

COUNCIL:

24 JULY 2014

REPORT OF THE COUNTY CLERK AND MONITORING OFFICER

AGENDA ITEM: 13

**ESTABLISHMENT OF A CORPORATE PARENTING ADVISORY
COMMITTEE**

Reason for this Report

1. To consider the recommendations of the Joint Inquiry undertaken by the Children and Young People's Scrutiny Committee and the Corporate Parenting Panel on the role and status of Corporate Parenting in Cardiff, and the associated constitutional changes recommended by the Constitution Committee.

Background

2. The Children and Young People Scrutiny Committee and the Corporate Parenting Panel have undertaken a joint inquiry to review the role and status of the Corporate Parenting Panel ("the Joint Inquiry" or "the Inquiry").
3. The Constitution Committee is responsible for reviewing the Council's Constitution and recommending any changes to Council and/or Cabinet.
4. At its meeting on 11 June 2014, the Constitution Committee considered the report of the Joint Inquiry. This report sets out the recommendations of the Constitution Committee following consideration of that report.

Issues

5. The Corporate Parenting Panel was adopted in 2007 as a good practice mechanism to support the discharge of the Council's corporate parenting responsibilities to children in care or leaving care in Cardiff (Executive decision of 06/12/07). The Panel has no statutory role or status or formal decision making powers. However, it is included in the Council's Constitution (Annex 2 of Part 3, Responsibility for Functions), with its approved terms of reference, and a note that it is not subject to the statutory political balance requirements.
6. In response to concerns about the role and status of the Panel, the focus of the Joint inquiry was to look at ways to raise the profile of corporate parenting

within Cardiff, to clarify the role of the Panel and to establish clearer lines of accountability. The Inquiry Report is appended as **Appendix A**.

7. The first recommendation of the Inquiry (Inquiry Report, Recommendation R1) was to establish an Advisory Committee to advise the Cabinet and or Council, as appropriate, with regard to the discharge of its corporate parenting functions, in order to ensure that Corporate Parenting has a high role and status within the Council and is representative of the responsibility of the authority as a corporate body to provide the best possible services and support for Looked After Children and young people.
8. The Constitution Committee endorsed this recommendation and resolved to recommend the establishment of a Corporate Parenting Advisory Committee to Council. It is understood that the intention is for the proposed Corporate Parenting Advisory Committee to replace the current Corporate Parenting Panel.
9. The Constitution Committee noted the proposed terms of reference (Inquiry Report, Recommendation R2) and membership provisions (Inquiry Report, Recommendation R3); and delegated authority to the Monitoring Officer, in consultation with the Chairs of Constitution Committee, Corporate Parenting Panel and the Children and Young People's Scrutiny Committee, to finalise the proposals for consideration and approval by full Council.
10. The proposed terms of reference for the Corporate Parenting Advisory Committee have been refined in consultation with the respective Committee Chairs (please see paragraph 9 above), to be as follows:
 - a) To actively promote real and sustained improvements in the life chances of Looked After Children, Children in Need, Care Leavers and children and young people in the criminal justice system and to work within an annual programme to that end;
 - b) To develop, monitor and review a corporate parenting strategy, and ensure its effective implementation through work plans and corporate parenting training programmes;
 - c) To seek to ensure that the life chances of Looked After Children, Children in Need and care leavers are maximised in terms of health, educational attainment, and access to training and employment, to aid the transition to a secure and productive adulthood;
 - d) To recommend ways in which more integrated services can be developed across all Council directorates, schools and other stakeholders to lead towards better outcomes for Looked After Children, Children in Need and care leavers;
 - e) To ensure that mechanisms are in place to enable Looked After Children, Children in Need and care leavers, to play an integral role in service planning and design, and that their views are regularly sought and acted upon;
 - f) To ensure performance monitoring systems are in place, and regularly review performance data to ensure sustained performance improvements in outcomes for Looked After Children, Children in Need and care leavers,

