WORCESTERSHIRE CHILDREN'S TRUST

CONSTITUTION / TERMS OF REFERENCE

1.0 Title and Status

1.1 The Children's Trust in Worcestershire (hereinafter referred to as "the Trust") are the local arrangements for fulfilling the co-operation duties set out in section 10 of the Children Act 2004, and supporting regulations and guidance.

1.2 The purpose of the Trust is to ensure, that within the context of the Children Act 2004 ("the Act") requirements, services are jointly and efficiently planned, and promote joint commissioning and deliver to improve the outcomes for children, young people and their families and carers.

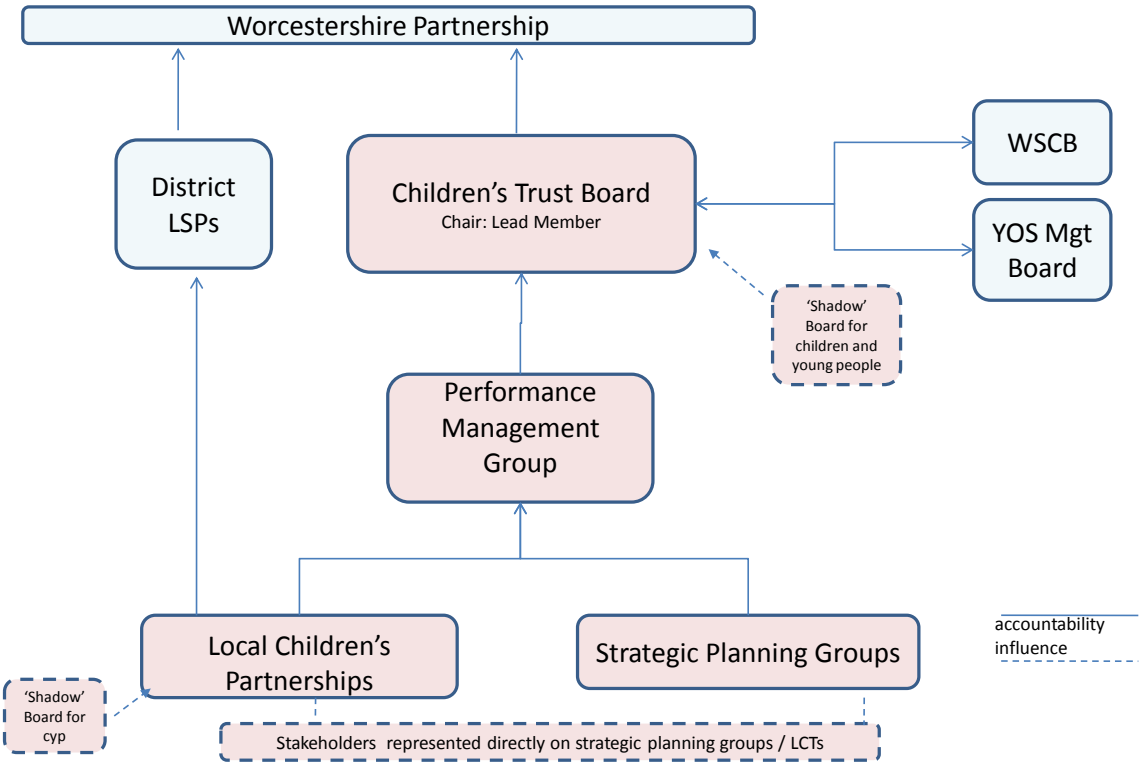
1.3 The Trust has the following constituent parts:

- Trust Board;
- Performance Management Group;
- Strategic Planning Groups;
- standing and time-limited working groups;
- children and young people's shadow arrangements;

The Trust is made up all 'relevant' and 'non-relevant' partners as defined in the Act and who are brought together through the constituent parts for the purpose set out in paragraph 1.2.

WORCESTERSHIRE CHILDREN'S TRUST

Children and Young People's Strategic Planning Arrangements



2.0 Trust relationship within wider context

2.1 The Trust is the children and young people's theme group of the Worcestershire Partnership. It reports to the Worcestershire Partnership on partners' delivery of the children and young people's element of the Local Area Agreement and Sustainable Community Strategy.

2.2 The Trust will work closely with the Worcestershire Safeguarding Children Board ("WSCB"). The Trust and WSCB have separate constitutions and neither is legally accountable to the other. However, the WSCB has a duty to ensure that the Trust conducts its business in a way which safeguards the welfare of children and young people. To that end:

- the Children and Young People's Plan will be reported to the WSCB so the WSCB can scrutinise the Children and Young People's Plan to ensure that children and young people are safeguarded;
- the Children and Young People's Plan will be informed by the annual report of the the WSCB on matters relating to safeguarding children and young people;

- the Chair of the WSCB will be a participant observer of the Trust Board.

2.3 The Trust will work closely with the Worcestershire and Herefordshire Youth Offending Service Management Board, which has strategic and commissioning responsibility for statutory youth justice services. The Youth Justice Plan will be incorporated in the Children and Young People's Plan, and the YOSMB will report progress on this to the Trust Board. The Head of the Youth Offending Service will be a member of the Trust Board.

