

# Test of Assurance Phase 1

## Report to Education and Children's Services Senior Management Team

Stephanie O'Donnell

Version 1.5

# Education and Children's Services Test of Assurance Phase 1 Report

## 1. Purpose of Report

This report presents findings from the first Phase of the Test of Assurance (ToA) for joining Education and Children and Families services in Denbighshire County Council (DCC) and recommends follow-on actions to be completed by the management team for the new service.

## 2. Background

In September 2014 the CEO communicated to all officers proposed changes to the Council's organisation structure. Consultation for this review completed on 13/10/2014 and changes are now being moved forward. One of these changes is to bring together the Education Service and Children and Families Service to create a new service, Education and Children's Services. This has been compulsory in England for over a decade and is increasingly common in Wales.

In England Authorities that make significant changes to the role of Director of Children's Services are required to assure themselves that there is no impairment to the delivery of statutory responsibilities as laid out in the Statutory Guidance documents and Guidance on the statutory chief officer post of the Director of Social Services (May 2006).

It was agreed for a Test of Assurance (ToA) to be developed and carried out as part of the process of transition to the new organisation structure. The Test is focused on the statutory responsibilities for Children's and Education services. Repeating the ToA will offer assurance over time that the new service is compliant with statutory accountabilities.

## 3 Purpose

The Test of Assurance (ToA) will deliver a report to CET and Council to assure these key stakeholders that the Council's statutory duties towards children and young people will be maintained and strengthened through the new organisation structure.

The report will also highlight any risks to be mitigated during the first 6 to 12 months operation and the process for ongoing assurance review. The test is to provide assurance of the statutory duties of the Director of Children's Services, the Director of Education and the Lead Member.

## 4. Scope of ToA

The scope was initially constrained to providing assurance around the statutory children's social care responsibilities – this was aligned to the model of assurance undertaken in England from 2012. However, it was agreed in May 2015 that the ToA should take a more holistic view of risks and their mitigation to all statutory duties associated with the new service. Hence, the ToA aims to provide assurance on:

## Education and Children’s Services Test of Assurance Phase 1 Report

- ✓ how the statutory duties of the Director of Children’s Services and Director of Education are being met
- ✓ delegated decisions and any associated risks and how these will be managed
- ✓ the strengths and areas for future focus for the new service in terms of meeting and exceeding statutory duties and maximising the potential of a combined Education and Children’s team.
- ✓ input into Legal and Democratic Service’s ongoing review of the Council’s constitution, specifically around delegated accountabilities of key officers.

The key statutory instruments <sup>1</sup>which have informed the development of the ToA are listed below:

- “Statutory Guidance on the Role and Accountabilities of the Director of Social Services (Wales)” issued under Section 7 of the Local Authority Social Services Act 1970
- “Fulfilled Lives, Supportive Communities” 2007, a strategy for social services in Wales.
- Denbighshire County Council’s Constitution defines the delegation of responsibilities for senior officers and elected members. This is in line with the Local Government Act 2000 (Local Authority Constitution) (Wales)
- Social Services and Well-being (Wales) Act 2014
- Education (Wales) Act 2014
- Education Act (2002)

Further data sources are listed in **APPENDIX A**.

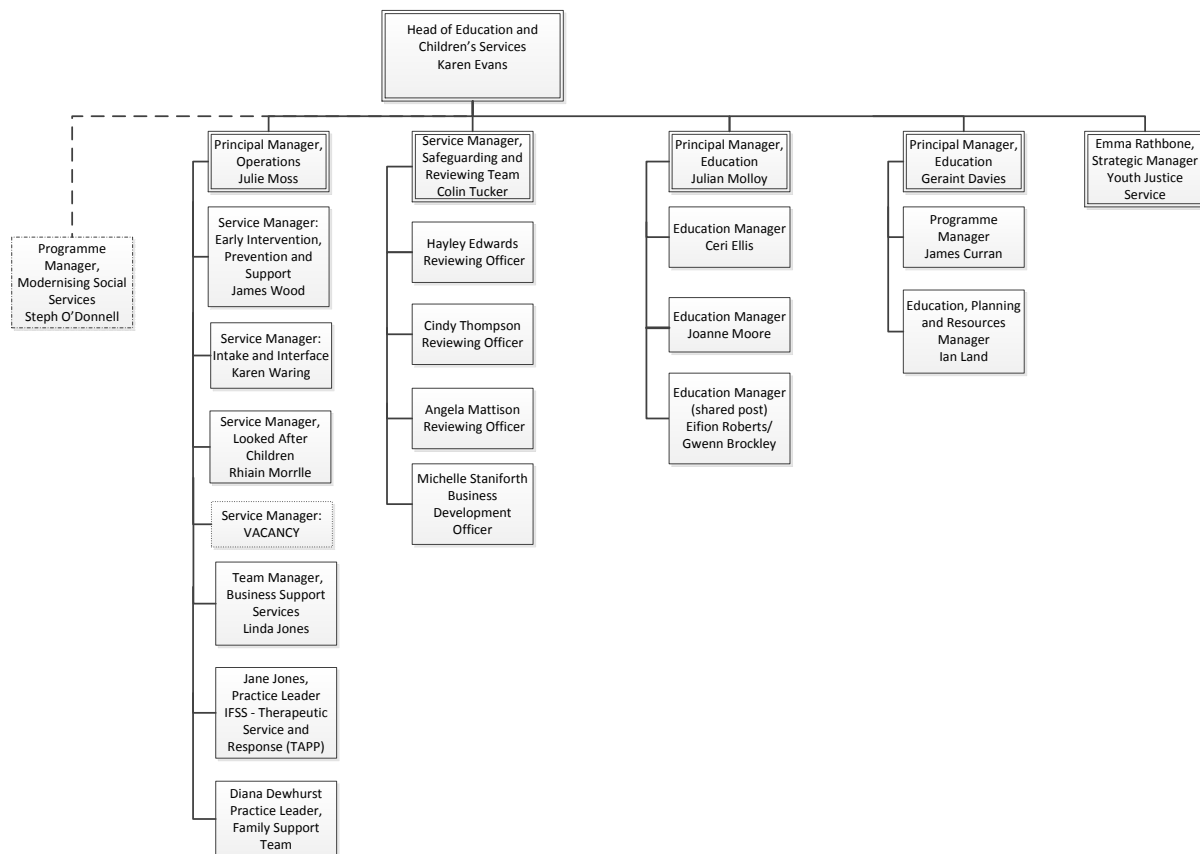
### 4.1 Organisation

The senior team structure for the new service has been agreed and consultation for the senior roles concluded on 4<sup>th</sup>. September, 2015. In December 2015 it was also agreed that additional responsibilities for the Modernising Schools programme and for school Admissions and Transport will transfer to the new service. The structure is illustrated below:

---

<sup>1</sup> <http://gov.wales/docs/dhss/publications/090617guidancedirectorsocialservicesen.pdf>  
<http://www.legislation.gov.uk/ukpga/1970/42/section/7>  
<http://gov.wales/dhss/publications/socialcare/strategies/fulfilledlives/fulfilledlivese.pdf?lang=en>  
<https://www.denbighshire.gov.uk/en/your-council/about-the-council/council-constitution-dec-2014-en.pdf>  
[https://www.legislation.gov.uk/ukpga/2000/22/pdfs/ukpga\\_20000022\\_en.pdf](https://www.legislation.gov.uk/ukpga/2000/22/pdfs/ukpga_20000022_en.pdf)  
[http://www.legislation.gov.uk/anaw/2014/4/pdfs/anaw\\_20140004\\_en.pdf](http://www.legislation.gov.uk/anaw/2014/4/pdfs/anaw_20140004_en.pdf)  
[http://www.legislation.gov.uk/anaw/2014/5/pdfs/anaw\\_20140005\\_en.pdf](http://www.legislation.gov.uk/anaw/2014/5/pdfs/anaw_20140005_en.pdf)  
<http://www.legislation.gov.uk/ukpga/2002/32/contents>

# Education and Children's Services Test of Assurance Phase 1 Report



The ToA focuses on the delegated accountabilities associated with the senior roles.

