# BCFT - Progress Update
# Scrutiny Report

December 2022

# 1. Purpose and outline of this update

# Purpose of this update

This report builds on the previous presentation given in September 2022 and provides the Scrutiny Committee with an update on the progress with the establishment of the Bradford Children and Families Trust (BCFT).

The scrutiny report includes:

- An overall progress update focusing on the critical requirements which need to be in place by 1 April 2023 for the Trust to be contractually and operationally ready for Go Live;

- An update on key appointments to the Trust and progress with the legal dialogue sessions; and

- An overview of the outcome of the programme Gateway Review that assesses progress based on work completed to date, including recommendations and a summary of feedback.

- An overview of the Trust governance and political oversight, outlining the potential role of scrutiny in the Trust's governance arrangements.

# 2. BCFT Progress Update

# Programme Timeline

The below diagram shows the critical path for the Programme over the next period to Trust establishment.

**We are here**
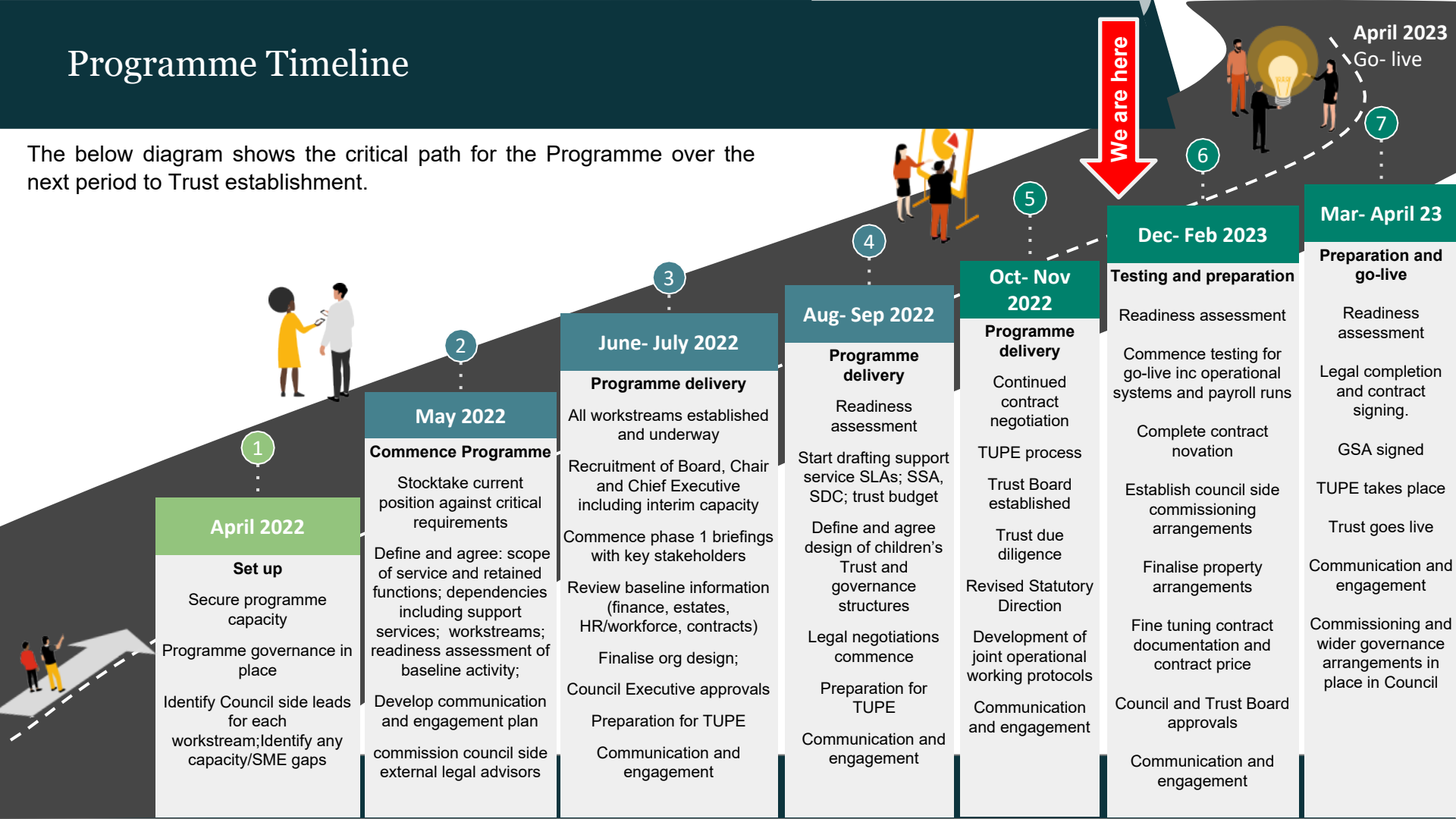
**April 2023**
Go- live

**① April 2022**

**Set up**

Secure programme capacity

Programme governance in place

Identify Council side leads for each workstream; Identify any capacity/SME gaps

**② May 2022**

**Commence Programme**

Stocktake current position against critical requirements

Define and agree: scope of service and retained functions; dependencies including support services; workstreams; readiness assessment of baseline activity;

Develop communication and engagement plan

commission council side external legal advisors

**③ June- July 2022**

**Programme delivery**

All workstreams established and underway

Recruitment of Board, Chair and Chief Executive including interim capacity

Commence phase 1 briefings with key stakeholders

Review baseline information (finance, estates, HR/workforce, contracts)

Finalise org design;

Council Executive approvals

Preparation for TUPE

Communication and engagement

**④ Aug- Sep 2022**

**Programme delivery**

Readiness assessment

Start drafting support service SLAs; SSA, SDC; trust budget

Define and agree design of children's Trust and governance structures

Legal negotiations commence

Preparation for TUPE

