

WORCESTERSHIRE CHILDREN AND YOUNG PEOPLE'S STRATEGIC PARTNERSHIP

CONSTITUTION / TERMS OF REFERENCE

1.0 Title and Status

1.1 The children's trust arrangements for Worcestershire will be known as Worcestershire Children and Young People's Strategic Partnership (hereinafter referred to as "the Partnership"). These are the local arrangements for fulfilling the co-operation duties set out in section 10 of the Children Act 2004.

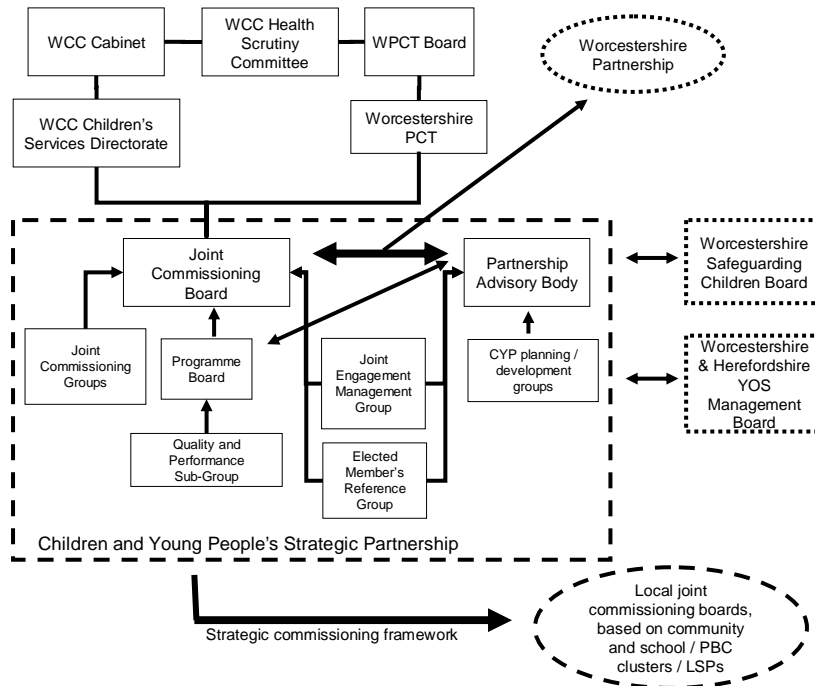
1.2 The purpose of the Partnership is to ensure, that within the context of the Children Act 2004 ("the Act") requirements, services are jointly and efficiently planned, commissioned and delivered to improve the outcomes for children, young people and their families and carers.

1.3 The Partnership has the following constituent parts:

- Joint Commissioning Board;
- Partnership Advisory Body;
- Programme Board;
- Quality and Performance Sub-Group;
- Joint commissioning groups;
- standing and time-limited working groups;
- Joint Engagement Management Group;
- Elected Member's Reference Group

The Partnership 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.

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2.0 Partnership relationship within wider context

2.1 The Partnership is a theme group of the Worcestershire Partnership. It is accountable to the Worcestershire Partnership for delivery of the children and young people's element of the Local Area Agreement and Sustainable Community Strategy.

2.2 The Partnership will work closely with the Worcestershire Safeguarding Children Board ("WSCB"), who will report its Annual Business Plan to the Joint Commissioning Board of the Partnership to enable the key strategic safeguarding issues to be taken into account as part of the review of the Children and Young People's Plan. In turn, the annual review of the Children and Young People's Plan will include the views of the WSCB. The Partnership and WSCB have separate constitutions and neither is legally accountable to the other. However, the WSCB has a duty to ensure that the Partnership conducts its business in a way which safeguards the welfare of children and young people. To that end:

- the WSCB will 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 amended to reflect the views of the WSCB on matters relating to safeguarding children and young people;

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- any formal agreement under section 10 of the Act setting out the commissioning intentions of the Partnership will be reviewed and approved by the WSCB in respect of the agreement's potential impact on safeguarding children and young people.
- 2.3 The Partnership 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 Head of the Youth Offending Service will be a member of the Partnership Advisory Body.
- 2.4 The Partnership is accountable, via the Joint Commissioning Board, to the Cabinet of the Council and the Board of PCT.

