



## Health & Wellbeing Board

14th March 2019

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### **New Adult and Children's Safeguarding Arrangements**

Report of Executive Director of Adult Social Care & Children's Services

Cabinet Members: Cllr Wayne Daley and Cllr Veronica Jones

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#### **Purpose of report**

To provide members of the Health and Wellbeing Board with an overview of the proposed new safeguarding arrangements which will replace the current Local Safeguarding Children Board as outlined in Working Together 2018 and to be provided with an overview of the Early Adopter work across Tyne and Wear.

#### **Recommendations**

1. For members to note the proposed plans and to identify any areas for further development.

#### **Link to Corporate Plan**

This report is linked to the Living and Learning priorities within the Corporate Plan 2018-21.

#### **Key issues**

1. From September 2019 there is no requirement for local areas to have a Local Safeguarding Children Board in accordance with the changes introduced in Working Together 2018.
2. The new statutory guidance introduces the concept of safeguarding partners who have equal responsibility for ensuring effective and appropriate safeguarding arrangements are in place in the local area.
3. Northumberland, along with the other 5 local authorities, 4 CCG's in the Tyne and Wear area as well as Northumbria Police have been working collaboratively to develop arrangements in the region under the Early Adopter pilot framework.
4. This pilot is due to report back to the Department for Education in June with an outline of the plans for both local arrangements as well as the regional proposals.

5. A small steering group is currently working across Tyne and Wear with all of the safeguarding partners to help to progress this.
6. It is anticipated that there will remain a board of professionals who will meet to ensure the delivery of the new arrangements on a local level but this will be supported by a Strategic Safeguarding Forum made up of senior representatives from the 3 safeguarding partners and this will lead to shared priorities and delivery efficiencies across a wider footprint.
7. Further work is needed to detail the local arrangements and an away day session for the Northumberland Safeguarding Children Board is planned for March and consideration given to how the two arrangements can dovetail together.

## Background

One of the most prominent Working Together 2018 changes is the replacement of Local Safeguarding Children Boards (LSCBs) with Safeguarding Partners.

Safeguarding Partners will work with relevant appropriate agencies within their locality to safeguard and protect children. All three Safeguarding Partners have equal responsibility for fulfilling the role.

Safeguarding Partners are responsible for selecting the relevant agencies they will work with to safeguard and protect children in each locality. These relevant agencies should be listed in each local area's published arrangements. Schools, colleges, and educational providers are expected to be listed as relevant agencies by the Safeguarding Partners, and these institutions will take a fully-engaged statutory duty towards promoting the safety and welfare of children in the area.

### 1. Governance and Accountability

Responsibility for local join up in relation to safeguarding rests with the three Safeguarding Partners (SPs) who have a shared and equal duty to make arrangements to work to safeguard and promote the welfare of children when carrying out their functions.

A *safeguarding partner* is defined under the Children Act 2004 (as amended by the Children and Social Work Act 2017) as:

- (a) The Local Authority
- (b) A Clinical Commissioning Group for an area any part of which falls within the Local Authority area
- (c) The Chief Officer of Police for an area any part of which falls within the Local Authority area

Lead representatives for safeguarding arrangements are:

- (a) Local Chief Executive
- (b) The Accountable Officer for a Clinical Commissioning Group
- (c) A Chief Police Officer of Police

The lead representatives can delegate responsibility to other senior managers within their organisation.

Working Together (2018) stipulates there is a shared and collective responsibility between organisations and agencies to safeguard and promote the welfare of children in Northumberland.

Statutory guidance Working Together (2018) does not prescribe for a partnership to exist, but rather talks about the role of the SPs; LSCBs will cease to have to statutorily operate by September 2019.

At the North and South of Tyne Forum it was clear that the preferred option was to have a "Forum" to lead on regional cross cutting themes and to review the local arrangements to ensure that the local arrangements and positive relationship with shared local priorities

were not lost. These formal arenas will develop, implement and review regional and local safeguarding arrangements, ensuring their effectiveness does not lose momentum.

The “Forum” is yet to look at meeting frequency however they will meet as a regional or sub regional strategic executive group reviewing and agreeing regional work streams, suggesting sign up to cross cutting themes and scrutinising the results.

The Local SPs will meet to: agree priorities; publish local safeguarding arrangements and an annual report; review progress; agree funding; monitor risks and data protection; sign off Local Child Safeguarding Practice Reviews. The SPs will have to consult on the wider local partnership which will support the SPs to fulfil their defined legal responsibilities.

