

12 January 2009

**THE CONSTITUTION OF THE
CHILDREN'S TRUST BOARD**

METROPOLITAN BOROUGH OF DUDLEY

1. Terms of Reference and Aims of the Children's Trust Board

The Children's Trust Board will work in collaboration to co-ordinate, plan, commission and deliver services based on local need for children and young people to enable achievement of the Outcomes Framework of Every Child Matters (ECM):

- Be Healthy
- Stay Safe
- Enjoy and Achieve
- Make a Positive Contribution
- Achieve Economic Well-being

The Children's Trust Board will report its activities to Dudley MBC Select Committee for Children's Services and the Local Strategic Partnership as a themed partnership group.

2. The Legal Position

The most current authoritative definition of the role of the Children's Trust is set out in *Statutory guidance on inter agency cooperation to improve well-being of children, young people and their families (DCSF December 2008)*. This document says

"The purpose of a Children's Trust is to improve the well being of all children: improving their prospects for the future and redressing inequalities between the most disadvantaged children and their peers.

A Children's Trust is a local area partnership led by the local authority bringing together the key local agencies – some of which are under a statutory "duty to co-operate" – to improve children's well being through integrated services focused on delivering the five *Every Child Matters* outcomes."

Statutory "relevant" partners in the Children's Trust include primary care trusts and the Strategic Health Authority, youth offending teams, probation and the police; and the Learning and Skills Council. The DCS is responsible for engaging Children's Trust partners, including where appropriate private and third sector organisations, and other relevant partners such as schools, colleges, primary care organisations and other NHS trusts.

(In addition the DCSF is consulting on Statutory Guidance about the Roles and Responsibilities of the Lead Member for Children's Services and the Director of Children's Services. The consultation period ends on 10 February 2009. When the consultation and subsequent guidance are concluded this constitution will be reviewed, and if necessary revised).

3. Vision and Values

The Children's Trust Board will operate in a spirit of open and honest dialogue with collective responsibility for taking decisions. The Children's Trust Board members will operate within the delegated authority of their parent organisations to ensure the effectiveness of the Board. The vision will be to ensure better outcomes for all children and young people in Dudley through the development and delivery of a wide range of services with the involvement of all partners, users and carers and the wider community. The development and delivery of services will be integrated in line with best practice and the most effective and efficient use of resources.

4. Strategic Objectives

The Children's Trust Board will ensure the delivery of the following strategic objectives, through the Children and Young People's Plan and more detailed projects:

- Develop a vision for all children and young people in Dudley;
- Monitor and evaluate the quality of services for children and young people, taking steps with partner agencies to secure the highest possible standards of provision
- Promote and plan integrated and effective joint commissioning
- Develop, adapt and refine Dudley's Children & Young People's Plan;
- Co-ordinate work across the 5 ECM outcome areas to maximise integration.
- Develop and monitor, in collaboration with partner agencies, Dudley's response to the Annual Performance Assessment and Comprehensive Area Assessment of Children's Services.

5. Membership

The Children's Trust Board will consist of the following voting members:

An Independent Chair
Chief Officer, Dudley Council for Voluntary Services
Chief Executive, Dudley Primary Care Trust
Chief Officer, Dudley Community Partnership
Cabinet Member for Children's Services, Dudley MBC
Chief Executive, Black Country Connexions
Director of Children's Services, Dudley MBC
A representative of the Black Country Learning Skills Council
Director, Action for Children
Chief Superintendent West Midlands Police Dudley
A Post 16 College Principal
Director of Adult, Community and Housing Services, Dudley

Assistant Director, Children's Specialist Services, Dudley MBC
Assistant Director of Children's Services, Barnardos
Non-Executive Director, Dudley Primary Care Trust
District Manager, Probation Service
An elected Primary Head Teacher
An elected Secondary School Head Teacher
An elected Special School Head teacher
Joint Director of Public Health
A General Practitioner nominated by the PCT Commissioning Clusters
Director of Partnerships and Service Development, Dudley Primary Care Trust
Assistant Director, Early Years, Youth and Education Services, Dudley MBC
Associate Operations Director, Dudley Group of Hospitals
Assistant Director, Performance and Partnership, Children's Services, Dudley MBC
The Chairs of the three age related Children's Trust Sub Groups (if not already included in the list above)
The Chair of the Local Safeguarding Children Board
A governor or representative of the Dudley Group of Hospitals

The Head of Children's Trust Support (to be in attendance)

(Current membership total = 27)

Members will represent their agencies and will also bring experience and knowledge about other sectors and organisations. However, their primary duty is to act in the interest of children and young people in Dudley.