3.0 Trust Board

3.1 The **objectives** of the Trust Board are to:

3.1.1 Produce, review and revise the Children and Young People's Plan, in accordance with section 17 of the Act and associated guidance.

3.1.2 Agree, through the Children and Young People's Plan, priorities for improving outcomes for children and young people and their families in Worcestershire.

3.1.3 Promote the joint commissioning by all partners of integrated services where that is a more efficient and effective way of improving outcomes.

3.1.4 Monitor partner's performance on delivery of the Plan, identify any risks associated with this, and report on this annually. This includes those performance targets set in the Local Area Agreement.

3.1.5 Act as the children and young people's theme group of the Worcestershire Partnership.

3.1.6 Enable the development of local Children's Partnerships so that services are targeted to meet local needs within agreed resources.

3.1.7 Exchange information and data in accordance with section 12D of the Act to enable the Board to fulfil its functions.

3.1.8 Ensure that children, young people and their families and carers are encouraged to actively participate in planning and commissioning arrangements.

3.1.9 Ensure that the work of Board and the Children and Young People's Plan promotes disability, ethnicity and gender equality and undertake an Equality Impact Assessment on the Plan.

3.2 Membership of the Trust Board is set out in Annex A.

3.2.1 All members are expected to have executive decision-making powers on behalf of the partner or stakeholder group they represent, subject to their respective governance arrangements.

3.2.2 All members are required to take responsibility for communicating and consulting on the business of the Trust Board to the partner or stakeholder group they represent.

3.2.3 All members are appointed by virtue of the post or role that they hold. They will therefore remain a member of the Board for as long as they fulfil that post or role.

3.2.4 Members are allowed to have named substitutes.

3.2.5 Someone acting as a substitute for one member cannot be the substitute for another member.

3.2.6 Substitutes will have the same powers and responsibilities as the member they are substituting for.

3.4 The Chair of the Trust Board will be the Lead Member for Children's Services, as defined by the Act.

3.5 The Vice Chair will be the Non-Executive Director of NHS Worcestershire with lead responsibility for children's services.

3.6 The meeting will be chaired by the Vice Chair if the Chair is absent, even when the Chair's substitute is present.

3.7 To be quorate, attendance must include as a minimum:

- the Chair or the Vice Chair;
- at least five other members [or their substitute] from five different 'relevant' partners [see Annex A]

3.8 The Board will meet at least quarterly on dates to be agreed in advance, or at such other intervals as may be agreed by the members.

3.9 The Board will conduct business on a consensual basis.

3.10 The Board is accountable to the governance arrangements of the constituent partners, and will produce an annual report for these.

4.0 Performance Management Group

4.1 The objectives of the Performance Management Group are:

4.1.1 Oversee the efficient and effective operation of all strategic planning groups of the Trust, and receive periodic reports from those groups.

4.1.2 Establish and manage a performance management framework for the Children and Young People's Plan, and report on performance to the Trust Board.

4.1.3 Ensure that all activities undertaken in pursuance of the objectives and priorities of the Children and Young People's Plan are co-ordinated and aligned.

4.1.4 Promote and support the establishment of Local Children's Partnerships.

4.1.5 Bring to the attention of the Trust Board any matters where outcomes for children and young people are likely to be impacted negatively due to the failure of partners to co-operate or due to other circumstances.

4.1.6 Exchange information and data in accordance with section 12D of the Act to enable the Performance Management Group to fulfil its functions.

4.1.7 Ensure that children, young people and their families and carers are encouraged to actively participate in planning and commissioning arrangements.

4.1.8 Ensure that the work of Performance Management Group promotes disability, ethnicity and gender equality and undertake an Equality Impact Assessment on the Plan.

4.2 The members of the Performance Management Group will be:

- the Chair
- Chair or representative from each strategic planning group;
- Chair or representative from each local Children's Partnership;
- the Trust Manager

4.2.1 All members are appointed by virtue of the role that they hold. They will therefore remain a member of the Management Group for as long as they fulfil that role.

4.2.2 Members should notify the Chair in advance if they are unable to attend and will be sending a substitute.

4.2.3 Someone acting as a substitute for one member cannot be the substitute for another member.

4.2.4 Substitutes will have the same powers and responsibilities as the member they are substituting for.

4.2.5 If more than two thirds of the membership drawn from strategic planning groups and local Children's Trusts is made up of officers from Worcestershire County Council, the Chair will have the right to request alternative membership from strategic planning groups.

4.3 The Chair of the Performance Management Group will be the Director of Children's Services., or another senior officer of the County Council delegated to act as Chair by the Director.

4.4 The Vice Chair will be elected by the other members of the Group at the first meeting.

4.5 To be quorate, attendance must include at least five members including the Chair or Vice Chair.

4.6 The Performance Management Group will meet at least quarterly on dates to be agreed in advance, or at such other intervals as may be agreed by the members or Trust Board.