## **2. Role and Functions**

Working Together (2018) does not set out specific functions of Multi Agency Safeguarding Arrangements (MASAs) in the same way they were set out for LSCBs; however scrutiny, thresholds, learning and improving, local child safeguarding reviews and child death reviews are key components of the new safeguarding arrangements and SPs’ responsibilities. Local arrangements continue to include the current LSCB functions, which will be delivered through sub groups of the MASA Partnership (section 6). SPs will agree who will be responsible for specific areas of the activity and identify people and resources to fulfil the functions:

- (a) Developing policies and procedures for safeguarding and promoting the welfare of children in the authority, including a thresholds document.
- (b) Training of persons who work with children or in services affecting the safety and welfare of children and communicating to persons and bodies in Northumberland the need to safeguard and promote the welfare of children, raising their awareness of how this can best be done, and encouraging them to do so.
- (d) Monitoring and evaluating the effectiveness of what is done by partners individually and collectively to safeguard and promote the welfare of children and advise them on ways to improve.
- (e) Facilitate and coordinate a school safeguarding partnership to enable all schools, colleges, and other educational providers in Northumberland to be fully engaged, involved and included in the multi-agency safeguarding arrangements.
- (f) Participate in the local planning and commissioning of children’s services to ensure they take safeguarding children into account.
- (g) Understand what has been done as a result of child death review arrangements and how effective they have been in practice.
- (h) Commission local child safeguarding practice reviews of cases where a child has died or has been seriously harmed in circumstances where abuse or neglect is known or suspected and advising on lessons that can be learned.
- (j) Acting as Responsible Authority for the purposes of section 13(4) (f) of the Licensing Act 2003 and section 13(4) (f) of the Gambling Act 2005

- (k) Contribute to joint working and learning at a regional level to improve safeguarding arrangements for children and young people.

### **3. Independent Scrutiny / Challenge**

Working Together (2018) refers to the SPs needing to have in place robust arrangements for independent scrutiny. It no longer refers to having an independent chairperson but rather a person or persons who are independent e.g. outside the local area or no prior involvement with local agencies. This could be interpreted to include reciprocal peer review type arrangements, the commissioning of an independent person to come in twice per year to provide scrutiny and challenge, an independent chairperson of a wider partnership or some other option. The current LSCB scrutiny arrangements include:

- Children and young people
- Independent Chairperson
- Northumberland County Council Scrutiny Committee
- Partner surveys
- Partnership complaints policy
- Partnership challenge log
- Multi-agency inspection of safeguarding arrangements e.g. Ofsted, HMICFRS, JTAIs, CQC<sup>1</sup>

The SPs may wish to support the continuation of these arrangements, and may also wish to consider an additional independent triennial Peer Review (LGA) aligned to the business planning cycle.

Partners will have to consider the role of the independent chair of the partnership and whether they think this is required in the new arrangements. Options considered by the SPs include:

- Retaining the current independent chair role, which is a cost to partners
- Identifying a 'voluntary' chair with independence; or
- The three SPs rotating the chairing role

**See Appendix 3**

### **4. Funding and Resources**

Working Together (2018) stipulates that the SPs will agree the level of funding secured from each partner, which will be equitable and proportionate, and include any other contributions from each relevant agency, to support the local arrangements. The funding arrangements will be transparent and sufficient to cover all elements of the arrangements, including the costs of local child safeguarding practice reviews.

Discussions around funding and resources are continuing, although it is the intention of the SPs to continue to ask partners to contribute financially to a pooled budget.

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<sup>1</sup> Ofsted, (2018), *Inspecting Multi-agency Safeguarding Arrangements*.

## **5. Opportunities for Regional Collaboration**

The [Six] North East LAs, CCGs and Northumbria Police have established a North and South Strategic Forum the purpose of which is to:

- Share information and experience in relation to current developments and opportunities that will result in improved joint working arrangements and practice for vulnerable adults and children.
- Identify and share arrangements and practice models, where a more common whole system approach would improve outcomes for vulnerable adults, children, and partner agencies/practitioners.
- Promote best practice methodologies, arrangements and practice to support, influence and inform coordinated strategic decision-making in relation to safeguarding.

Regional Safeguarding Partners were successful in a proposal to the DfE Early Adopters programme in June 2018. The programme is intended to test out new models of safeguarding arrangements in the context of Working Together (2018). The scope of the work is overseen by the North East Strategic Safeguarding Forum and a dedicated lead has been commissioned to progress work on the bid.