## 5. Approach

The work has been managed as a workstream under the Service Transition project, “Joining Education and Children and Families services” (verto project PR004000). The workstream consists of the following phases:

- **Initiation phase** – agreement of methodology, reporting processes, timescales, and resources
- **Research phase** – consideration of both national and local contexts and collation of accountabilities for each senior role. Source data is listed in Appendix A.
- **Evaluation and reporting phase** - interviews and focus groups conducted, findings collated and analysed and themes identified. Final report drafted for management team. Also to review with both Lead Members. This process will inform plans for governance arrangements during Transition.
- **Interim Report** – to be reviewed at the joint management meeting in July or August
- **Input to development of Constitution** – engagement with Legal and Democratic Services to ensure the next iteration of the Council’s Constitution incorporates the appropriate delegated decisions and these are ratified by Legal experts
- **Phase 1- Report-** preparation and presentation of findings and any follow-on actions

## Education and Children's Services

### Test of Assurance Phase 1 Report

- **Phase 2** – running a ToA after 6 months' operation (Quarter 3, 2016/17) to address risks and identify any new risks and issues and their mitigation
- **Phase 3** – repeat the ToA after 18 months (Q3 2017/18) operation of the new service.

## 6. Phase 1 Findings

This section of the report summarises the Status, Findings and Recommendations from each of the following:

- Process of structured interviews with senior managers for Education and Children and Families Services and the Director, Communities
- Review of meetings attended by members of both management teams
- Review of the delegated decisions for both management teams.

### 6.1 Interviews

A series of interviews has been undertaken with Service Managers from both services, both Heads of Service and Legal representative. The aim being to gather feedback on statutory accountabilities, any risks and issues perceived with the joining of the two services related to each accountability and proposed risk mitigation.

#### 6.1.1 Status

From the desk top research undertaken in 2015 a set of questions was compiled to form the basis of interviews with key stakeholders. 12 Local Authorities in England were contacted and effort made to find their original analysis. In view of intellectual property of third parties, it was only feasible to gather background information from Poole and Bath. The aim of the interviews was to ascertain any key risk areas and recommend risk management approach. The interview questions and collated responses are included as **APPENDIX B**. The detail from each interview is available on request. The interviewees were also asked to comment on the matrix of delegated decisions (**Appendix D**) reviewed in section 6.3 of this report.

#### 6.1.2 Interview Findings – Key Points

- In bringing the 2 services together the main issue will be management capacity to shoulder the additional work where this is delegated from the new, broader Head of Service function. In view of this, an additional Principal Education Manager post has been agreed, with particular focus on the Welsh medium development, and a vacant Children's service manager post is being held open, should the additional capacity be needed and this resource can be used in a flexible way. There has also been a commitment not to reduce the financial resources at this point in time so contingency exists to deliver the services.

## Education and Children’s Services

### Test of Assurance Phase 1 Report

- Line management accountability for safeguarding will sit alongside the new senior structure, reporting directly to the Head of Service, and acting as an independent quality assurance unit across Children’s services. This will be directly accountable to the Head of Service and offers independence and an opportunity to extend the scope of work to Education.
- The structure also has accountability set out in relation to GWE to assure standards in Education at the Head of Service level and this will be reflected in the Constitution, performance management and governance arrangements. Within our statutory accountability we have a robust management structure enabling us to ensure GWE are fulfilling statutory functions on our behalf.
- Referral systems and threshold criteria are well understood in individual functional units. Task and Finish groups which took place over Summer 2015 helped share understanding of key areas amongst middle managers and enabled learning from best practice. In the context of changing policy and legislation in both parts of the new service, assessment and referral processes will need to be revisited as there may be longer term implications across the Board.
- There is no specific children’s scrutiny committee. Nevertheless, issues are often fed into Performance, Communities and Partnerships or Corporate Governance committees, so scrutiny is in place. There is also a School Standards Monitoring group. At this stage it is not considered to be necessary by the senior management team to establish a discrete scrutiny body. This will be monitored and discussed with the Lead Member.
- There is a key role in Children’s services of Adoption Decision Maker (ADM) and there has been some discussion over the required level and type of qualification and experience to perform this role. The current Head of Children and Families services acts as ADM for adoption and ADM for fostering and meets with the Agency Advisor to Panel to discuss recommendations made by fostering panel and given final decision as ADM.

There is no legislation which mandates that the ADM be a qualified Social Worker. Guidance from BAAF <sup>2</sup>states that, ‘The Welsh Regulations, guidance and NMS do not set out any minimum qualifications or experiences needed in order to take on the function of the ADM. However, it is the accepted practice that the ADM is a senior manager with significant child care experience and adoption experience. The Welsh National Minimum Standards for Local Authority Adoption Services for Wales, Standard 10<sup>3</sup>, sets out the skills required to carry on or manage an adoption service, which may provide a bench mark for the minimum required of an ADM.’ The skills outlined in standard 10 are: a social work qualification, NVQ level 4, and at least 5 years’ experience in child care and adoption.

The role could be taken by the new Head of Service or delegated to the Principal Operations Manager Children’s services. It should be noted that an agency can appoint more than one ADM but that the role can’t be delegated from one person to

<sup>2</sup> <http://www.baaf.org.uk/res/fostering-and-adoption-regulations-guidance>

<sup>3</sup> <http://gov.wales/topics/health/publications/socialcare/guidance1/adoptionagencies/?lang=e>

## Education and Children's Services

### Test of Assurance Phase 1 Report

another. The senior team determined that the designated ADM for Adoption and Fostering will be the Principal Manager, Children's Services.

- Engaging with children in terms of taking ownership of the offer for them is an improvement area for Children's services identified at the last CSSIW report. This is being actively progressed through the service business plan and focus will be maintained on this area under the new joint service business plan going forward.
- Performance is regularly reviewed at Management Team meetings and also through the service challenge process and performance scrutiny. There exist rigorous systems for monitoring and making performance accountable.
- There is a need for Professional supervision in social care and this is monitored by CSSIW. The new Head of Service is already supporting professional development of her senior team in Education and the ongoing development of senior managers will be a high priority for the new service. Other routes, such as membership of ADSS Cymru, will be explored for enhanced professional development.
- The Head of Education is the designated statutory officer for Education and this needs to be reflected in the Constitution.
- Partnership meetings are key to ongoing development of Children's services in collaboration with partner organisations. The schedule of meetings (**see Appendix C**) to be reviewed in detail at the first joint management meeting in October 2015.