4.7 The Management Group will conduct business on a consensual basis.

4.8 The Management Group is accountable to the Trust Board.

5.0 Strategic Planning Groups

5.1 Strategic Planning Groups will be established to ensure that all strategic planning to improve outcomes for children and young people in Worcestershire is co-ordinated. The objectives of these Groups are:

5.1.1 Produce a strategy relevant to the focus of that strategic planning group, which supports achievement against the priorities of the Children and Young People's Plan;

5.1.2 Review and report on progress on that strategy to the Performance Management Group, including progress on the key performance indicators in that strategy

5.1.3 Co-ordinate all relevant activity of partners to ensure progress is made on that strategy

5.1.4 Bring to the attention of the Performance Management Group any matters where outcomes for children and young people are

likely to be impacted negatively due to the failure of partners to co-operate or due to other circumstances.

5.1.5 Exchange information and data in accordance with section 12D of the Act.

5.1.6 Ensure that children, young people and their families and carers are encouraged to actively participate in planning and commissioning arrangements.

5.1.7 Ensure that the work of Strategic Planning Groups promotes disability, ethnicity and gender equality and undertake an Equality Impact Assessment on the Plan.

5.1.8 Nominate a member of the Group to be a member of the Performance Management Group, consistent with advice given by the Chair of the Performance Management Group in respect of paragraph 4.2.5.

5.2 Strategic Planning Groups will take responsibility for appointing their own Chair, Vice-Chair and membership to ensure that they are able to deliver the objectives set out in 5.1.

6.0 Local Children's Partnerships

6.1 Local Children's Partnerships will be established in each local area consistent with the Local Strategic Partnerships.

6.2 The objective of a local Children's Partnership is to:

6.2.1 Ensure that planning for services at a local level is efficient and effective and improves outcomes for children and young people

6.2.2 Promote and support the development of local commissioning arrangements, within a commissioning framework developed and agreed by the Children's Trust Board.

6.3 Local Children's Partnerships will be separately constituted.

7.0 Other Standing or Time Limited Groups

7.1 From time to time, other standing or time limited groups may be established to ensure that the objectives of the Trust Board, or the Performance Management Group are delivered.

7.2 All standing or time limited groups will work to the terms of reference agreed at the time.

8.0 Extraordinary Meetings

8.1 Extraordinary meetings may be called where immediate action is required in relation to a significant initiative, a significant variation or issue arising from a section 10 or section 75 agreement or a significant change in legalisation.

8.2 The Chair may call an extraordinary meeting at any time;

8.3 Any member may call an extraordinary meeting by submitting to the Chair a written request, which is supported by the written agreement of any other member;

8.4 Such extraordinary meetings will normally be held within 14 days of the request being received by the Chair

9.0 Records of all Trust meetings

9.1 The minutes of all Trust meetings will be entered as a permanent record and submitted for approval at the next meeting.

9.2 No Trust meetings will be held in public unless agreed by a full consensus of the members from time to time.

9.3 With considerations of above in mind, a record of all Trust meetings, once approved, will be made available on the Trust's website

10.0 Trust Management Arrangements

10.1 The operation and communications of the Trust [as defined in paragraph 1.2], including the Trust Board, will be funded and supported by the partners, utilising the powers set out in section `12C of the Act.

10.2 Any additional resources required to enable the Trust to fulfil its functions will be provided by partner organisations, subject to their agreement.

11.0 Review and Amendments to the Trust Constitution

11.1 This constitution will be reviewed annually, and at any other time the Trust Board considers appropriate.

11.2 Amendments to the constitution can only be agreed by the 'relevant' partners of the Trust Board.

WORCESTERSHIRE CHILDREN'S TRUST

Annex A

Membership of Trust Board

Members from 'relevant' partners

*Lead Member for Children and Young People [Chair]
*Non-Executive Director of NHS Worcestershire [Vice Chair]
*Director of Delivery, NHS Worcestershire [Chair of Joint Commissioning Executive]
*Director of Children's Services [Chair of Management Group]
*Chief Executive, WCC
*Joint Director of Public Health
*Senior person from Probation
*Senior person from West Mercia Police
*Leader or Chief Executive from one of the District Councils
*Head of Youth Offending Service
*Senior person from Job Centre Plus
*Head Teacher representative from First, Primary and Middle deemed Primary Schools
*Head Teacher representative from Special Schools
*Head Teacher representative from Secondary, High and Middle deemed Secondary Schools
*Post-16 representative nominated from provider membership of the 14-19 partnership

Other members:

+ Senior person from Acute NHS Trust [with lead role for maternity services]
+ Associate Director from Worcestershire PCT [with lead role for children and young people]
+ GP representative
+ Chair of Worcestershire Association of Governors
+ x 2 Representative[s] from the VCS
+ Parent / carer representative [plus 'supporter' / or second parent rep]

Participant observer:

+ Chair of the Safeguarding Children Board

NB:

Young people's representation will be by Shadow Board.