- g) To receive all relevant Children's Services inspection and annual reports, including: Children's Homes Quality of Care Report; Case Practice Reviews, Fostering Annual Quality of Care Report; Adoption Fostering Annual Quality of Care Report; 4C's Commissioning; Out of Area Annual Report; Annual Report of Brighter Futures (with education); Children's Complaints reports; and Advocacy Annual Report;
 - h) To report to the Cabinet at least twice a year;
 - i) To make recommendations to the Cabinet where responsibility for that function rests with the Cabinet;
 - j) To report to the Children and Young People's Scrutiny Committee as necessary;
 - k) To recommend the appointment of co-opted members to the Committee for approval by Council;
 - l) To develop and undertake a programme of consultation, listening and engagement events with Looked After Children and care leavers, as well as visits to services providing support and advice to Looked After Children, Children in Need and care leavers;
 - m) To submit an Annual Report on the work of the Committee to full Council
11. The Inquiry's recommendations in respect of membership of the Advisory Committee (Inquiry Report, Recommendation R3) comprised 3 Cabinet Members (the Deputy Leader, as Chair of the Committee; and the Cabinet Members for Children's Services and Education), along with any other backbench member who wished to be involved, on a politically proportionate basis, but excluding any members of the Children and Young People's Scrutiny Committee. The Inquiry also recommended the inclusion of co-opted representatives from any appropriate partner organisations, but without voting rights.
12. The proposals in respect of membership of the Advisory Committee have been developed in consultation with the respective Committee Chairs (please see paragraph 9 above), to be as follows:
- Total number of seats for elected Members to be 9, allocated on a politically proportionate basis (but excluding any members of the Children and Young People's Scrutiny Committee), as follows:
- 3 Cabinet Members, to include the Deputy Leader (as Chair of the Committee), the Cabinet Member for Children's Services and the Cabinet Member for Education
 - 3 backbench Labour Group Members
 - 2 Liberal Democrat Group Members
 - 1 Conservative Group Member
 - *1 Independent Member (depending on other group nominations)*
13. As the Deputy Leader is already in receipt of a Senior Salary from the Council, no additional salary will be payable for undertaking the role of Chair of the Advisory Committee (Schedule of Member Remuneration 2013/14, paragraph 10).

14. Members will note that the Inquiry made various other recommendations in respect of co-opting members of partner organisations, and the proposed Committee's reporting processes and procedures. These matters may be considered further by the Advisory Committee, once established, and may be the subject of a future report to Council, as and when necessary.

Legal Implications

15. An Advisory Committee can be established to advise and make recommendations to the Cabinet and or the Council, as appropriate (pursuant to s.102(4) of the Local Government Act 1972).
16. Key points to note about an Advisory Committee include:
- (i) It can advise the Cabinet or the Council on any matter relating to the discharge of its functions, within the Committee's set terms of reference;
 - (ii) The Committee can consist of any persons the Authority chooses, whether elected Members or not (but not including employees of the Authority, or others who are disqualified from being an elected Member of the Authority, eg. those declared bankrupt etc);
 - (iii) The Authority decides the Committee members' terms of office;
 - (iv) All Committee members (whether elected Members or not) may be allowed to vote on matters being considered by the Committee (s.13 Local Government and Housing Act 1989);
 - (v) The political balance requirements apply (s.15 and Schedule 1, para 1(b) of the Local Government and Housing Act 1989); and
 - (vi) Meetings of the Advisory Committee are open to the public and the general access to information provisions (regarding agendas and reports etc) apply (s.100E(3)(a) Local Government Act 1972).
17. The establishment of an Advisory Committee, agreeing its terms of reference and membership, and making appointments to the Committee are all matters which must be approved by full Council.

Financial Implications

18. There are no financial implications directly arising from this report. If in the implementation of the Committee the need for financial costs are identified then these will need to be found from within existing financial resources.

RECOMMENDATION

Council is recommended to:

- 1) approve the establishment of a Corporate Parenting Advisory Committee (pursuant to section 102(4) of the Local Government Act 1972), to replace the current Corporate Parenting Panel.
- 2) approve the terms of reference of the Corporate Parenting Advisory Committee as set out in paragraph 10 of this report;
- 3) approve the recommendations in respect of membership of the Corporate Parenting Advisory Committee set out in paragraph 12 of this report;
- 4) appoint members to the Corporate Parenting Advisory Committee in accordance with Recommendation (3) above and the nominations received from the respective political groups; and
- 5) authorise the Monitoring Officer to make any necessary changes to the Constitution in respect of the recommendations above.

Marie Rosenthal
County Clerk and Monitoring Officer
16 July 2014

Appendices

Appendix A - Joint Report of the Children and Young People Scrutiny Committee and the Corporate Parenting Panel, 'A Review of the Status and Roles of Corporate Parenting in Cardiff Council', May 2014

Background papers

Constitution Committee report 'Role and Status of Corporate Parenting', 11 June 2014