



## Council

### 6 March 2018

<b>Title</b>	<b>Corporate Parenting Advisory Panel</b>
<b>Report of</b>	<b>Strategic Director for Children and Young People Head of Governance</b>
<b>Wards</b>	N/A
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Key</b>	No
<b>Enclosures</b>	Appendix 1 – Barnet’s Corporate Parenting Advisory Panel Original 2010 Terms of Reference Appendix 2 – Barnet’s Corporate Parenting Advisory Panel new proposed Terms of Reference
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## Summary

Cabinet on 6 September 2010, as part of the Barnet’s Corporate Parenting Strategy, recommended the establishment of a Corporate Parenting Advisory Panel. The Strategy was subsequently recommended to Council on 14 September 2010 and Council formally established the Panel. As such it was a formally constituted body with terms of reference (Appendix 1) agreed by Council and membership appointed by Council.

Following the change to a Committee System in 2014, the revised Constitution did not include the Panel’s terms of reference, but did include an annual reporting line to Children, Education, Libraries and Safeguarding Committee (CELS).

To ensure that the Panel can effectively assist the Council in relation to its corporate parenting responsibilities, it is timely to consider the status of the Panel and clarify its membership, terms of reference and constitutional status. Officers are recommending that the panel changes from a formal member panel to an informal working group, comprising members, officers and partners as appropriate. Making the Panel informal will enable it to be flexible and responsive to the needs to children and young people and not bound by the rules and procedures of the Constitution.

This report sets out officers' recommendations relating to the status of the Panel and attaches the new proposed terms of reference (Appendix 2) that will then need to be agreed by the Panel, subject to Council clarifying the constitutional status of the Panel.

## **Recommendations**

### **That Council:**

- 1. Agrees that the Corporate Parenting Advisory Panel becomes an informal working group.**
- 2. Agrees that, subject to recommendation 1 being agreed, that Council nominates Members to be appointed to the Panel in accordance with the membership requirements in the Panel's revised terms of reference.**
- 3. Notes the proposed Terms of Reference as set out in Appendix 2 of the report.**

### **1. WHY THIS REPORT IS NEEDED**

- 1.1 The Corporate Parenting Advisory Panel aims to ensure that Barnet Council undertakes its duties as corporate parents for all looked after children (LAC) and care leavers it is responsible for to ensure that young people can achieve their full potential and a successful transition into adulthood.
- 1.2 The Panel's role is to lead on ensuring the corporate parenting responsibilities of the Council are being met, in line with the Children Act 1989. Section 22 of the Children Act 1989 sets out the general duty of the local authority in relation to children looked after by them; to safeguard and promote the welfare of these children, ensuring effective, individualised support and access to services. This duty is inclusive of both children and young people with care orders and those provided with accommodation.
- 1.3 The Panel does this by ensuring the services provided for children and young people looked after by Barnet are of good quality and meet their needs. It works with all elected members and officers within the Council, colleagues from partner agencies and children and young people who are looked after.
- 1.4 In June 2014, the Council adopted a Committee System of governance. During the transition from Executive arrangements to a Committee System, the terms of reference of the Panel were not transferred into the new Constitution. Notwithstanding this, the Panel has remained as a formally constituted body as it was established by Council and Members are appointed to it by Council. The current constitutional status of the Panel means that it is too formal and constrained in the way it operates as the normal rules set out in the Constitution relating to council committees (e.g. publication of agendas on the website, meetings open to the public, public questions and comments, Members Items and meetings at Hendon Town Hall, etc.) apply.
- 1.5 There is an action in the Barnet Children's Services Improvement Plan to "Review Terms of Reference of Corporate Parenting Advisory Board to ensure

that Members get the opportunity to understand and develop services for looked after children.” This, coupled by questions by Panel Members at the May 2017 meeting about various governance issues, led to: a review of the terms of reference and constitutional status of the Panel; and benchmarking against best practice. Officers have reviewed arrangements in place at other authorities, consulted with the Strategic Director for Children & Young People and considered what the best arrangement would be in Barnet to enable Members to understand and develop services for LAC.