#### 6.1.3 Recommended Follow-On Actions

Following handover of responsibilities and publication of this ToA, the following open actions will still need to be taken forward:

- Management capacity to take on the new accountabilities needs to be considered at every performance review and in management meetings and added to the service business plan's risk register.
  - Review of the structure and capacity issues to be undertaken before end of Quarter 2 of 2016/17 to inform the budget setting discussions and its viability re-assessed
- Professional development of senior team to be reviewed as a regular agenda item at the new management meetings

## 6.2 Meetings attended by Managers

The senior management team in both services was asked to compile a list of all meetings attended. The findings are included as **Appendix C** of this report. This data will be:

- used by management to inform decisions about delegation of meetings attended by the existing Heads of service after job slotting and KE to reflect whether we should actually hold the meetings

## Education and Children's Services

### Test of Assurance Phase 1 Report

- used by the new Head of service and her team to, in turn, inform changes to delegated decisions for key members of the senior team which will be fed through to Legal for updates to the Constitution
- Considered by the whole senior team in terms of their capacity to attend all meetings and to inform decisions about priority committees.

#### 6.2.1 Status

The meetings schedule in Appendix C reflects the current picture and recommended handovers. There is a need to review the recommendations and agree a course of action and a requirement to determine which existing Education meetings should be delegated to allow capacity for the Head of Service to take on new accountabilities.

#### 6.2.2 Meeting Hand-overs

The following changes to meeting attendance have been made:

- The following meetings, which were formerly attended by Head of Children and Families services, to be attended by the new Head of Education and Children's Services: AWHOCS; Partnership Friday; Children and Young People's Partnership Board; Children in Wales; Corporate Parenting Forum; Corporate Safeguarding Panel; (PICA and POMB as requested)
- The Principal Manager, Children's Services to be accountable for the following: Adoption ADM; Fostering ADM; Should Be Placed meeting; Families First Project Board; Families First Strategic Group; Flying Start Strategic group; Joint Commissioning Panel; Joint Children's strategic task Group; LFJB; MSSEW Board; N Wales family Support Group. Some meetings may be delegated to the Service Manager, Early Intervention and Strategy.
- The following to be attended by the Safeguarding Manager: Conwy and Denbighshire Youth Justice Board; Community Safety Strategic Steering Group; MARAC Steering Group; RSCB.

#### 6.2.3 Recommended Follow-On Actions

The following tasks to be completed:

- Ongoing review of capacity of senior roles in light of additional accountabilities and meeting commitment. Risk identified (see Section 7) to be monitored via service business planning.

### 6.3 Delegated Decisions



## Education and Children's Services Test of Assurance Phase 1 Report

As part of the desk-top research for the project, statutory duties were compiled and reviewed with senior managers and the findings collated and shared with Legal. See **APPENDIX D**.

### 6.3.1 Status

The senior management team will meet with an officer from Democratic and Legal services in October 2015 and reviewed delegated accountabilities for the revision of the current Constitution.

### 6.3.2 Recommendations

- The HoS' accountabilities will be reviewed on an ongoing basis through scrutiny and performance review processes and will also be subject to a Phase 2 ToA in Quarter 3 of 2016/17.

## 7. Risks

The table on the following page summarises the risks associated with the transition to the new service and their mitigating actions. These should be reviewed by senior management and appended to corporate Risk Register where necessary.

### **Risk Register – Key to Criteria (from Business Improvement and Modernisation service)**

The above risk management matrix is the corporate standard, from BIM. This enables us to highlight the inherent risk if no mitigating actions are taken and the Residual Risk – i.e. the risk once mitigating actions have been taken.

## Education and Children's Services Test of Assurance Phase 1 Report

LIKELIHOOD	Event is almost certain to occur in most circumstances	>70%	Almost Certain	A					
	Event likely to occur in most circumstances	30-70%	Likely	B					
	Event will possibly occur at some time	10-30%	Possible	C					
	Event unlikely and may occur at some time	1-10%	Unlikely	D					
	Event rare and may occur only in exceptional circumstances	<1%	Rare	E					
					5	4	3	2	1
					Very Low	Low	Medium	High	Very High
Time	Insignificant increase to project time. Barely noticeable impact on project scope or objectives	<5% increase to project time. Minor impact on project scope or objectives	5% - 20% increase to project time. Major impact on project scope or objectives requiring sponsor approval	20% - 50% increase to project time. Impact on project scope or objectives unacceptable to sponsor	>50% increase to project time. Project fails to meet objectives or scope				
Service Performance	Minor errors or disruption	Some disruption to activities/	Disruption to core activities/ customers	Significant disruption to core activities.	Unable to delivery core activities. Strategic				

**Education and Children's Services**  
**Test of Assurance Phase 1 Report**  
 Risk Matrix

No.	Date raised/by	Description/Mitigation	Action Owner	Inherent		Residual	
				Prob	Impact	Prob	Impact
001	Management Team workshop 17.03.2015	<p>By joining the two services, the workload of the HoS increases significantly, necessitating a higher level of autonomy and delegated accountability for middle managers. There is a risk of an impact on service delivery as the senior leadership team may find themselves more stretched.</p> <p><b>Mitigation</b></p> <ul style="list-style-type: none"> <li>The Head of Service has a responsibility to ensure the delegations are effectively managed and is committed to this</li> <li>Review delegated accountabilities and meeting matrix with managers and ensure clarity of ownership</li> <li>Ensure this is reviewed at all senior management meetings and supervisory reviews</li> <li>Retain a service manager vacancy and review the requirement to fill the role at 6 months and again at 18 months when the ToA is repeated</li> <li>Fill an additional Education Manager role, as agreed with the CEO, to offer additional capacity and a focus on Welsh language</li> </ul>	Karen Evans	C	2	D	3
002	Leighton Rees 01.09.2015	<p>There is a risk that the development and implementation of a strategic vision for Children's social care could be jeopardised by not having specialist expertise at HoS level. If Middle Managers are in part accountable for the vision and its implementation, the operational demands of delivering the service may take precedence and the vision become less robust.</p> <p><b>Mitigation</b></p> <ul style="list-style-type: none"> <li>The HoS for the new service has a significant experience in Education and the transition to managing children's social care will be informed and influenced by that specialism and knowledge of working with children and young people and related statute</li> </ul>	Nicola Stubbins	D	3	D	4

## Education and Children's Services Test of Assurance Phase 1 Report

No.	Date raised/by	Description/Mitigation	Action Owner	Inherent		Residual	
				Prob	Impact	Prob	Impact
		<ul style="list-style-type: none"> <li>The regional and national meetings will support the new HoS in developing the vision for the service</li> <li>Middle Managers will contribute towards the development and implementation of the vision. Final accountability will rest with the HoS</li> <li>The robustness of the arrangement will be validated and tested on an ongoing basis through scrutiny and performance management</li> <li>Test of Assurance is planned at 6 months and 18 months into the process</li> </ul>					
003	Julian Molloy 22/09/15	<p>There is a risk that the migration to the new service becomes a distraction so standards in school drop.</p> <p><b>Mitigation</b></p> <ul style="list-style-type: none"> <li>Clear planning</li> <li>Clarity of roles and Job outlines</li> <li>Making sure that we manage the new teams effectively and make the service better with less resource.</li> <li>Be mindful that overall the transition to a new joined-up service must have a positive impact on children.</li> </ul>	Karen Evans	D	3	D	4

**8. Outstanding Actions to Complete Phase 1**

- Feed follow-on actions and risks into the service business planning process
- Consideration to be given by whole management team to their capacity for all meetings through regular management meetings
- Feed agreed recommendations into review of the Council's Constitution, September 2015
- Book follow up reviews at 6 and 18 months in.