3.0 Joint Commissioning Board

- 3.1 The **objectives** of the Joint Commissioning Board are to:
- 3.1.1 Lead on the strategic planning of services for children, young people and their families and carers, including the production, review and revision of the Children and Young People's Plan, in accordance with section 17 of the Act and associated guidance.
 - 3.1.2 Provide the children and young people's element of the Joint Strategic Needs Assessment required by section 116 of Local Government and Public Involvement in Health Act 2007
 - 3.1.3 Ensure that all services and plans are focused on improving the outcomes for children and young people, and performance manage them accordingly.
 - 3.1.4 Ensure that joint commissioning developments and arrangements are aligned with the developments with adult services to ensure effective transition arrangements.
 - 3.1.5 Promote the joint commissioning of integrated services for children, young people and their families and carers
 - 3.1.6 Provide advice and support and a framework on commissioning at a local level.
 - 3.1.7 Jointly commission services, programmes of work, research and development and training, taking into account the available resources of the commissioning partners.
 - 3.1.8 Establish and maintain appropriate joint commissioning arrangements.

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3.1.9 Ensure that statutory duties and responsibilities of relevant partners are discharged by jointly commissioned services, including safeguarding responsibilities.

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

3.1.11 Prepare the appropriate Section 10 agreement for consideration and agreement by the Cabinet of the Council and the Board of the PCT, and subsequently review and report on the progress of these agreements.

3.1.12 Sponsor projects and programmes relevant to the development of integrated services for children, young people and their families and carers.

3.2 **Membership** of the Joint Commissioning Board (“JCB”) will be senior executives and officers of the PCT and the Council with specific responsibilities for children and young people, and leading figures in the respective governance arrangements. There will be a balance of PCT and Council interest on the JCB.

3.3 Members are allowed to have named substitutes. Someone acting as a substitute for one member cannot be the substitute for another member.

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

3.5 JCB members and substitutes are:

Member	Substitute
Cabinet Member for Children and Young People	Another elected member appointed by the Cabinet Member
Director of Children Services, the Council	Head of Commissioning and Quality, the Council [Joint appointment]
Director of Planning and Partnerships, PCT	A nominated senior manager from the PCT
Non-Executive Director of PCT	Another Non-Executive Director of PCT
Director of Public Health, the Council and PCT	A nominated public health consultant
Head of Commissioning and Quality, the Council [Joint appointment]	Service Development Manager, Commissioning, the Council

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3.6 In addition the following will attend the JCB in an advisory capacity. The JCB will take careful note of the advice, but is not bound to follow it.

- Service Development Manager: Commissioning and Contracting [who will be responsible for servicing the JCB]
- Manager of the WSCB
- Young person from the Youth Cabinet [until appointed, this function will be fulfilled by an appointed representative of the Joint Engagement Management Group]
- Someone to represent the views of parents and carers [until other arrangements are agreed, this function will be fulfilled by an appointed representative of the Joint Engagement Management Group]
- Two Elected Members, one appointed by the Leader of Worcestershire County Council, and one appointed by the Leaders Group of the District Councils.
- Chair of the Partnership Advisory Body [see Appendix A]
- Any other person identified and agreed by the JCB as being suitable to advise the JCB, either on a standing basis or by invitation.

4.0 Financing and Staffing

4.1 The operation and communications of the JCB and the constituent supporting arrangements will be funded and supported by the partners.

4.2 The details of any pooled budget will be set out in a formal agreement established under section 10 of the Act. The terms of the formal agreement will be agreed by the Cabinet of the Council and the Board of the PCT, and thereafter will be reviewed annually by the JCB. All changes to the funding arrangements will require agreement from Cabinet of the Council and the Board of the PCT.