Communication and engagement

**⑤ Oct- Nov 2022**

**Programme delivery**

Continued contract negotiation

TUPE process

Trust Board established

Trust due diligence

Revised Statutory Direction

Development of joint operational working protocols

Communication and engagement

**⑥ Dec- Feb 2023**

**Testing and preparation**

Readiness assessment

Commence testing for go-live inc operational systems and payroll runs

Complete contract novation

Establish council side commissioning arrangements

Finalise property arrangements

Fine tuning contract documentation and contract price

Council and Trust Board approvals

Communication and engagement

**⑦ Mar- April 23**

**Preparation and go-live**

Readiness assessment

Legal completion and contract signing.

GSA signed

TUPE takes place

Trust goes live

Communication and engagement

Commissioning and wider governance arrangements in place in Council

# Summary

The gateway review completed in October confirms that **there is a viable, technical Critical Path, which allows the operational and contractual establishment of the Children's Trust by 1st April 2023**.

**Good progress is being made with the contract documentation** and further dialogue sessions are for the remainder of the calendar year. A joint workshop has been held between trust and council in order to develop the contractual KPIs and good progress in being made in this area. **Key risks are finalising the Contract sum, which is dependent on Demand Trajectories,** in the context of significant financial pressures in the children's services and wider system and **Trust resources across all workstreams.**

**The TUPE process is progressing well** and consultations are now underway.  No major issues have been identified to date.

**The Trust has successfully made some key Appointments** with **Charlotte Ramsden** appointed as the Trust Chief Executive and starts on 20th February, and **Julie Crellin** appointed as the Finance Director, starting 30th January.  The Trust Board is established in shadow form with meetings taking place as required.

Work has started in relation to planning for **operational mobilisation** and this will be a focus of attention from January. The development of **joint operational working protocols** is well underway.

Communication and engagement activity continues.

