



REPORT TO: MORAY COUNCIL ON 30 JUNE 2021

SUBJECT: UPDATE ON THE PROPOSED DELEGATION OF CHILDREN AND FAMILIES SOCIAL WORK AND CRIMINAL JUSTICE SERVICES

BY: CHIEF OFFICER, HEALTH AND SOCIAL CARE

1. REASON FOR REPORT

- 1.1. To provide a progress update in relation to the proposed delegation of Children and Families Social Work and Criminal Justice to the Moray Integrated Joint Board (MIJB).
- 1.2. This report is submitted to Council in terms of Section II (17) of the Council's Scheme of Administration relating to the formulation, review and amendment of the Council's constitutional documents comprising the Standing Orders, Scheme of Administration, Scheme of Delegation and Financial Regulations.

2. RECOMMENDATION

2.1. It is recommended that the Council agree to consider and note:

- i) the work being carried out by the Programme Board which is focusing on both development of the service and the business case for where the service is best aligned; and**
- ii) that further updates will be provided to the Council as the project continues to progress.**

3. BACKGROUND

- 3.1 The Scottish Government National Performance Framework sets out the ambitions of the Scottish Government underpinned with the values of treating all people with kindness, dignity, and compassion; with respect for the rule of law; and to act in an open and transparent manner. The national outcome most relevant to Children and Families and Justice Social Work is that people grow up loved, safe and respected so that they realise their full potential.
- 3.2 Improving outcomes for our most vulnerable children and families, to meet the ambitions contained in the national performance framework, our Moray Children's Services plan 2020-23, and the Independent Care Review's Promise, requires a shift in approach of how we work with families to one which focuses on family strengths and assets, recognising the enduring and lifelong nature of family relationships which need to be nurtured and enhanced. Family

Based Decision Making is a well-supported way of working (in the 1990s, Moray was an early adopter of this approach in conjunction with Children First) which is used by several Scottish local authorities to enable families to identify what support they need to look after their own children in a whole family approach.

Management Structure Changes

- 3.3 On 25 September 2019 (para 5 of the minutes refers) the Council approved the revised management structure that would ensure the continuity, stability and availability of strategic leadership and direction to meet the challenges of the future as efficiently and effectively as possible with the flexibility to meet future requirements. The agreed management structure shows children and families social work and criminal justice services moving under the direct oversight of the Head of Service and Chief Social Work Officer within the Moray Integration Joint Board (MIJB).
- 3.4 Progress updates were presented to Moray Council on 27 November 2019 (para 22 of the minute refers) and NHS Grampian on 5 December 2019 (para 11 of the minute refers) where both parties agreed to proceed to the next steps of assessing the various gateways and milestones of the potential delegation of Children's Social Work and Criminal Justice to the MIJB. It was anticipated that the work required for the transfer would take between 12-18 months with an initial target date for any delegation of 1 April 2021.
- 3.5 Due to the current public health situation and resultant changes in priorities during 2020, limited progress was made in relation to the preparatory work required towards the proposed delegation of services, consequently delaying the date for any potential delegation.

Programme Board

- 3.6 The Programme Board was inaugurated on 16 November 2020 with a purpose to lead and provide strategic direction in relation to the potential delegation and modernisation of Children and Families and Justice Social Work to the MIJB in line with national policy, legislation, and local requirements. This was noted by Council on 16 December 2020 (para 10 of the minutes refers).
- 3.7 The remit of the Programme Board is to provide a joint forum for discussion amongst key partners and stakeholders regarding delegation whilst offering support and scrutiny to aid a decision for all parties to agree on taking forward a proposal around delegation. The ambition of the Board is to aim for the integration scheme to be approved by Scottish Ministers by 1 April 2022. This is subject to agreement by NHS Grampian, Moray Council and MIJB. However, this timeline may need to be revised given competing priorities across the whole system.
- 3.8 The focus of the Programme Board has been to identify the risks and issues associated with the potential delegation and to identify the key benefits of delegating Children and Families Social Work and Criminal Justice into the MIJB. The Board have received a draft benefits realisation plan and risk register, along with a comprehensive update backed by a data set on the progress the service is making. Development of the options appraisal will form part of the work that is ongoing to support any decision around delegation.