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

5.0 Chair and Vice Chair

5.1 The Chair of the JCB will be the Director of Children's Services.

5.2 The Vice Chair will be the Director of Public Health or Director of Commissioning of the PCT.

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

6.0 Tenure of Membership

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

7.0 Attendance

7.1 A record of attendance at JCB meetings over the previous year will be included in the Annual Report.

8.0 Frequency of Meetings

8.1 The JCB will meet not less than monthly on dates to be agreed in advance, or at such other intervals as may be agreed by the members, subject to Clause 11 below.

9.0 Extraordinary Meetings:

- The Chair may call an extraordinary meeting at any time;
- 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.
- 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;
- Such extraordinary meetings will normally be held within 14 days of the request being received by the Chair.

10.0 Chair's Action and Decision Making

10.1 The JCB will conduct business on a consensual basis i.e. the members will attempt to achieve full agreement wherever possible. Where agreement cannot be reached between the six members, then other channels for resolution will be explored.

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11.0 Quorum

- 11.1 No business shall be transacted at a meeting unless the Chair and the Vice Chair [or their substitutes] are present and at least one other member [or their substitute]. As the meeting must be chaired by the Chair or Vice Chair, at least one of them must attend every meeting.
- 11.2 There must be at least one member from the PCT and one from the Council for the meeting to be quorate.

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12.0 Records

- 12.1 The minutes of the JCB and Advisory Body meetings will be entered as a permanent record and submitted for approval at the next meeting.
- 12.2 The meetings of JCB and Advisory Body will not be held in public unless agreed by a full consensus of the members from time to time. In all cases confidentiality and publicity must be the subject of early detailed advice from the relevant legal advisor.
- 12.3 With considerations of above in mind, the JCB and Advisory Body will share a record of their meetings with all relevant groups, and lodge these on the Children and Young People's Strategic Partnership Website. These papers will be made available to the JCB and Advisory Body respectively.

13 Arrangements Supporting and Advising the JCB

- 13.1 The Board will be supported in its work by the Partnership Advisory Body [PAB], the Programme Board, the Quality and Performance Sub-Group, joint commissioning groups, the Joint Engagement Management Group, the Members Reference Group and any specific task and finish groups which are established from time to time.
- 13.2 The Partnership Advisory Body will advise the Board on key issues and provide leadership to the delivery of the action plan of the Children and Young People's Plan. The PAB ensures that all 'relevant' partners under the Act and those stakeholders identified in the guidance as of particular importance, contribute to and influence the decisions of the Board. Appendix A sets out the terms of reference of the PAB.
- 13.3 The Programme Board will performance manage the Children and Young People's Plan and will report quarterly to the PAB and the Board. Appendix B sets out the terms of reference of the Programme Board.
- 13.4 The Quality and Performance Sub-Group is drawn from all partners. This Group supports the performance management role of the Programme Board and the collation of information for the strategic needs assessment.
- 13.4 The Outcome Leads for the delivery of the action plan contained in the Children and Young People's Plan will be members of the PAB.
- 13.5 Joint Commissioning Groups [JCG] will be established to lead on the joint commissioning of services. The JCGs will report directly to the

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JCB at least quarterly. The JCGs will be drawn from existing arrangements and operate according to standard terms of reference.

- 13.6 The Joint Engagement Management Group [JEM] will provide advice and guidance to the JCB, JCGs and PAB on the active engagement and participation of children and young people and their parents and cares in the planning and commissioning of services. The JEM is an already constituted body and those arrangements are unchanged by the CYPSP. The appointed representative of JEM will be a member of the PAB.
- 13.7 Task and Finish Groups will be established from time to time by either the JCB or the PAB to undertake time-limited pieces of development, project or review work. The terms of reference of these Groups will be agreed for each occasion and they will be directly accountable to the JCB or PAB, as appropriate.
- 13.8 The Elected Member's Reference Group is a joint County Council and District Council forum which allows Members to comment on and influence the work of the overall Partnership. The Group meets quarterly and is chaired by the Elected Member appointed by the Leader of Worcestershire County Council.