**Bradford Children and Families Trust**

This document summarises the position against the Children's Trust Programme Plan as of 30 November 2022 and gives an overview of:

1. Progress against the plan
2. Critical risks and issues, impact and mitigating actions taken

Note: Progress has been measured using the following methodology:

| | Deliverable | Workstream / Critical Requirement Area |
|---|---|---|
| **RED** | Deliverable / critical decision missed. Management action / recovery plan required. Escalation needed. | Delays being experienced across workstream / critical requirement area. Management action / recovery plan required. Escalation needed. |
| **AMBER** | Deliverable at risk if issues are not addressed. Corrective action required. | Risk of delay to work stream / critical requirement area. Corrective action required. |
| **GREEN** | Deliverable is on track to meet scheduled dates | Work stream / critical requirement area is on track to meet scheduled dates |
| **BLUE** | Completed | Completed |
| **BLANK** | Not started | Not started |

Risks are scored using the following risk methodology:

| Impact | | | | | |
|---|---|---|---|---|---|
| Very High | 5 | 10 | 15 | 20 | 25 |
| High | 4 | 8 | 12 | 16 | 20 |
| Medium | 3 | 6 | 9 | 12 | 15 |
| Low | 2 | 4 | 6 | 8 | 10 |
| Very Low | 1 | 2 | 3 | 4 | 5 |
| | Very Low | Low | Medium | High | Very High |
| | **Likelihood** | | | | |

# Summary of progress against critical requirements

| Critical Requirement | Position Sept 22 | Position Oct 22 | Position Nov 22 | Critical Requirement | Position Sept 22 | Position Oct 22 | Position Nov 22 |
|---|---|---|---|---|---|---|---|
| TUPE | 🟥 | 🟥 | 🟧 | Contract Management | 🟧 | 🟧 | 🟧 |
| OfSTED Registration | 🟧 | 🟧 | 🟧 | Statutory Duties | 🟩 | 🟩 | 🟩 |
| Contract Novation | 🟧 | 🟧 | 🟧 | Performance Framework | 🟧 | 🟧 | 🟩 |
| Pensions | 🟧 | 🟧 | 🟩 | Property and Assets | 🟧 | 🟧 | 🟧 |
| Organisational governance | 🟩 | 🟩 | 🟩 | Corporate Governance | 🟩 | 🟩 | 🟩 |
| Service Delivery Contract (SDC) | 🟧 | 🟧 | 🟧 | Democratic Approvals | 🟩 | 🟩 | 🟩 |
| Support services and ICT | 🟧 | 🟧 | 🟧 | ERP and Payroll | 🟧 | 🟧 | 🟧 |

# 3. BCFT Gateway Review

# Gateway Review

It was agreed by the Children's Trust Programme Steering Group in September that it would be beneficial to review progress of the programme as part of a Gateway Review process. The agreed objectives of the review were to:

- Maintain effort on delivering the Programme's critical requirements
- Provide a proactive risks management focus in order to risk assess the Programme workstreams and critical requirements
- Review programme/workstream plans, identify and analyse the critical path for the delivery of the critical requirements within the necessary timescale
- Bring together stakeholders to promote open communications
- Keep the programme team, Trust and Council honest with themselves so issues can be addressed early and are escalated when assistance is required
- Set out clear governance structures for all involved
- Provide a feedback loop for continuous improvement
- Provide increased assurance to DfE, Trust and Council

The review was undertaken by an experienced programme manager who has worked on 2 children's trust programmes elsewhere in the country. The report setting out the outcomes of the review was shared at the November Children's Trust Programme Steering Group. The report provides an assessment of the current status of all programme critical requirements, highlighting key risks and issues, with recommended actions for their resolution or mitigation.

# General Observations from the Gateway Review

- There is much to be positive about. Stakeholders have reported good relationships and commitment from individuals. Hard work is evident across the programme and all workstreams are making progress.

- Council colleagues have demonstrated good levels of commitment to establishing a Trust and are working hard to deliver key critical requirements.  Council staff have 'day jobs' as well as supporting the Trust programme; this requires the balancing of competing priorities which can at times impact upon pace, quality and progress. As typical with other Councils in intervention, there have been gaps in information in children's and support services which have posed challenges to the programme which are being addressed.

