescue Service
- Job Centre Plus
- The Voluntary, Community and Faith Sector
- Primary and Secondary (including Special) Schools, Sixth Form and FE Colleges and School Forum representatives

The membership will be reviewed on an annual basis.

### Meeting Arrangements

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

## Wirral Children's Trust Executive

The CTE will operate as an executive of the Children's Trust Board (CTB). Whilst the strategic leadership, accountability and agreement reside with the CTB, the CTE works to support the Board through a process of delegated and devolved decision making powers. All proposals concerning key strategic developments will go to the CTB for final approval.

### Terms of Reference

Board 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 the CTB and are engaged in the delivery of the CYPP.
- Disseminating a shared culture and vision amongst partners in the working groups.
- Preparation for the strategic engagement cycle and priority meetings with GONW and DCSF.
- Performance management including the Local Area Agreement.
- Preparing for and evaluating practice to inform the inspection arrangements including the Comprehensive Area Assessment.

### Membership

Chair: Director of Children's Services  
Deputy: To be nominated by the Executive

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

### Meeting Arrangements

The CTE will meet bi-monthly.

## **Strategy Groups**

The multi-agency strategy groups (SG) are linked to the five ECM outcome areas for children and young people. They own the CYPP and are responsible for its delivery. They are accountable to the CTB and the CTE.

### **Terms of Reference**

The Strategy Groups are responsible for:

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

### **Membership**

Chair: Outcome area Strategy Lead

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

### **Meeting Arrangements**

To be agreed by each group.

## **District Boards**

The District Boards chaired by an elected member, provide the opportunity for those with an operational responsibility for providing services to children and young people to co-ordinate activity and ensure integrated working in a district. The boards operate as networks for existing groups and services supported by the District Manager who will feed information into the appropriate Strategy Group as necessary. The District Managers will support local networks via a range of engagement methods such as a formal District Board Meeting, linking into established groups across schools and GP surgeries and running workshops to ensure an appropriate response to local need. The networks will also develop working links with the Council's Area Forums and Area Youth Forums and their membership. These networks are a conduit for providing a front line perspective in relation to the impact and success of the implementation of Children's Trust arrangements.

### **Terms of Reference**

The District Boards are responsible for:

- Local needs analysis.
- The identification of priorities, which will contribute to the delivery of statutory requirements priorities as set out in the CYPP and local priorities where these are relevant.
- The monitoring and review of performance of the delivery of agreed priorities.
- The development of local preventative services.
- The coordination of the integration and deployment of preventative services in each locality.
- The promotion of collaborative partnership working at a local level.
- Ensuring that children, young people and their families are involved in informing all decision-making.
- To coordinate the participation of children, young people and their families in priority setting and service development.

### **Membership**

Chair: Appointed Councillor

Councillor from each Area Forum.

Youth Forum representative.

Extended School Cluster Lead.

District Manager.

Senior Social Care Manager.

Children and Young People's Department Head of Branch.

Senior representative from each partner agency.

### **Meeting Arrangements**

The District Boards meet bi-monthly.

## Wirral Children's Trust Support

The Children's Services Department Planning and Resources Branch will provide the following key functions to the CTB, CTE and the District Boards:

- Agenda.
- Minutes.
- Performance management reporting arrangements.
- Risk management 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.

