

## **Report of the Chief Executive to the meeting of Children’s Services Overview & Scrutiny to be held on 28 September 2022**

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**Subject:**

**E**

**Establishing the Bradford Children and Families Trust (the Trust)**

### **Summary statement:**

**The report provides an update on activities to establish the Bradford Children & Families Trust, the progress to date and critical next steps.**

### **EQUALITY & DIVERSITY:**

Equality assessments – There are no direct equality impact assessment from this report. The establishment of the Children’s Trust has been jointly agreed by the Council and the DfE as the most appropriate action to provide essential services and safeguard Children across the District. Equality of access to those essential services, including safeguarding, will be an essential component of services delivered by the Children’s Trust. This is summarised in the DfE Statutory Direction to Bradford Council dated 9 February 2022.

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Kersten England  
Chief Executive

**Portfolio:**

**Corporate & Children’s**

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**Overview & Scrutiny Area:**

**Corporate & Children’s**

## **1. SUMMARY**

- 1.1 This report provides an update on activities since the report to the June Executive and the July Children's Services Overview and Scrutiny Committee.
- 1.2 A presentation will be made to the Committee which will provide further context and updates.

## **2. BACKGROUND**

- 2.1 The Council has been rated as inadequate in the delivery of its responsibilities to children since 2018. In recognition of these challenges and following the report of the Bradford Children's Commissioner in January 2022, the Council has agreed with the DfE Secretary of State to voluntarily establish a wholly owned, not-for-profit company (children's services trust), which will discharge the Council's children's social care functions on its behalf pursuant to the terms of a Service Delivery Contract to be entered into by the Council and the children's services trust. This decision will offer greater agility and focus in order to drive the required rapid improvements and improve the ability to delivering excellent social work in an effective and sustainable way. The challenge facing the Council is to sustain the current parallel improvement work, business as usual activity and the successful establishment of the proposed Children's Trust.

## **3.0 PROGRESS MADE TO DATE**

### **A Key appointments**

- 3.1 An interim leadership team has been appointed to support the DfE and work alongside the Council in establishing the Trust. This team includes interim Chief Executive; Finance Director, HR Director and Chief of Staff.
- 3.2 Progress has commenced to recruit the permanent leadership team within the Trust, all roles have been advertised and appointment panels selected. It is anticipated appointment to roles will be confirmed in September.

### **B Governance Arrangements**

- 3.3 Governance arrangements have been established which include representatives from the Council, the Trust, PWC and the DfE as appropriate. Governance arrangements support a programme approach which includes individual workstream meetings to progress core activities; which feeds into an Operational Group which ensures critical alignment and dependencies between workstreams are considered and addressed. A Steering Group chaired by the Commissioner ensures the overall programme is aligned and resourced to ensure the Trust is appropriately established to be operationally and contractually effective from 1 April 2023.

## C Scope of services

- 3.4 The scope of services to be transferred from the Council to the Children’s Trust is set out in the Statutory Direction and the Memorandum of Understanding between CBDMC and the DfE. Key stakeholders have been engaged in the development of the operational detail of services to be transferred and to consider if any other services, in addition to Children’s Social Care, may transfer. This included a series of engagement / scoping sessions which took place during April and May and ongoing joint work between the Council and Trust officers. Following the engagement sessions further meetings provided feedback and proposals for services which could be in scope; providing an additional opportunity for stakeholders to comment further prior to concluding the proposed scope of services.

The services to be included are:

<b>Integrated Front Door</b>
Integrated Front Door Teams
Emergency Duty Team
Child Exploitation Hub
Early Help Gateway
<b>Locality Teams (Duty &amp; Assessment and Child &amp; Family teams)</b>
East
Keighley & Shipley
South
West
<b>Children with Complex Health or Disabilities Team</b>
<b>Court</b>
<b>Leaving Care</b>
<b>Children in Care</b>
<b>Early Help &amp; Prevention</b>
<b>Early Help Parenting &amp; Family Support South &amp; East Locality</b>
Parenting Teams
Family Support Teams
<b>Early Help Parenting &amp; Family Support West, Keighley/Shipley Locality</b>
Family Support Team
Parenting & Family Teams
Family Keyworker Teams
<b>Early Help Prevention &amp; Early Help</b>
Hub Teams
Intensive Family Support
Contact Service
<b>Early Help Families First</b>
Programmes Team
Families First Team
<b>Youth Justice Service</b>

Hub Teams
Prevention & Programme Hub
Youth Engagement Support Hub
Administration Team Youth Offending Team
<b>Safeguarding &amp; Reviewing</b>
<b>Safeguarding &amp; Reviewing</b>
Regulation 44
Reviewing Teams
Participation
<b>Child Protection, LADO Local Authority Designated Officer) &amp; Business Support</b>
Child Protection Teams
LADO
CSC Administration
<b>Workforce &amp; Learning</b>
Workforce Development
Learning & Development
Childrens System Service
Quality Assurance Team
<b>Placement Coordination</b>
<b>Childrens Homes</b>
Hollybank
Meadowlea
Newholme
Owlthorpe
The Willows
Rowan House
Skyview
The Bungalow
The Hollies
Valley View
Wedgewood Hall
<b>Respite Children with Disabilities</b>
Specialist Service
Clockhouse
Wedgewood
<b>Fostering Management</b>
Family and Friends Assessment Team
Fostering Recruitment and Assessment Team
Fostering Supervisory and Support Teams
Short Breaks Team
<b>Business Support</b>
Information Governance & Improvement Team
Central Executive Support
Integrated Services Team

East Social Work & Parenting Family Support
Keighley & Shipley Social Work & Parenting Family Support
South Social Work & Children in Care & Parenting Family Support
West Social Work & Parenting Family Support
Youth Service : Breaking the Cycle

3.5 The proposed schedule of services to be in scope should, as a minimum, reflect the Statutory Direction issued by the Secretary of State and must enable the Trust to be operationally effective from 1 April 2023 to achieve the objectives set out in the Direction. The scope of services to transfer will also include a number of support services. The Council and Trust are liaising on which services should be transferred to the Trust and which should be offered by the Council under a Service Level Agreement.