- The Trust have quickly established as a motivated and enthusiastic interim executive management team, and are demonstrating a real commitment to joint working, focussed on improving outcomes for children and young people.  This is a new team which has limited previous experience of working on other Trust programmes which results in needing more input from the PMO than was anticipated in terms of both capacity and support.  There needs to be increased Trust visibility in the workstream activity.

- The PMO is now running effectively and has experienced and knowledgeable Programme Director and SMEs. Whilst there were some early teething issues in the initial months these were addressed head-on and improved arrangements put in place, and is striving to relieve pressure from the system, rather than adding to it.

- The programme is at a good stage of development when benchmarked against other Trust launch programmes. There is the time and the resources available to resolve critical issues.

- As the Programme moves into a new phase, there will need to be a renewed programme management approach with a relentless focus on resolving dependencies across the programme, a creative approach to issue resolution, improved quality management, and a risk management approach with effective escalation processes.

# Summary of conclusions

**The Programme Gateway Review assessment is solely focussed on the stated scope of each 11 workstreams (see Appendix 1), plus an assessment of Programme Management itself. It does not look at areas of development of the Trust outside of critical requirements.**
**A benchmark comparison of progress against a similar trust set up programme at the same point (c. 5 months to launch) has been completed.**
**All but 1 workstream is ahead or at a comparable level of development as the benchmark.**
**Out of the 12 areas:**

- 5 are rated as 'Green' = Successful delivery of these workstreams appears highly likely.
- 6 are rated as 'Amber' = Successful delivery appears feasible but significant issues require management attention.
- 1 is rated 'Red' = Successful delivery appears unachievable with issues that do not appear resolvable.

| Workstream | Bradford Children's Trust Progress Against Benchmark (at c. 5 months to launch) | Readiness Assessment |
|---|---|---|
| Programme Management | Resource levels are comparable to benchmarks. When entering the next phase of the programme there will need to be greater focus on issue resolution, improved quality management and greater grip of programme dependencies. | **Amber** - Successful delivery appears feasible but significant issues require management attention |
| 1 - Service design | **Behind Benchmark** - Bradford is slightly behind but service specification is progressing well. | **Amber** - Successful delivery appears feasible but significant issues require management attention |
| 2 - Setting up the new organisation | **Ahead** – Bradford is significantly ahead in Trust development. | **Green** - Successful delivery of this workstreams appears highly likely |
| 3 - Legal and contracts | **Ahead** – Prospects for successful completion of legal agreements is good | **Green** - Successful delivery of this workstreams appears highly likely |
| 4 - Finance | **Comparable** – Progress is as expected, but issue of affordability appears unresolveable. | **Red** – Issue of affordability appears unresolvable by the Programme. |
| 5 - Staff transfer and HR | **Comparable** – There are concerns in Bradford with an unconfirmed establishment. This is similar to the benchmark and there is time to resolve these issues given significant level of attention. | **Amber** - Successful delivery appears feasible but significant issues require management attention |
| 6 - Property and Assets | **Comparable** – There are issues here without a property complete list being agreed. This was also the case in the benchmark at this stage. A similar level of focus will be required to resolving this issue | **Amber** - Successful delivery appears feasible but significant issues require management attention |
| 7 - Data and ICT | **Comparable** – There is a plan in place for ICT which is being executed, in a similar position to the benchmark. Risks remain but are manageable. | **Green** - Successful delivery of this workstreams appears highly likely |
| 8 - Support services | **Ahead** – Drafts of SLAs are more advanced in Bradford, although there are quality issues | **Amber** - Successful delivery appears feasible but significant issues require management attention |
| 9 - Commissioning and Contract Management | **Ahead** – There is significantly greater progress in contract novation. There is an achievable plan in place. | **Green** - Successful delivery of this workstreams appears highly likely |
| 10 - ERP build, data migration and testing | **Ahead** – The plan for Trust ERP still contains high levels of risk, but mitigations are preferable, with higher levels of testing and contingencies built into the plan than the benchmark | **Green** - Successful delivery of this workstreams appears highly likely |
| 11 - Communications, Marketing, and Engagement | **Comparable** – similar levels of engagement and will require greater engagement alongside TUPE consultation. | **Amber** - Successful delivery appears feasible but significant issues require management attention |