Children, young people and their families will be involved via an extensive network of participation, involvement and consultative groups (e.g. The Participation Plus Team coordinate specific events to gain the views of young people and their families. There is a Select Committee Working Group - Listening to Children and Young People. In addition we consult with school councils on matters that affect young people such as the targeted youth support plan).

Other colleagues will attend by invitation of the Chair / Vice Chair in relation to specific agenda items.

Each member will be an equal and active partner.

Any member failing to attend three consecutive Children's Trust Board meetings will be deemed to have forfeited their membership. The Children's Trust Board may invite the relevant nominating body to propose a new member, or invite the existing member to continue, if it feels there is a satisfactory reason for non-attendance.

Each nominating body shall be entitled to make representation to the Children's Trust Board regarding the replacement of their nominee at any time and the Children's Trust Board shall duly consider any such representation.

Any member of the Children's Trust Board is entitled to propose that a new agency should be represented at the Board. A majority of Board members present at a quorate meeting can determine that a new agency will be represented.

If he/she is unable to attend a meeting any member of the Children's Trust Board is entitled to nominate a suitable replacement from his / her organisation. The replacement should be a senior colleague who is able to substitute effectively, play a full part in the meeting, and if necessary speak and vote with confidence and authority. Advance notice of such substitutions should always be given to the Board secretariat.

A review of the structure of the Children's Trust Board will take place annually to ensure that all groups have appropriate representation across partner agencies.

6. Expectations of Board members

Board members will

Prepare effectively for meetings, respond to communications and maintain an up to date knowledge of national, regional and local developments

Attend meetings or make alternative arrangements for their views or those of their agencies to be represented as appropriate

Participate in meetings primarily as a member of the Trust in the interest of children, families and young people in the borough but also representing the views of providers, agencies other stakeholders and networks.

Represent and promote the Trust to other key organisations, networks and individuals such as the DCSF, regional Government Office, inspectorates etc.

Participate in partnership and events and training

Contribute to the development of the Trust and its Board as an effective, efficient and inclusive team including raising concerns with the chair if necessary

7. Chair / Vice Chair Arrangements

Chair

The Trust Board will appoint an individual to act in an independent capacity as the chair. If the chair becomes vacant the Board may search beyond its current membership to find a suitable appointee. Her/his appointment will be reviewed by the Board annually but is not time limited apart from this condition. .

Vice Chair

The Board will elect up to two Vice Chairs who will hold office for twelve months. Should either post fall vacant during the year, a new Vice Chair will be elected until the next annual review of Children's Trust Board members.

In the absence of the Chair and both Vice Chairs, members will identify a chair for the meeting. Substitute representatives may not Chair the meeting.

8. Children's Trust Board responsibilities

The Children's Trust Board makes recommendations to existing decision-making bodies across the agencies. It will have the right to delegate tasks to other linked partnerships and groups where appropriate, and shall have the power to form sub-groups to work under delegated authority from the Children's Trust Board. Individual members will operate within their organisation's delegated decision-making responsibilities.

Every year the Board will publish a programme of work, which it intends to deliver with the aid of its sub groups. This programme of work will be based upon the priorities within the Children and Young People's Plan and other themes which emerge from the Annual Performance Assessment, Comprehensive Area Review, Local Area Agreement, Joint Strategic Needs Assessment or other locally determined priorities.

9. Membership Interests / Probity

Each member of the Children's Trust Board is required to declare any personal or pecuniary interest (direct or indirect) in any agenda items for discussion and shall take no part in the discussion or decision-making on that item.

10. Children's Trust Board Secretariat

The functioning of the Children's Trust Board will be supported by the Partnership Unit of the LA and designated colleagues within the PCT. This support will involve the arrangement of meetings, setting of agendas, distribution of papers, taking of minutes at the Children's Trust Board meetings, and the co-ordination of activity following meetings.