## Education and Children's Services Test of Assurance Phase 1 Report

### APPENDIX A: Source Data

The exercise has used the following, key sources of information to inform assessment:

- The Legislation listed in Section 4 of this Document<sup>4</sup>
- BAAF guidance and Adoption Agency guidance for Wales referenced under Section 6 of this document, Findings<sup>5</sup>
- Denbighshire County Council's Constitution, at May 2015
- CEO's consultation document, explaining the rationale behind organisational structure changes at Tier 1 and Tier 2
- CEO's post consultation document
- New organisation chart published for consultation August 2015
- Summary of Statutory responsibilities of Director of Social services
- Output from interviews with managers and staff from both services
  - Director of Social Services
  - CEO
  - Head of Children's Services
  - Service Managers, Children and Families Service
  - Education Managers
- Access to senior management through regular meetings (4/3/15, 15/4/15, 19/5/15, 2/6/15)
- Discussions between Director, Communities, Head of Education and Children's services and Lead Members for Social Care and Education

---

<sup>4</sup> <http://gov.wales/docs/dhss/publications/090617guidancedirectorsocialservicesen.pdf>  
<http://www.legislation.gov.uk/ukpga/1970/42/section/7>  
<http://gov.wales/dhss/publications/socialcare/strategies/fulfilledlives/fulfilledlivese.pdf?lang=en>  
<https://www.denbighshire.gov.uk/en/your-council/about-the-council/council-constitution-dec-2014-en.pdf>  
[https://www.legislation.gov.uk/ukpga/2000/22/pdfs/ukpga\\_20000022\\_en.pdf](https://www.legislation.gov.uk/ukpga/2000/22/pdfs/ukpga_20000022_en.pdf)  
[http://www.legislation.gov.uk/anaw/2014/4/pdfs/anaw\\_20140004\\_en.pdf](http://www.legislation.gov.uk/anaw/2014/4/pdfs/anaw_20140004_en.pdf)  
[http://www.legislation.gov.uk/anaw/2014/5/pdfs/anaw\\_20140005\\_en.pdf](http://www.legislation.gov.uk/anaw/2014/5/pdfs/anaw_20140005_en.pdf)  
<http://www.legislation.gov.uk/ukpga/2002/32/contents>

<sup>5</sup> <http://www.baaf.org.uk/res/fostering-and-adoption-regulations-guidance>  
<http://gov.wales/topics/health/publications/socialcare/guidance1/adoptionagencies/?lang=e>

## Education and Children's Services Test of Assurance Phase 1 Report

### APPENDIX B: Interview Script and Consolidated comments

#### Local Context

Denbighshire County Council (DCC) is planning to implement new management arrangements from April 2016 creating a People and Communities Directorate organised on a commissioner/provider structure and bringing together Children and Families and Educations services under a single Head of service for Education and Children's services.

In running this Local Test of Assurance Test (ToA) DCC prepared a specification that set out a process of individual and focus group interviews to test staff understanding of the structures and lines of management accountability.

#### Assurance parameter 1

Clarity about how senior management arrangements ensure that the safety and the educational, social and emotional needs of children and young people are given due priority and how they enable staff to help the Local Authority discharge its statutory duties in an integrated and coherent way.

In order to test this parameter questions were framed to check whether:

1.1 Line management and accountability arrangements for safeguarding and the promotion of improved outcomes for children and young people are clear and transparent?

Q1 What are the line management accountability arrangements for safeguarding Children and Young People?

A:

- KE has developed a senior management structure and mapping across both Education and social care. In terms of delegation offers clarity of role. Identified officer by function. Clear lines of accountability. Safeguarding sit as independent QA unit across the whole structure and directly accountable to HoS. This will deliver quality assurance across WHOLE service.
- GWE role - KE to show how GWE is linked to the whole model.
- If can get structure right and agreed this leaves lines of accountability as they are in terms of Children's SW operational roles.
- Lines may change when the new structure is bedded in.
- The corporate accountability for safeguarding rests with the Director, Communities.

1.2. Do staff understand and can they articulate the line of accountability and know where in the management team to go with a concern about safeguarding, unsafe practice and 'whistle blowing'.

A:

- Safeguarding is a direct report to Head of Service, emphasising the importance of the function and significant effort continues to go into developing corporate

## Education and Children's Services

### Test of Assurance Phase 1 Report

safeguarding procedures. The manager is engaging with all services, including HR to feed into corporate policies.

- Internal Audit report just published. Follow up. Nicola will send.

#### Q1 How do staff know who is accountable for safeguarding?

A:

- HR Policies – intranet

#### Q2 How do staff know who to ask and how to raise safeguarding issues?

A:

- Intranet pages to ensure policies clear and easily accessible are being developed by Gareth Watson, as part of his role for corporate safeguarding group.

1.3 Has the integrity and coherence of the structure been 'tested' to ensure fitness for purpose? How?

A:

- The new management organisation structure has been issued for consultation for 5 weeks and feedback is being consolidated. This consultation was with officers in scope, unions and elected members. Some changes have already been made - for example, job titles. This has been a rigorous consultation to test with management teams and unions.
- Schedule of accountabilities has been reviewed as part of ToA
- Elements of the Service Manager, Safeguarding role will assure coherence and ability to deliver on ongoing basis.

## 8. Assurance parameter 2

Clarity about how the Local Authority intends to discharge its children's services functions and be held accountable for them from political, professional legal and corporate perspectives (including where, for example, services are commissioned from external providers or mutualised in an arm's length company).

In order to test this parameter questions were framed to check whether:

2.1 The means by which the LA intends to deliver its Children's Services functions are clear and understood by staff, councillors and partners. In particular;

#### Q1 What are the core accountabilities of Children's services? And who is accountable for delivery?

A: The ToA has undertaken a full review of statutory accountabilities, with Legal and Democratic services, to ensure our constitution is robust. This is being reviewed by senior job holders and HR.

#### Q2 How do staff understand these?

A:

- Consultation process
- Job matching and new job outlines
- Ongoing cascade of communication planned commencing Quarter 3 2015/16



## Education and Children's Services

### Test of Assurance Phase 1 Report

- Plan for follow up survey of staff in January 2016 to gauge understanding and buy-in

#### Q3 How do councillors understand these?

A:

- Initial engagement at Council briefing
- Ongoing engagement through HoS, Corporate Director and Lead Member
- Corporate Director and HoS attending MAG meetings in September/October

#### Q4 How do partners understand these?

A:

- Communicated by email with key partner organisations.
- Draft 1.0 ToA shared with regulators (CSSIW and Estyn) and comments invited

### 2.2 Are delivery structures clear and coherent?

#### Q1 Can you share with me how the organisation structure supports this delivery?

A:

- Delegated accountabilities and meeting attendance have been reviewed and clearly allocated to minimise impact on senior team's capacity
- An additional role of Principal Manager, Education is being recruited to bolster capacity and support to the HoS
- A service Manager Vacancy in Children's services will be kept open to enable capacity should this be needed

### 2.3 Are referral systems, threshold criteria etc understood by staff and partners?

A:

- We have body of evidence for assessment and eligibility. New post is front door for this – covers both. Plus statementing process as is (statutory) is well understood by Education colleagues.