# Recommended Action Plan

| # | Recommended Action | Action Owner | By when |
|---|---|---|---|
| 1 | **Refresh the Programme Management arrangements to reflect the next phase of the Programme, including:**<br>i.   Implement new processes to facilitate timely decision-making and focus on programme-wide dependencies.<br>ii.   Strengthen escalation process.<br>iii.   Implement new, improved information sharing processes.<br>iv.   Implement new quality management plan.<br>v.   Embed programme management arrangements more closely with Trust and Council to ensure prioritisation of resources.<br>vi.   Include DfE set up grant reporting to Steering Group on a regular basis. | SP | Report to next Steering Group |
| 2 | **Maintain high level of focus on the Service Delivery workstream with a prioritisation of Joint Working Protocols, the ICF Function and the retained function and associated structure and defined review points.** | Council Lead: Marium Haque<br>Trust Lead: Sally Hodges, Peter Featherstone, Portia Bailey Barrow<br>PwC Lead: Sarah Phipps | Delivery to Programme Plan target dates |
| 3 | **Immediate lock down of the Establishment list and initiation of a change control process.** | Council Lead: Shirley Hoyland | Immediate |
| 4 | **Commitment to rapid progress towards agreement of Trust HQ arrangements –** Trust and Council to meet to discuss and agree approach | Council Lead: Ben Middleton; Deputy: Neil Charlesworth<br>Trust Lead: Mel Creighton | Report to next Steering Group |

# Recommended Action Plan

| # | Recommended Action | Action Owner | By when |
|---|---|---|---|
| 5 | **Rapid agreement of fundamentals of Trust Support Service Requirements** – Trust needs to build a proposal of its structure to discuss and agree with the Council as a matter of urgency. This should include complete definition and agreement of which support services are bought back and which are transferred. | Council Lead: Anne Lloyd/Caroline Lee (Chris Chapman) Trust Lead: Peter Featherstone | Report for the next Steering Group |
| 6 | **Consider developing contingency shadow running arrangements for support services -** create an options appraisal for consideration by the Steering Group | See 9 below | See 9 below |
| 7 | **Closer alignment and engagement between Trust and Service, plus engagement of a wider range of stakeholders, particularly elected members.** Links need to be built as a matter of urgency. The communications plan must reflect the mobilisation stage of the programme and include increased engagement of the full range of programme stakeholders. | Council Lead: Steve Hemming Trust Lead: Portia Bailey Barrow PwC Lead: Sarah Phipps | Report for the next Steering Group |
| 8 | **All parties to enter urgent discussions regarding affordability.** Propose meetings as follows: 1. An internal face to face council meeting to take place asap - before the 21st October. 2. A meeting with the council, Trust, DfE intervention leads and commissioners - to take place before 28th October. | Council CEO, Trust CEO, DfE intervention leads | 28 October |
| 9 | **Consider contingency of shadow running period for a fixed period -** create an options appraisal for consideration by the Steering Group | SP | Report for the next Steering Group |