11. Frequency and Duration of Meetings

The Children's Trust Board will meet at least quarterly. The normal duration will be no more than 3 hours.

Special meetings can be convened by any member with approval from the Chair and Vice Chair.

12. Agenda Setting

The Trust Board will develop arrangements to allow all members to contribute to the design of its agendas.

An agenda-setting group will finalise the agenda in advance of each meeting. The membership of this group will be

Chair

Vice Chair(s)

Director of Children's Services, Dudley MBC

Chief Executive, Dudley Primary Care Trust

Director of Partnership and Service Development, Dudley Primary Care Trust

Assistant Director, Performance and Partnership, Children's Services, Dudley MBC

The agenda for subsequent meeting will be an agenda item each time the Board meets.

Agenda Items including papers must be sent to the Chair of the Children's Trust Board at least 10 working days prior to the meeting. Any emergency items should be notified to the Chair 24 hours in advance of the meeting.

Agenda papers will be sent out a minimum of 5 clear days in advance of the meeting.

Children Trust Board members may / will receive confidential papers relating to service, financial, planning and performance issues. These matters should not be discussed / shared outside the Children's Trust Board unless authorised by the relevant parent organisation. It will be assumed that all papers are in the public domain, unless otherwise indicated.

13. Decision Making

Consultation will be at the heart of the Board's decision-making processes. This will take place through discussion with stakeholders, use of their statistics, information, research and submissions. Before going to the Board every effort will be made to circulate initial drafts for comment.

Plans and decisions will then be discussed, and normally agreed. At this point stakeholders will be informed using the most appropriate mechanisms e.g. direct, specific communications, circulation of minutes, distribution of paper and electronic updates.

If after full debate it is not possible to reach a consensus, the chair will normally allow time for further consideration at a future meeting. If appropriate the chair will call for further information and evidence to be made available.

After further deliberation the Trust will then seek to reach agreement, and if it is necessary in order to secure a definite course of action, voting will be used. In the event of a tied vote the chair may use his/her casting vote.

A quorum of the Board will be achieved when at least 40% of the members are present, including at least one representative of the LA Directorate of Children's Services, the Primary Care Trust and the Voluntary Sector. (Therefore as of January 2009 a quorum is 40% of 27 = 11)

14. Accountability

The Children's Trust Board is linked to the Local Strategic Partnership as a themed partnership and as such will be a constituent sub-group of the LSP.

15. Amendments to Constitution

The Children Trust Board will review the Constitution on an annual basis with any proposed changes requiring majority agreements of all voting members and approval by Cabinet.

16. Commissioning of Services

The Board will develop a consistent approach to joint commissioning across partner agencies and groups, in order to support a joint approach to the commissioning of services, which is effective and provides for economies of scale.

The Trust is a joint commissioning partnership that will improve outcomes for children and young people by working with and through all those who provide services.

The Joint Commissioning Board and other sub groups of the Trust, plus partner groups and agencies, will advise the Executive Board about the joint commissioning that is necessary to improve outcomes and services. The Board will consider and make decisions about such advice and the deployment and/or pooling of resources that is necessary.

17. Budgets

Because financial management is a key part of good governance, decisions should not be made in the absence of budget information.

The Trust Board will influence the way in which mainstream funding and mandatory-pooled funds are used in order to improve outcomes for children, families and young people. This will include the identification of spending priorities, and making plans for the integration and alignment of budgets where appropriate.

The Board will make recommendations to partners about the allocation of pooled and other funds as they become available.

The Board may advise the realignment of resources where there is evidence that services are not contributing to the improvement of outcomes for children, families and young people.

The DCS will sustain a small budget for supporting the running costs of the Trust Board.

18. Local Safeguarding Children Board

The LSCB co-ordinates and ensures the effectiveness of agencies working to safeguard and promote the welfare of children. It holds everyone working with children, families and young people to account for safeguarding, and scrutinises the work of the Trust, the Directorate of Children's Services and other organisations accordingly. It is independent of the Trust Board but will maintain a healthy dialogue with it.