### 2.4 Key relationships and processes for safeguarding, child protection and CIN are understood and implemented effectively

#### Q1 Explain the difference – SG, CP and CIN and how the relationships are understood and promoted?

A:

- Fully understood by Social care staff and adhering to Framework for Assessment
- Joint Task and Finish Group for Safeguarding is sharing understanding of processes
- Policy documents are stored on the CS Common shared drive and are available for public viewing via the Intranet. The policies around assessment and eligibility are being reviewed in line with the SSWB Act

### 2.5 How children's services functions are reported and held accountable by the corporate organisation and the democratic structure

A:

- Other elements of the Test of Assurance and the parallel review of Council Constitution underpin this.

## Education and Children's Services

### Test of Assurance Phase 1 Report

- We do have Lead Member (LM) for Education, LM for social care and LM for development of the new service (also Leader of the Council) and will revisit the arrangements post transition.
- Scrutiny and that level of accountability – there isn't a specific Children's scrutiny. Depending on the issue, 3 committees could be addressed. Director is reviewing.

2.6 How the LA requirement for safeguarding standards and practices are articulated, evidenced and implemented in commissioned and arms' length services

A:

- Corporate safeguarding panel
- Key role of IROs
- Within Commissioning strategy
- There are no services on Education side except GWE. If Safeguarding Manager is performing an independent role should this also incorporate GWE? Opportunity?
- Regional commissioning also picks up and there is potential for joint commissioning with Health.

### 9. Assurance parameter 3

The seniority of and breadth of responsibilities allocated to individual post holders and how this impacts on their ability to undertake those responsibilities (especially where a local authority is considering allocating any additional functions to the DCS and LMCS posts); In order to test this parameter, questions were framed to check

3.1 Does the management structure recognise and allocate capacity to the key functions of the DCS/LMCS to ensure these can be effectively managed?

A:

- We are **not** taking capacity out – the structure reflects capacity levels required and an additional Education Lead post to focus on Welsh language.
- We will hold one vacant service manager post in social care whilst the new structure beds in and review the requirement after 6 and 18 months' operation.
- We have retained an ability to flex if needed.
- Have validated statutory requirements for ADM for Adoption and for fostering and this can be filled by the new HoS.

3.2 Where key functions are delegated, is the scope of delegation clear and does the relevant post holder hold the appropriate level of seniority both for the department and corporately?

Q1 Where are key functions delegated? How effective is this?

A:

- See Consultation document
- ToA process incorporates review of delegated accountabilities (See Appendices D, E) which will inform development of the Constitution

Q2 What are the risks when we implement the new structure?

A:

## Education and Children's Services

### Test of Assurance Phase 1 Report

- See Risk Matrix in Part 4 of the Test of Assurance Phase 1 Report to Heads of Service and Director, Communities.

#### 10. Assurance parameter 4

The involvement and experiences of children and young people in relation to local services

In order to test this parameter, questions were framed to check whether:

4.1 The voices of children, young people and families inform and influence policymaking and priorities?

Q1 How do you engage CYP and families in strategy and policy making currently?

A:

- The Voice of the Child project is running in Children and Families services. This was identified in improvement report so should develop.
- Education has been addressing CYP participation for some years. Could tighten from Estyn perspective.
- Education is making an appointment to this post for Education – possibility that this role can work together with VoC project and share learning and good practice. Engagement at all levels.
- Education seems stronger on the consultation groups and forums and C&F services more on 121 basis. How do we share best practice and develop this area jointly.
- Harness new technologies – e.g. C&F services has Facebook page.

Q2 What risks are associated with the new structure in this respect?

A:

- Not a risk but an opportunity for joint working to develop capability across the new service.

4.2 Does the DCS meet young people?

A:

- Yes, but not formally often enough. HoS Education does. Has met Leaving care group and LAC kids party as and where.

#### 11. Assurance parameter 5

Clarity about child protection systems, ensuring that professional leadership and practice is robust and can be challenged on a regular basis, including an appropriate focus on offering early help and working with other agencies in doing so

In order to test this parameter questions were framed to check whether:

5.1 Operational practice and management systems are clear understood and implemented, for example-Are Timescales adhered to?

Q1 What procedures are in place to manage Child Protection?

A:

- Qualitative as well as PIs – will be in lines of accountability that drop out of the stricture.
- All performance appraisals.

## Education and Children's Services

### Test of Assurance Phase 1 Report

- Professional supervision in social care – case management.
- Colin's work QAs that supervision.
- CFMT standing items ref performance – CT drilling to understand.
- Quarterly CSSIW meetings to monitor.

5.2 Is supervision effective?

A: Yes, according to managers interviewed. Follows corporate processes.

5.3 Is there routine line management and quality assurance of practice and decision making?

A:

- New QA framework and role of IROs in children's services
- Bolstering senior management capacity in Education to take account of delivery from GWE

5.4 Is there a clear offer of early help?

A:

- The proof will be once roles are established and going forward.
- For post transition.
- Some will have to be operated within the grant arrangements, e.g. Families First; Flying Start.

## 12. Assurance parameter 6

The adequacy and effectiveness of local partnership arrangements (e.g the local authority's relationship with schools, the courts, children's trust cooperation arrangements, Community Safety Partnerships, Health and Wellbeing Boards, Youth Offending Team Partnerships, police, probation, Multi-Agency Public Protection arrangements and Multi-Agency Risk Assessment Conferences) and their respective accountabilities.

We don't have children's trust but CYP Partnership.

In order to test this parameter questions were framed to test:

6.1 Is the LSCB effective and authoritative with structures that are fit for purpose including effective sub committees, performance management, audit and QA arrangements?

A:

- Early days for Regional and local one is building on what was the LSCB and finding feet.
- Will be subject to changes from the Act. Director Communities attends Regional Board with HoS and HoS then deputises on occasion.
- HoS Education had started to attend some Boards in place of former Director Education. The full set of accountabilities needs to be reviewed under the ToA

6.2 Do statutory and voluntary sector agencies contribute sufficient professional time and resource to LSCB and sub committees?

A:

- Key role in Partnership Board, delivering the Wellbeing Plan for Denbighshire,

## Education and Children's Services

### Test of Assurance Phase 1 Report

- Active engagement through Inclusion project with third and independent sectors

6.3 How does LSCB report on its work and findings to the LA and statutory agencies?

A:

- Regional NWSSIC Programme Manager, Bethan Jones Edwards – contact for safeguarding C Board Manager and terms of reference schedules of meetings etc, structure and memberships.

6.4 How are Children's Services involved in MAPPA and MARAC?

A:

- Service Manager Intake and Interface, Karen Waring.