- 1.6 As part of the exercise, officers agreed that it was important to ensure LAC and care leavers can effectively engage with the Panel. As such, officers agreed a more informal Panel and agenda would be more appropriate, with meetings taking place in venues other than the Town Hall thereby removing the formality of meetings that are required to be constitutionally compliant. The aim would be an informal meeting where young people, care leavers and their carers can attend, raise any issues, have their voice heard and constructively engage with the Members and officers who are responsible for providing their care. This will enable Members to have more opportunity to engage with young people in appropriate settings, fully supported by Children’s Services officers. To achieve this aim, Council is now asked to agree the recommendations in this report.
- 1.7 The report attaches the new proposed terms of reference at Appendix 2. These will need to be formally adopted by the Panel at their first meeting and are included in the Council agenda for information. Once adopted by the Panel, the new proposed terms of reference will give further clarity as to the role and responsibilities of the Panel and strengthen the input and communication from children in care, care leavers, carers and families.

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 The primary aim of the Corporate Parenting Advisory Panel is to enable Members and officers to hear from and engage with CIC and LAC in an appropriate setting. Clarifying the constitutional status of the Panel to make it informal will enable meetings to take place in a variety of settings which will encourage participation and engagement.
- 2.2 A review of the current terms of reference in line with best practice has been undertaken and to implement these findings officers have put forward the recommendations above and revised the Panel’s terms of reference accordingly. The decision relating to establishment of committees, their membership and terms of references sits with Council and as such any change to the status of the Panel would need to be agreed by Council.

## **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 The Panel could be retained in its current format. This is not recommended due to the formality that is inherent with a formally constituted body and the barriers that this might create in engaging with looked after children and children in care.

#### **4. POST DECISION IMPLEMENTATION**

- 4.1 Following the meeting, the Panel will be informed at its next meeting of its new status as an informal body. The Panel will be asked to adopt its own terms of reference and determine its membership. Council will be asked to nominate Members it sit on the Panel.

#### **5. IMPLICATIONS OF DECISION**

##### **5.1 Corporate Priorities and Performance**

- 5.1.1 This report supports the council's Corporate Priorities, as laid out in the Corporate Plan. Specifically, it supports the following priorities:

- Barnet is a place of opportunity, where people can further their quality of life;
- People are helped to help themselves, recognising that prevention is better than cure;
- Barnet is a place where services are delivered efficiently to get value for money for the taxpayer.

##### **5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

- 5.2.1 There are no financial implications arising from this report.

##### **5.3 Legal and Constitutional References**

- 5.3.1 Local authorities have a general duty under section 22 of the Children Act 1989 to safeguard and promote the welfare of any child in their care and to make such use of services available for children cared for by their own parents as appears to the authority reasonable. This duty was reinforced and strengthened by the Children Act 2004. The Council also has duties in relation to looked after children and these are intended to be strengthened by the Children and Social Work Act 2017.

- 5.3.2 Council Constitution, Article 7.5, Responsibility for Functions, states that the Children, Education, Libraries and Safeguarding Committee will receive and consider reports as appropriate from the Corporate Parenting Advisory Panel.

- 5.3.3 Council Constitution, Article 4, the Full Council states that Council's role and function include
- adopting and changing the Constitution (unless delegated)
  - agreeing and amending the terms of reference of committees, deciding their composition and making appointments to them

##### **5.4 Risk Management**

- 5.4.1 The Council has a statutory responsibility to act as corporate parent towards children and young people in its care or leaving care. The status and terms of

reference set out how the Panel supports the Council in discharging this responsibility so as to secure the best possible outcomes for these children and young people. Reviewing the terms of reference attached to this report will help to meet these duties.

## **5.5 Equalities and Diversity**

- 5.5.1 The Equality Act 2010 and the Public Sector Equality Duty outlined at section 149, require the Council and all other organisations exercising public functions, on its behalf, to pay due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; advance equality of opportunity between those with a protected characteristic and those without; promote good relations between those with a protected characteristic and those without.
- 5.5.2 The status and terms of reference outline how the Panel can ensure all Children Looked After are cared for appropriately and offered a range of services to meet their needs

## **5.6 Consultation and Engagement**

- 5.6.1 Not applicable

## **6. BACKGROUND PAPERS**

- 6.1 Cabinet Report 6 September 2010 - Barnet's Corporate Parenting Strategy  
<https://barnet.moderngov.co.uk/Data/Cabinet/201009061900/Agenda/Document%209.pdf>
- 6.2 Council Report 14 September 2010 - Report from Cabinet - 6 September 2010 (5.1.1 – Barnet's Corporate Parenting Strategy)  
<https://barnet.moderngov.co.uk/Data/Council/201009141900/Agenda/Document%2016.pdf>
- 6.3 Children, Education, Libraries & Safeguarding Committee, 18 September 2017, Update on the Ofsted Report Improvement Action Plan Implementation Update:  
<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=697&MId=8693&Ver=4>