# 4. Trust governance and political oversight
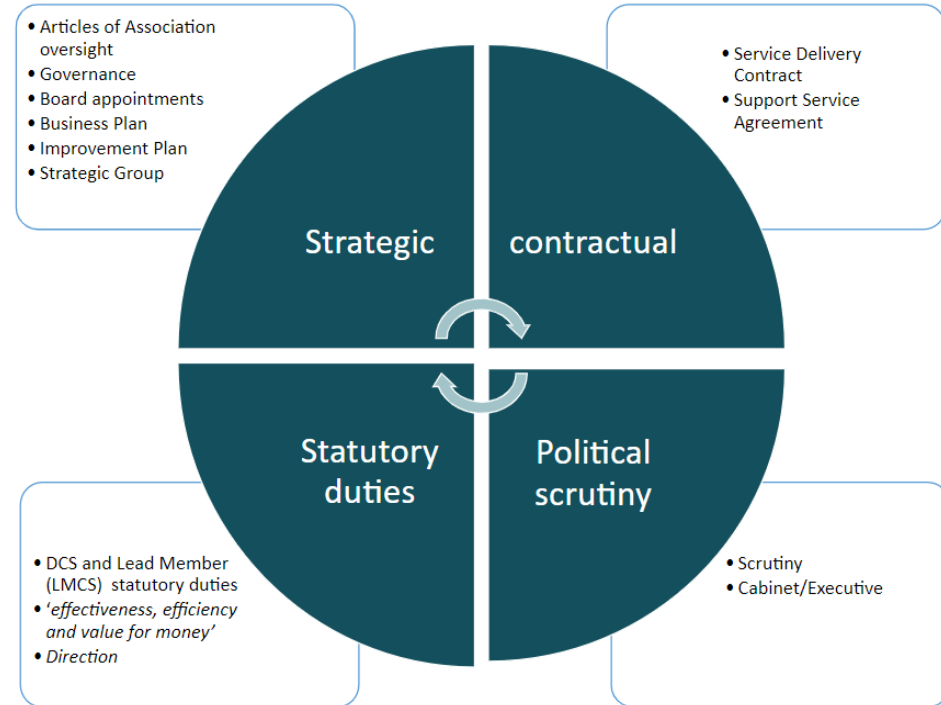
# Proposed Trust Governance

## Council
- Council remain statutorily responsible and accountable for its children's social care functions
- DCS and Portfolio holder remain statutorily accountable for effectiveness & efficiency of its children's social care functions and the commissioning arrangements.

## Trust
- Trust are commissioned by the Council through a contract and is responsible for the delivery children's social care functions
- Trust deliver agreed functions to pre-agreed performance & business standards including those areas set out in the Improvement Plan.

## Governance takes form of:
- Informal, Operational, Strategic and Scrutiny
- Key roles, including statutory roles of DCS and Lead Member
- Contractual governance and accountability arrangements:
- Assurance to Elected Members



- Articles of Association oversight
- Governance
- Board appointments
- Business Plan
- Improvement Plan
- Strategic Group

- Service Delivery Contract
- Support Service Agreement

**Strategic** | **contractual**

**Statutory duties** | **Political scrutiny**

- DCS and Lead Member (LMCS) statutory duties
- *'effectiveness, efficiency and value for money'*
- *Direction*

- Scrutiny
- Cabinet/Executive

# Proposed political oversight of operational and strategic arrangements

The **statutory role of Lead Member for Children's Service** with political responsibility for the leadership, strategy and effectiveness of local authority children's services.

**How** is oversight and management provided:
Report to Overview and Scrutiny Committee and to Executive:

**What** is reported is oversight of:
- Trust Business Plan and Improvement Plan objectives and vision
- Quarterly and annual reviews and
- Future years budget setting processes

**Political assurance** as relates to the effectiveness of the commissioning arrangements via –
- Overview and Scrutiny Committee
- Corporate Parenting Board
- Annual Reports (including e.g. Business Plan, IRO; LADO; Adoption and Fostering)
- Improvement of outcomes for children and young people

# Typical role of Scrutiny Committee where there is a children's trust

**General areas which are covered:**

To fulfil the functions of an Overview and Scrutiny Committee as they to any policies, services and activities concerning the Childrens and Families Trust, vulnerable children, corporate parenting and other child social care and safeguarding functions.

Provide political oversight of operational and strategic arrangements – may request to see all reports and business plans, and review policy and how objectives in the articles and improvement plan and operational measures such as KPI's are being met.

**Update Reports to Scrutiny** may include an update on matters such as:

- Accountability
- Key Priorities
- Partnership working
- Performance update of the KPI's
- Key budget issues
- Future Budget
- Challenges
- Opportunities
- Milestones
- Ofsted Inspections
- Improvement Plan objectives