4. KEY MATTERS RELEVANT TO RECOMMENDATION

Interim Head of Service

- 4.1 Since April 2020, the Interim Head of Children and Families Social Work and Criminal Justice has been reporting to the Chief Officer for Health and Social Care Moray (HSCM) and is part of their Senior Management Team.
- 4.2 Whilst work to consider delegation has commenced, it has been considerably delayed by the public health situation. In light of this, it has been considered necessary that the Interim Head of Service post continues to provide leadership of the Service until a decision on delegation can be considered. In line with the aim to have a revised Integration Scheme approved by Scottish Ministers by 1 April 2022, the Interim Head of Service post has been extended to align with this date.
- 4.3 Governance of these services would remain with the Moray Council through their Children and Young People's Services Committee (currently Education, Communities and Organisational Development Committee). Accountability and responsibility for these services and functions remain with the Moray Council Chief Executive as Head of Paid Service until any revised Integration Scheme has received approval from the Scottish Ministers. The Chief Social Work Officer retains responsibility and accountability for the professional governance of social work across Moray.

5. SUMMARY OF IMPLICATIONS

- (a) **Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP)) and Moray Integration Joint Board Strategic Plan "Moray Partners in Care 2019 – 2029"**
Moray Council Corporate Plan 2020-23 outlines its ambitions to support children and families and communities

(b) **Policy and Legal**

The legal resource required to undertake any due diligence for amending the Integration Scheme requires to be established. This will be assisted by a clear identification of all services that are in scope for transferring over to the MIJB

Children and Young People (Scotland) Act 2014 (Part 3) sets out a legal framework for children's services planning, including its scope and aims.

(c) **Financial implications**

In preparation for any delegation of additional functions to the MIJB it will be necessary for the MIJB to obtain assurance that financial resources are adequate to allow it to carry out the functions and to assess the risks associated with this. The MIJB Chief Financial Officer, Moray Council Chief Financial Officer and the NHS Grampian Deputy Director of Finance will work together in establishing the required assurance.

The cost of the Interim Head of Service post for 6 months extension will be £53,655.

(d) Risk Implications and Mitigation

The scale of this work should not be underestimated. Departments will require commitment to the project to achieve the indicative timeline. The risk of operating the service in a transitional period has been identified by the Programme Board as a significant risk therefore the indicative timeline will require commitment and prioritisation of resources to drive forward the project.

Children and Families Social Work and Criminal Justice workforce require stability and continuity of service delivery through short term investment to ensure the Interim Head of Service post can offer strengthened leadership and create the vision for the future. As the Interim Head of Service is only funded until Sep 21, this is a major risk identified by the Programme Board.

(e) Staffing Implications

Staff need to be supported to make the improvements and so that they are confident in their practice at a time of change. Supportive leadership will result in achieving good outcomes for staff as well as children and families.

(f) Property

No property issues identified at this point.

(g) Equalities/Socio Economic Impact

Managers consider equalities issues for staff and service users when assessing current service delivery arrangements and future requirements

(h) Consultations

Chief Social Work Officer; Chief Financial Officer MIJB, Head of Governance, Strategy and Performance (Moray Council); Tracey Sutherland, Committee Services Officer (Moray Council); have been consulted.

6. CONCLUSION

6.1. To drive the progress in delegating Children and Families Social Work and Criminal Justice services to MIJB, it is anticipated that the Programme Board meet monthly to ensure necessary due diligence and financial planning has been undertaken to the satisfaction of all three bodies (NHS Grampian; Moray Council and MIJB).

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