14.0 Annual Report

- 14.1 The JCB will produce an annual report for the Cabinet of the Council and Board of the PCT for July or at such other time as may be agreed with those authorities. The report will be published and shared with the Worcestershire Partnership.
- 14.2 The Head of Commissioning and Quality will be responsible for producing the annual report on behalf of the JCB.

15.0 Review and Amendments to the Partnership Constitution

- 15.1 This constitution will be reviewed within its first 6 months of operation and thereafter at least annually, and at any other time the JCB considers appropriate.
- 15.2 Amendments to the constitution can only be agreed by the Cabinet of the Council and the Board of the PCT.

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Appendix A – Terms of Reference of Partnership Advisory Body

Purpose

To advise the JCB on key issues and to provide leadership on the delivery of the Children and Young People's Plan and its associated Action Plan.

Objectives:

To advise and influence the JCB on strategic issues;

To receive quarterly reports from the Programme Board for senior manager / partnership support, comment, advice and challenge;

To advise the JCB on the operation of section 10 agreements;

To act as a consultative group in respect of the development and review of the Children and Young People's Plan;

To initiate policy and development work through the establishment of 'task and finish' groups which further the development of strategies, policies and joint commissioning initiatives;

To keep relevant partners informed about national, regional and local initiatives, developments and programmes which will have a significant impact on children, young people and their families and carers, and ensure such information is disseminated through the partner organisations.

Membership

- Senior Representative of the provider functions of the Children's Services Directorate
- Senior Representative from Learning and Skills Council
- Senior Representative from Connexions
- Senior Representative from Probation
- Senior Representative from West Mercia Constabulary
- Youth Offending Service Manager
- Senior Representative from the Provider arm of the PCT with Lead responsibility for children
- X2 representatives from the Voluntary and Community Sector
- Chairs or their nominated representatives of the Secondary, Middle, Primary and Special Headteachers Steering Groups
- representative from the Further and Higher Education Sector
- Senior Officer Representative of the District Councils
- Chair of the WSCB Executive
- GP representative nominated by the PCT

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- CYPSP Manager or equivalent
- Chair of the Performance and Quality Sub-Group of the CYPSP
- Outcome Leads for the CYP Plan if not represented above
- Representative of the Joint Engagement Management Group

Substitutes may be sent in respect of all members except the Chair and Vice-Chair.

Other people may be invited on a standing or occasional basis to act as an advisor, subject to the agreement of the PAB.

Role of Director of Children's Services

The DCS, or his nominated substitute [see para 3.5], will attend the meeting in his capacity as the Chair of the Joint Commissioning Board. The DCS' role will be to ensure that there is effective communication of views and decisions between the JCB and the PAB.

Chairing Meetings

The Chair and Vice Chair will be elected from the membership but cannot be an officer of the Council. The Chair will also be an advisory member of the JCB.

Quorum

For the meeting to be quorate, the Chair or Vice Chair must be present and at least 5 other members representing at least two partner agencies / stakeholder groups.

Frequency

The meeting will be held monthly.

Support for Meetings

The meetings will be serviced by the Community Partnership function of the Children's Services Directorate of Worcestershire County Council.

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Appendix 2 – Programme Board – Terms of Reference

Purpose

To review, monitor and report on the performance, impact and achievement of actions set out in the Children and Young People's Plan.

Objectives

To develop a strong performance management remit with regard to the working of the partnership.

To analyse and assess progress on a quarterly basis of the action plan of the Children and Young People's Plan

To report quarterly on progress to the PAB and the JCB

To 'troubleshoot' issues as they arise by directly raising issues with relevant agencies

Membership

- Head of Commissioning and Quality, Children's Services Directorate
- Chair of the Performance and Quality Sub-Group of the CYPSP
- Senior officer representative from the District Councils

Appropriate support will be provided by the Performance Development function of the Children's Services Directorate

Outcome Leads will attend the meetings to report on progress.

Chairing the Meetings

Head of Commissioning and Quality, Children's Services Directorate of Worcestershire County Council

Frequency

The Programme Board will meet quarterly.