6.6 How are partnership arrangements led and developed to ensure focus and coherence?

A:

- Include ADSS Cymru, NWSSIC and AWHOCS.
- NWSSIC includes a number of workstreams at Strategic Director and Heads of Service level
- Social care – policy push to work on regional footprint. Don't field one per authority unless we have to. BUT if representing then representation is for all N. Wales at national level.
- Partnership Friday each month. 3 meetings concurrently. Then break and have all business in the afternoon. Try to take common agendas in the afternoon.
- All Wales twice per year. More selective in that respect.

### 13. Further Comments and feedback

- Revisit as we start to implement the structure and get more information about the meeting structures.
- Option to build into service challenge in future.
- Benchmark as service goes live.
- Baseline and set half day workshop in 6 months with senior team. Then someone from that team, to facilitate with the managers.

## Education and Children's Services

### Test of Assurance Phase 1 Report

#### APPENDIX C: Meeting Commitment

The table below shows the meetings formerly attended by the Head of Children and Families services and the Managers who will be responsible for these meetings in future. A full list of all management meetings has also been handed over to service business support.

Meetings attended by Former Head of Children and Families Services		
Meeting Title	New Attendee	Other attendees from E&C services
All Wales Heads of Children's Services (AWHOCS)	Karen Evans	Julie Moss (in KE absence)
Adoption Agency Decision Maker Meeting	Julie Moss	
Conwy & Denbighshire Safeguarding Delivery	Karen Evans (already attends) - joint chair with Kate Devenport (CCBC)	Julie Moss; Colin Tucker
Conwy & Denbighshire Youth Justice Board	Emma Rathbone	
Children & Young People's Partnership	Not replacing (Jo Moore chairs).	James Wood
CAMHS/CS	Chaired by Julie Moss or Peter Gore Rees.	Julie Moss; Colin Tucker; Karen Waring; Rhian Morrle
Children In Wales	Keep flexible	
Community Safety Strategic Steering Group	Not running (was previously organised by Ken Finch, CCBC)	
Corporate Parenting Forum	Karen Evans (already attends)	Julie Moss, Rhian Morrle
Corporate Safeguarding Panel	Karen Evans (already attends)	Colin Tucker
FF Project Board	James Wood	Jan Jukes Hughes
FF Steering Group	James Wood	Jan Jukes Hughes
FF Strategic	James Wood	Jan Jukes Hughes
JCP (Joint Commissioning Panel)	Karen Evans joint chair with Sue Willis (BCU)	Julie Moss, Rhian Morrle; Jil Timothy
LFJB	Julie Moss	
Implementing the Act Board	Karen Evans	Julie Moss; James Wood; Steph O'Donnell
NW Family Support group	James Wood	Jan Jukes Hughes
NWLFJB	Julie Moss	
Partnership Friday (NWHOCS)	Karen Evans	Nicola Stubbins, Phil Gilroy
PICA	Julie Moss	All service managers (Karen Evans as and when)
RSCB	Nicola Stubbins	
Should be placed	Julie Moss	
SLT	Karen Evans	Julie Moss (in KE absence)

**Education and Children’s Services**  
**Test of Assurance Phase 1 Report**  
**APPENDIX D: Delegated Accountabilities**

<b>1. Accountabilities for the Director of Social Services</b>	
The list below is summarised from “Code of Practice on the Role of Directors of Social Services” under Part 8 (Social Services Functions) of the Social Services and Well-being (Wales) Act 2014 issued under section 145 of the Social Services and Well-being (Wales) Act 2014	
1.1	The director of social services must have a sufficient level of seniority to discharge the authority’s social services functions and deliver their accountabilities.
1.2	The director of social services must always be a member of the corporate management team and have direct access, and directly report to, the head of paid service and councillors
1.3	The director of social services must contribute to the vision and direction of the council and ensure services seek to promote the well-being of people with care and support needs
1.4	The director of social services must report directly to the head of paid service.
1.5	The relationship between the head of paid service and the director of social services must be underpinned in governance and delegation documents that should be subject to periodic review
1.6	The director of social services has a responsibility to ensure councillors have clear advice on the level of resources required for a local authority to effectively deliver its social services functions
1.7	The director of social services is accountable for the effective delivery of the local authority’s social services functions and must have regard to the duties under Part 2 of the Social Services and Well-being (Wales) Act 2014 in relation to how the local authority exercises all its social services functions
1.8	The director of social services must raise awareness of their role amongst councillors including in relation to the production of the annual report. The director of social services must ensure that there are clear commitments setting out what information councillors should expect to receive in relation to both the discharge of specific social services functions and wider activities to promote the well-being of people with care and support needs.
1.9	The director of social services must ensure the head of paid service, executive and councillors have access to the best, up-to-date professional advice and information on all aspects of care and support services
1.10	The director of social services must assure the head of paid service and councillors that statutory functions laid on the authority have been carried out, and that proper management information and accurate records are being kept;
1.11	The director of social services must identify and advise councillors on priorities, challenges and risks across all aspects of social services, including circumstances where staffing issues affect the Council’s ability to discharge its statutory responsibilities;
1.12	The director of social services must brief the head of paid service and councillors on high-profile cases and other matters likely to cause public concern

## Education and Children's Services

### Test of Assurance Phase 1 Report

1. Accountabilities for the Director of Social Services	
1.13	The director of social services must advise councillors on strategies for improving methods of intervention, service provision, practice and use of resources.
1.14	The director of social services must lead and support continuous engagement and co-operation with inspectorates by all local authority officers in relation to the preparation and undertaking of any performance reviews of local authority social services functions, as well as any other care and support services provided in the local authority area
1.15	The director of social services must report to the council on the detail any inspection report on the performance of the local authority social services. This must include setting out what appropriate action is taken to improve services that promote the well-being of people with care and support needs, or prevent or delay the development of such needs in response to that report
1.16	The director of social services must lead on the development of effective arrangements to promote co-operation and should ensure that any problems of inter-agency co-operation and gaps between services are identified and resolved
1.17	The person appointed as director of social services, or a nominated representative, must be a member of the Regional Partnership Board. The director of social services must ensure their respective Regional Partnership Boards facilitate and promote co-operation to improve the wellbeing of people who need care and support including carers who need support (Part 9)
1.18	The director of social services must ensure that the local authorities and partners develop a strategic approach to prevention. The director of social services must ensure that preventative services are provided or arranged specifically to address the care and support needs identified by the population assessment
1.19	The director of social services must ensure that, in identifying the range and level of services required to respond to care and support needs identified by the population assessment, a co-operative approach to the planning, development, procurement and delivery of services is taken
1.20	The director of social service must ensure the effectiveness of information, advice and assistance services in supporting people to achieve their well-being outcomes
1.21	The director of social services must show leadership to ensure effective safeguarding arrangements are in place both within the local authority and by relevant partners
1.22	The director of social services must oversee and report to councillors, on a consistent basis, regarding the operation, monitoring and improvement of child and adult safeguarding systems within the local authority
1.23	Defined arrangements with other officers within the local authority, particularly the head of adult services and head of children services must be clear in relation to delegation and reporting arrangements related to safeguarding issues
1.24	The director of social services must support effective partnership working and ensure safeguarding duties are effectively discharged collaboratively by Safeguarding Boards.
1.25	The director of social services must provide leadership and demonstrate a strategy to manage risk confidently and effectively cooperate with the full range of partners to work with families at the 'edge of care', making sure that needs are accurately assessed and met, so that only the right children are accommodated at the right time
1.26	The director of social services must ensure strategic arrangements are in place to provide for co-operation across the local authority and with partners for effective provision of care and support services for all Looked After Children