#### 4. NEXT STEPS

4.1 The details of the contract, governance and performance regime under which both the Council and the Trust will operate are still being defined and developed by both parties, under the guidance of PWC and in dialogue with the DfE.

#### 5 FINANCIAL & RESOURCE APPRAISAL

Implications will be covered through established Workstreams for which there are specific finance; HR and Communication workstreams. Finance, HR and Communications are represented in the current officer group leading on the establishment of the Trust.

#### 6 RISK MANAGEMENT AND GOVERNANCE ISSUES

The main risk management and governance issues, and their current mitigations are identified below. These risks are actively reviewed through existing governance arrangements.

**Slippage:** PWC will play a critical role in managing the overall programme and applying their specific skills, knowledge and expertise in managing complex programmes and establishing trusts arrangements

**Appointments to Critical roles in the Trust:** the appointment of the right people to critical roles will be essential for the success of the Trust in delivering Children’s Services improvement. Recruitment processes have been established in order to attract and appoint the right candidate.

**Workforce stability:** over the past 3-years there has been significant volatility and turnover of employees and agency workers within the service. Targeted recruitment campaigns are planned which will emphasise the opportunities within a new Children’s Trust.

**Slippage in performance:** the establishment of the Children’s Trust may potentially divert attention and resource away from delivery of core ‘business as usual’ services and lead to a deterioration in performance. Separate roles and responsibilities have been established to focus upon business as usual; the improvement plan and establishing the Children’s Trust to mitigate this risk.

**Slippage in improvement programme:** the establishment of the Children’s Trust may potentially divert attention and resource away from delivery of the improvement programme. Separate roles and responsibilities have been established to focus upon business as usual; the improvement plan and establishing the Children’s Trust to mitigate this risk.

**Interim leadership in service:** the current leadership team is filled with interims; recruitment has already commenced to secure permanent resource

## **7. LEGAL APPRAISAL**

The statutory framework for the establishment of the Children’s Trust is set out in the Children and Young Persons Act 2008, which provides authority for the issue by the Secretary of State for Education of the February 2022 Statutory Direction. The Direction requires the Council to both establish the Children’s Trust, and ensure contractual arrangements are in place to facilitate the discharge by the Children’s Trust of a wide range of children’s social care functions including key functions under the Children Act 1989.

The children’s social care services are specified in the Memorandum of Understanding with the DfE which was completed on 20<sup>th</sup> July 2022. The Childrens Services, and support services will be described in further detail in the Services Delivery Contract which is currently under discussion.

Governance arrangements are set out in the Governance Service Agreement with the DfE which are currently under discussion between the Trust, DfE and the Council. The governance arrangements must be based on the agreement that the Children’s Trust is to be formed as a company limited by guarantee to enable it to operate with a considerable degree of autonomy from the Council, in accordance with the Direction

## **8. OTHER IMPLICATIONS**

### **8.1 SUSTAINABILITY IMPLICATIONS**

There are no direct implications from this report.

### **8.2 GREENHOUSE GAS EMISSIONS IMPACTS**

There are no direct implications from this report.

### **8.3 COMMUNITY SAFETY IMPLICATIONS**

There are no direct implications from this report.

### **8.4 HUMAN RIGHTS ACT**

There are no direct implications from this report.

### **8.5 TRADE UNION**

The Trade Unions have been consulted as part of considerations regarding the potential scope of services to be transferred to the Bradford Children & Families Trust

A series of regular meetings are in place and formal consultation will commence later

Trade Union consultation will continue through the TUPE process; the transfer of services and the establishment of the Trust.

### **8.6 WARD IMPLICATIONS**

There are no direct implications from this report.

### **8.7 IMPLICATIONS FOR CHILDREN AND YOUNG PEOPLE**

There are no direct implications from this report.  
Corporate Parenting issues will be subject of specific arrangements between the Council and the Children & Families Trust.

### **8.8 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT**

There are no direct implications from this report.

### **9. NOT FOR PUBLICATION DOCUMENTS**

None

### **10. OPTIONS**

- 10.1 The option to establish a Children’s Trust has been taken and agreed with DfE.
- 10.2 Within this the Council and the Trust has options on the shape, nature, scope and operational working of the Trust. The report sets out the key aspects behind recommendations made.

**11. RECOMMENDATIONS**

There are no specific recommendations from this report.

**12. APPENDICES**

None

**13. BACKGROUND DOCUMENTS**

The Ofsted Improvement Plan and report of Commissioner January 2022 are the core relevant background documents.

DfE Statutory Direction 9 February 2022

Establishing the Childrens Company – June 2022 Executive Report

Establishing the Childrens Company – July 2022 Childrens Services Overview & Scrutiny Report