

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.

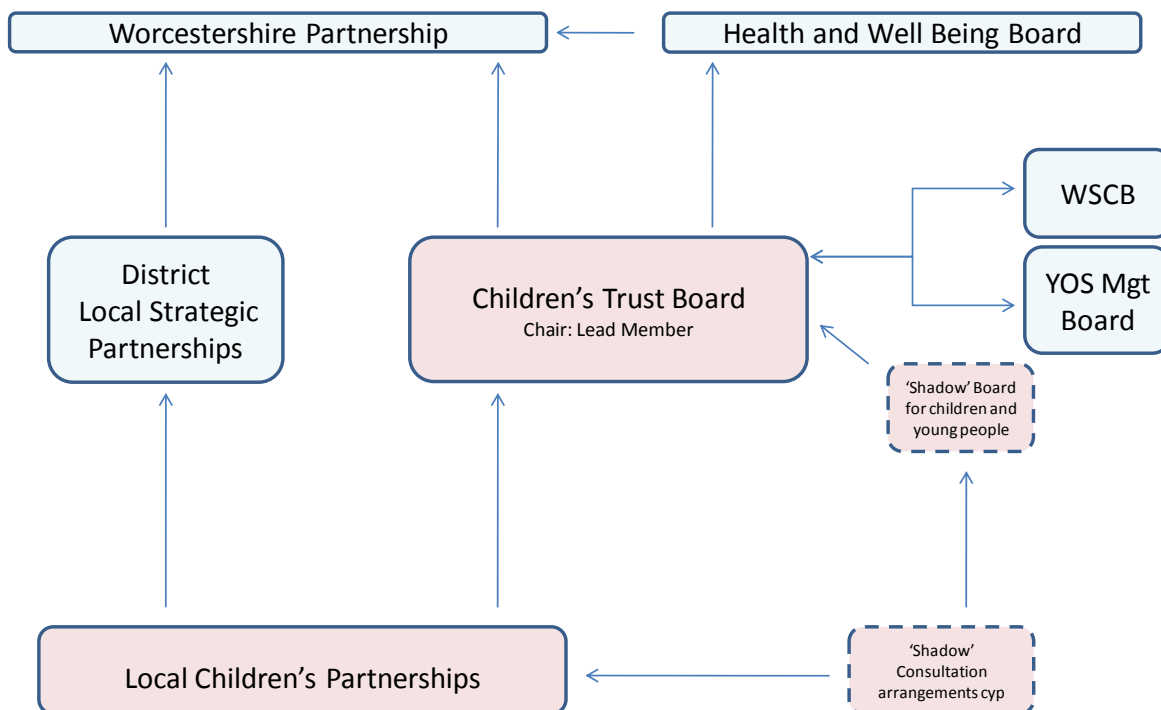
1.3 The Trust has the following constituent parts:

- Trust Board;
- standing and time-limited working groups;
- children and young people's shadow arrangements;
- Local Children's Partnerships

The Trust is made up of all partners who are brought together through the constituent parts for the purpose set out in paragraph 1.2 – in other words the Trust is more than the membership of the Board

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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 agreed priorities 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;

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- 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.

2.4 The Trust will work closely with the Health and Well Being Board. (These arrangements are still to be finalised)

3.0 Trust Board

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

- 3.1.1 Agree, through the Children and Young People's Plan, priorities for improving outcomes for children and young people and their families in Worcestershire.
- 3.1.2 Promote the joint commissioning by all partners of integrated services where that is a more efficient and effective way of improving outcomes.
- 3.1.3 Monitor partner's performance on delivery of the Plan, identify any risks associated with this, and report on this annually.
- 3.1.4 Act as the children and young people's theme group of the Worcestershire Partnership and Health and Well Being Board.
- 3.1.5 Enable the development of local Children's Partnerships so that services are targeted to meet local needs within agreed resources.
- 3.1.6 Exchange information and data in accordance with the Information Sharing Protocol.
- 3.1.7 Ensure that children, young people and their families and carers are encouraged to actively participate in planning and commissioning arrangements.
- 3.1.8 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.

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- 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 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 Arrangements

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- 4.1 The Trust Board will receive reports on the impact being made towards addressing the priorities in the Children and Young People's Plan, at least every six months.
- 4.2 The reporting arrangements will include:
 - 4.2.1 Quantative progress on key performance indicators agreed by the Trust Board as part of the Children and Young People's Plan. These indicators will be drawn from any national group set and be consistent with the performance reporting arrangements of partners.
 - 4.2.2 Qualitative reports from periodic visits from members of the Trust Board on particular services.
 - 4.2.3 Qualitative reports from periodic visits by parents and carers and children and young people on particular services, conducted within national standard frameworks such as Hear by Right.

5.0 Local Children's Partnerships

- 5.1 Local Children's Partnerships will be established in each local area consistent with the Local Strategic Partnerships.
- 5.2 The objective of a local Children's Partnership is to:
 - 5.2.1 Ensure that planning for services at a local level is efficient and effective and improves outcomes for children and young people.
 - 5.2.2 Produce a Local Plan relevant to that local area, which is consistent with the priorities of the Children and Young people's Plan, and review and report on progress to the Children's Trust Board advising on actions and inviting comment from the Children's Trust Board.
 - 5.2.3 Promote and support the development of local commissioning arrangements, within a commissioning framework developed and agreed by the Children's Trust Board.
- 5.3 Local Children's Partnerships will be separately constituted.

6.0 Other Standing or Time Limited Groups

- 6.1 From time to time, other standing or time limited groups may be established to ensure that the objectives of the Trust Board are delivered.

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6.2 All standing or time limited groups will work to the terms of reference and performance indicators agreed at the time.

7.0 Extraordinary Meetings

7.1 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, a significant change in legalisation, or following an external inspection

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

7.3 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;

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

8.0 Records of all Trust meetings

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

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

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

9.0 Trust Management Arrangements

9.1 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.

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

10.0 Review and Amendments to the Trust Constitution

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

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

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11.00 Children and Young People's Shadow Board

- 11.1 A Children and Young People's Shadow Board will be established to enable children and young people's participation and engagement.
- 11.2 The objectives of the Shadow Board are:
 - 11.2.1 To provide advice to the Children's Trust Board in matters relating to improved outcomes for children and young people.
 - 11.2.2 To provide an avenue for children and young people to communicate with the Children's Trust Board.
 - 11.2.3 To encourage children and young peoples participation in the delivery of improved outcomes.
 - 11.2.4 To inform children and young people of the work of the Children's Trust and Children's Trust Shadow Board.
 - 11.2.5 To inform the Children's Trust of key issues relating to children and young people in Worcestershire, and in particular contribute to the development and review of the Children and Young People's Plan.
- 11.3 Membership of the Shadow Board will be representative of all children and young people.
- 11.4 The Chair of the Trust Board and the Director of Children's Services will attend Shadow Board Meetings.
- 11.5 The Shadow Board will periodically review these arrangements and will have the right to propose alternatives including attendance at Trust Board meetings.

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Annex A

Membership of Trust Board

- * 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
- * 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
- * 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]
- * Local Children's Partnerships representation

Participant observer:

+ Chair of the Safeguarding Children Board

NB:

Young people's representation will be by Shadow Board.

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