## Education and Children's Services

### Test of Assurance Phase 1 Report

<b>1. Accountabilities for the Director of Social Services</b>	
1.27	The director of social services has a strategic leadership role to ensure high standards across the whole social care workforce, including the public and independent sectors. The director must ensure a whole sector workforce plan is in place
1.28	The director of social services should promote collaborative workforce learning through networks and relationships with other bodies including education and training providers
1.29	The director of social services must ensure the local authority has overarching personnel and safe recruitment policies supporting the requirements for a social care workforce to provide effective care and support services
1.30	The director of social services must advise councillors, partners and other providers where workforce shortfalls inhibit the local authority's capacity to discharge statutory responsibilities and set out actions necessary to rectify these issues
1.31	The director of social services must prepare and publish an annual report about the exercise of the local authority's social services functions. To ensure effective accountability, the annual report must be presented to the council by the director of social services
1.32	The individual designated as the director of social services may simultaneously undertake other roles within the local authority, including lead director for children and young people. The lead director for children and young people's services role is to co-ordinate and oversee arrangements to improve the well-being of children in the local authority area
1.33	Whilst responsibility for the delivery of certain social services functions may, for example, be placed with heads of services for adults and heads of service for children and families, accountability for these functions still rests with the director of social services

## Education and Children's Services

### Test of Assurance Phase 1 Report

2. Accountabilities, Director Lifelong Learning (Delegated to Head of Education and Children's services)	
<b>2.1</b>	The making of arrangements in relation to appeals against the exclusion of pupils in maintained schools under Section 52 of the Education Act 2002.
<b>2.2</b>	The making of arrangements pursuant to Section 94(1), (1A) and (4) of, and Schedule 24 to, the School Standards and Framework Act 1998 (admission appeals)
<b>2.3</b>	The making of arrangements pursuant to Section 95(2) of the School Standards and Framework Act 1998 (Children to whom Section 87 applies: appeals by governing bodies).
<b>2.4</b>	To act as the Statutory Director of Education appointed under s.532 of the Education Act 1996 or any re-enactment of that provision.
<b>2.5</b>	The strategic and operational management responsibility for Education services is delegated to the Corporate Director (Learning and Communities) as the Statutory Director.
<b>2.6</b>	As Statutory Director to maintain an overview of the full range of education services within the Authority and as the Officer responsible for the quality of services provided to fulfil the authority's education functions.
<b>2.7</b>	As Statutory Director to report to the Cabinet, Lead Members and Scrutiny and other relevant Committees in relation to the planning, delivery and performance of the Councils Education functions and be accountable for the oversight and co-ordination of such functions.
<b>2.8</b>	To be responsible for the reporting and communicating directly with the Welsh Government and (Estyn) on education matters and the development and maintenance of productive relationships with other related sectors and agencies.
<b>2.9</b>	To act as an Authorised Officer under the Regulation of Investigatory Powers Act 2000.
<b>2.10</b>	To keep the Statutory Director of Social Services apprised of key corporate decisions/actions which will impact or have possible implications for their Statutory Officer role.
<b>2.11</b>	Jointly with the Head of School Improvement and Inclusion, to grant and revoke licences to children of compulsory school age regarding child performances in accordance with the Children and Young Persons Act 1963 and the Children's (Performance) Regulations 1968 and any statutory modification thereof.
<b>2.12</b>	To supervise, prohibit and/or restrict the employment of children of compulsory school age pursuant to the Education Act 1996.

## Education and Children's Services

### Test of Assurance Phase 1 Report

2. Accountabilities, Director Lifelong Learning (Delegated to Head of Education and Children's services)	
<b>2.13</b>	<p>To act as the Statutory Lead Director for Children and Young People's Services under s.27 of the Children Act 2004.</p> <p>- As Statutory Lead Director for Children and Young People to maintain an overview of the full range of children and young peoples' services and activities within the Authority and as the Officer responsible for the quality of services provided to fulfil the authority function including the following core responsibilities</p> <ul style="list-style-type: none"> <li>• Ensuring effective cross sector partnership arrangements to improve the wellbeing of children and young people.</li> </ul> <p>As an LSB Member.</p> <ul style="list-style-type: none"> <li>• Ensuring planning for children, young people and their families is seen as a corporate and cross sector activity embedded in the achievement of agreed corporate and public sector priorities.</li> <li>• Ensuring planning is increasingly harmonized across North Wales, in conjunction with other Lead Directors.</li> </ul> <p>Production and publication of children and young people's plan.</p> <ul style="list-style-type: none"> <li>• Ensuring Denbighshire's Big Plan meets statutory requirements relating to children and young people's planning.</li> </ul> <p>Clear governance arrangements for partnership planning, a focus on outcome measures and regular performance management.</p> <ul style="list-style-type: none"> <li>• Ensuring effective mechanisms are in place to deliver jointly agreed outcomes for children and young people.</li> <li>• Leading the inspection processes relating to Children and Young Peoples' Partnership activity.</li> </ul> <p>Attention to implementation of the UN Convention on the Rights of the Child</p> <ul style="list-style-type: none"> <li>• Championing children's rights across the Council, including the right of children and young people to have their voices heard.</li> <li>• Ensuring that the participation of children and young people is embedded in formal and informal education settings.</li> </ul>
<b>2.14</b>	Jointly with the Head of Finance and Assets, to suspend the right of the governing body to have a delegated budget in circumstances permitted by the legislation.
<b>2.15</b>	In consultation with the Head of School Improvement and Inclusion, to monitor and evaluate the performance of schools.
<b>2.16</b>	To deal with nominations for Local Education Authority governors, making an appointment in instances where a single suitable nomination is received for any vacancy or otherwise reporting to the Cabinet (or Lead Member as appropriate) for determination and appointment.
<b>2.17</b>	To establish temporary governing bodies.
<b>2.18</b>	To make necessary arrangements for the election of parent governors, teacher and staff governors and to determine any questions arising from the election process.
<b>2.19</b>	To consider any resolutions sent to him/her from an annual parents meeting and to respond accordingly.
<b>2.20</b>	To manage governor training.

## Education and Children's Services

### Test of Assurance Phase 1 Report

2. Accountabilities, Director Lifelong Learning (Delegated to Head of Education and Children's services)	
<b>2.21</b>	To act on behalf of the Local Education Authority in any consultations initiated by the governors of any school, in relation to the times of school sessions and, if he/she considered it appropriate to do so, to require the governors to include his/her written comments on the proposals in the next governors' report to be prepared by the governors.
<b>2.22</b>	To determine and deal with all arrangements for the admission of pupils to community and voluntary controlled schools in accordance with the Council's policy, including authority to:- <ul style="list-style-type: none"> <li>• publicise information for parents of admission arrangements.</li> <li>• comply with parental preferences, with certain exceptions.</li> <li>• determine allocations of pupils to community and voluntary controlled primary and secondary schools, subject to the parental right of appeal.</li> </ul>
<b>2.23</b>	To make arrangements to enable parents to appeal against decisions regarding admissions.
<b>2.24</b>	To appear or make written representations on behalf of the Authority in any appeal against a refusal to admit.
<b>2.25</b>	To respond to changes in pupil numbers by making appropriate accommodation available.
<b>2.26</b>	Subject to such determination being in accordance with an approved plan or policy, to determine whether to publish any statutory notices (other than in respect of closure of schools) and to take action on advertised proposals in light of any representations received and also to determine the Authority's decision in respect of school organisational proposals and school closure proposals in respect of which either there has been no objections or any objections received have been resolved.
<b>2.27</b>	To undertake any inspections, interviews, investigations, seizures, services of notices, notifications, authorisations, registrations and legal proceedings as are within the purview of the department under the Education Reform Act 1988, together with any regulations made thereunder, any amendments or additions thereto and to exercise all relevant powers of entry if provided.
<b>2.28</b>	To determine applications and provide, where applicable, milk, meals and refreshments in accordance with the Council's policy.
<b>2.29</b>	To act on behalf of the LEA in any consultations initiated by the governors of any school, in relation to the times of school sessions, and if he/she considered it appropriate to do so, to require the governors to include his/her written comments on the proposals in the next governors' report to be prepared by the governors.
<b>2.30</b>	To appoint sufficient education practitioners and governors in accordance with the arrangements who may be called upon to be required to serve as members on future independent Appeal Panels.
<b>2.31</b>	To investigate complaints made under section 409 of the Education Act 1996
<b>2.32</b>	To determine any matters relating to the Councils policy regarding charges and remissions and to authorise the recovery of any sums owed to the Council.
<b>2.33</b>	To approve the acceptance of gifts on trust for education purposes.

## Education and Children's Services

### Test of Assurance Phase 1 Report

2. Accountabilities, Director Lifelong Learning (Delegated to Head of Education and Children's services)	
<b>2.34</b>	To determine, where necessary in consultation with the trustee, applications received for financial support from charitable trust funds where the Authority is either itself trustee, or where the fund is administered on behalf of trustees.
<b>2.35</b>	To respond to changes in pupil numbers by making appropriate accommodation available.
<b>2.36</b>	To direct the use of school premises in the County and voluntary schools for community use outside school hours.
<b>2.37</b>	To monitor and evaluate the provision and performance of schools.
<b>2.38</b>	To monitor the curriculum in all maintained schools and report on it as necessary.
<b>2.39</b>	To set by agreement with schools, targets for pupil attainment.
<b>2.40</b>	To prepare a written statement of action to be taken in light of the report following an inspection of a maintained school.
<b>2.41</b>	To intervene to prevent the breakdown or continuing breakdown of discipline at a school, or where there is concern about standards of management.
<b>2.42</b>	To ensure that the performance management of teachers and head teachers is carried out according to Welsh Government directions and regulations and to monitor and evaluate the provision and performance of schools.
<b>2.43</b>	To investigate complaints made under Section 409 of the Education Act 1996.
<b>2.44</b>	To make or approve arrangements for the provision of work experience for pupils in their last year of schooling.
<b>2.45</b>	To manage and operate the Education Psychology Service.
<b>2.46</b>	To arrange appeals against exclusions and redirect excluded pupils
<b>2.47</b>	To make arrangements to encourage and assist pupils to take advantage of the provisions for medical and dental inspections and treatment made for them.
<b>2.48</b>	To ensure cleanliness of pupils and to serve a notice on parents requiring cleanliness where appropriate.
<b>2.49</b>	To manage all aspects of schools without delegated budgets
<b>2.50</b>	To inspect and maintain schools for the purposes of a Local Education Authority function.
<b>2.51</b>	To authorise persons at educational establishments to exercise the power of removal of persons from school premises who are causing a nuisance or disturbance.
<b>2.52</b>	To authorise Officers to appear on behalf of the Local Education Authority in proceedings being conducted in the Magistrates Court by Section 547 of the Education Act 1996 or any re-enactment of that provision.
<b>2.53</b>	To consider any resolutions sent to him/her from an annual parents meeting and to respond accordingly.

## Education and Children's Services

### Test of Assurance Phase 1 Report

2. Accountabilities, Director Lifelong Learning (Delegated to Head of Education and Children's services)	
<b>2.54</b>	To deal with the staffing matters of community voluntary controlled and community special schools where the decision is that of the LA (rather than the governing body).
<b>2.55</b>	To determine the school term and holiday dates including in service training days for any community, community special or voluntary controlled schools.
<b>2.56</b>	To exercise powers under the Education Acts in accordance with the Code of Practice, to identify, assess and arrange provision for pupils special educational needs, including the admission of pupils to out of county schools (including non-maintained special schools and independent schools providing for pupils with special education needs) and transport where appropriate, in accordance with the Council's Transport Policies.
<b>2.57</b>	To provide aids for use by pupils with special needs
<b>2.58</b>	To authorise officers to represent the Education Authority in tribunal proceedings dealing with special educational needs.
<b>2.59</b>	To make arrangements for the provision of suitable education otherwise than in school, in accordance with Section 319 of the Education Act 1996.
<b>2.60</b>	To make arrangements for the provision of suitable education at school or otherwise for children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not receive it unless such arrangements were made.
<b>2.61</b>	To recoup the costs of providing education for persons not belonging to the Council's own area.
<b>2.62</b>	To recoup the costs of providing education for persons not belonging to the Council's own area.
<b>2.63</b>	To ensure the provision of statutory youth services jointly with the Head of Leisure, Libraries and Community Development.
<b>2.64</b>	Jointly with the Statutory Director of Education to grant and revoke licences to children of compulsory school age regarding child performances in accordance with the Children and Young Persons Act 1963 and the Children's (Performance) Regulations 1968 and any statutory modification thereof.
<b>2.65</b>	To supervise, prohibit and/or restrict the employment of children of compulsory school age pursuant to the Education Act 1996.
<b>2.66</b>	To manage the provision of the youth support services in pursuance of the Learning and Skills Act 2000 in consultation with the Head of Leisure, Libraries and Community Development
<b>2.67</b>	To exercise those functions of the Council which relate to Children and Young People under the Crime and Disorder Act 1998 (as amended or re-enacted).
<b>2.68</b>	To give directions to admit a child to a specified school.
<b>2.69</b>	To undertake any inspections, interviews, investigations, seizures, services of notices, notifications, authorisations, registrations and legal proceedings as are within the purview of the department under the Education Reform Act 1988, together with any regulations made thereunder, any amendments or additions thereto and to exercise all relevant powers of entry if provided.

## Education and Children's Services

### Test of Assurance Phase 1 Report

2. Accountabilities, Director Lifelong Learning (Delegated to Head of Education and Children's services)	
<b>2.70</b>	To exercise powers under the Education Act 2002 s.29(5) in respect of health and safety directions to governing bodies where the local authority is the employer.
<b>2.71</b>	To act as the Deputy Statutory Officer for Education in the absence of, or inability to act, by the Statutory Director of Education.
<b>2.72</b>	To ensure all relevant Officers (and volunteers if relevant) are subject to the provisions (including any vetting and barring procedures) of the Safeguarding Vulnerable Groups Act 2006 and any subsequent amendment or regulations made under it.