Areas of joint work include:

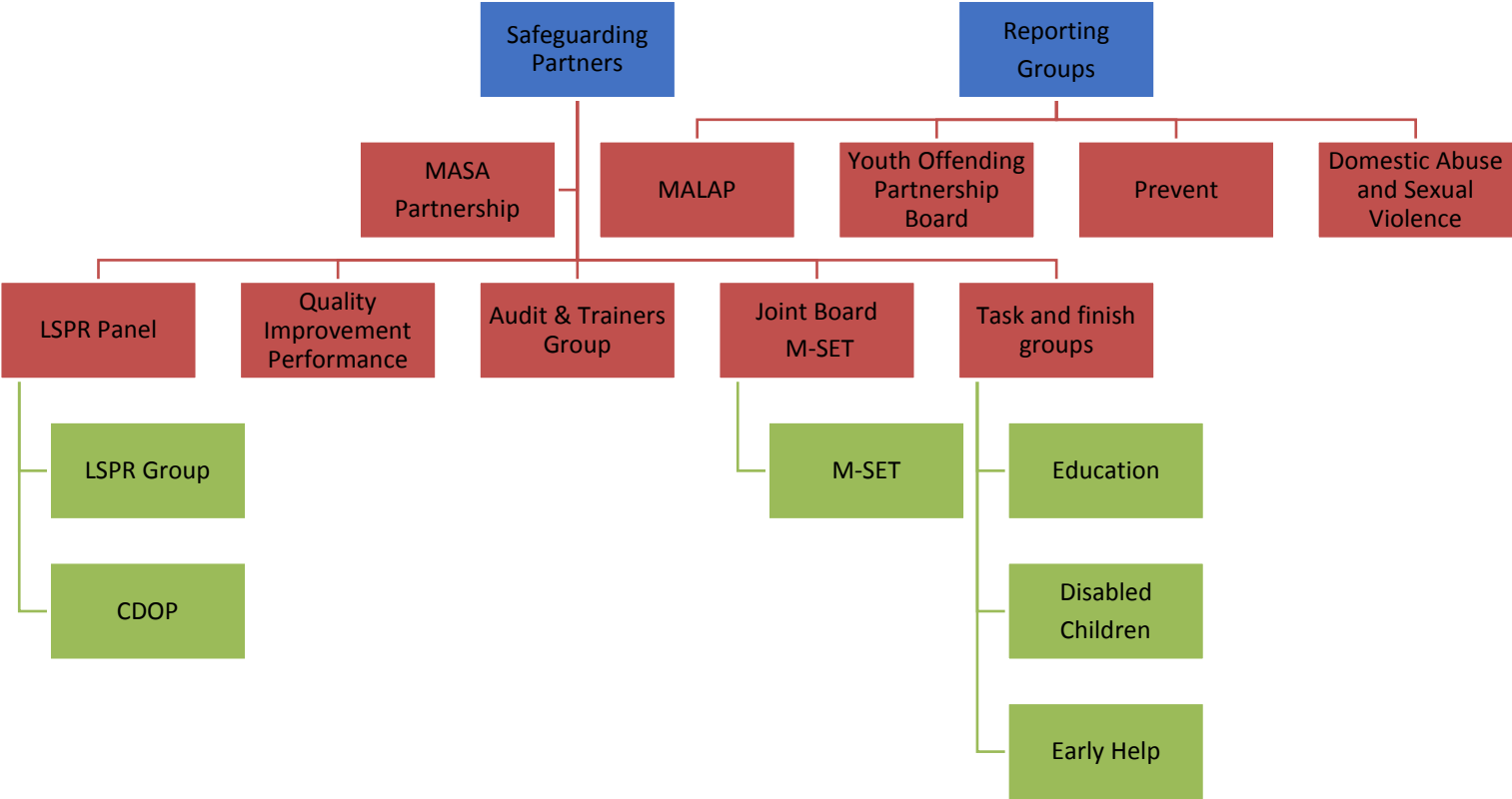
- Learning and improvement work – sharing learning from case reviews, DHRs, audits
- Training – joint conferences on specific themes, consideration of joint contracts for commissioned training e.g. Virtual College
- Policies and procedures – consortium Tri.x set of procedures
- Safeguarding audits
- Local Child Safeguarding Practice reviews (formally SCRs)
- Performance scorecard
- Independent Scrutiny
- Shared task and finish Groups – working together on shared priorities, contained within their individual Business Plans e.g. FGM, sexual exploitation, neglect etc.

## **6. Proposed Structure**

This structure is much reduced from the 2018 structure and the SP will have to determine which groups may be better administered on a regional basis and which meeting may have to be included if join up between Adults, Children and Community Safety is considered?

The group at top right are bodies and other board groups that may need to also report to

the SPs, but not be a sub group of the MASA.



## Appendix 1 - List of Relevant Agencies<sup>2</sup>

### Education and Childcare

1. The proprietor of an Academy school
2. The proprietor of a 16-19 Academy
3. The proprietor of an alternative provision Academy
4. The governing body of a maintained school
5. The governing body of a maintained nursery school
6. The governing body of a pupil referral unit
7. The proprietor of an independent educational institution
8. The proprietor of a school approved under section 342 of the Education Act 1996(5).
9. The proprietor of a Special post-16 institution
10. The governing body of an institution within the further education sector
11. The governing body of an English higher education provider
12. Any provider of education or training:
  - (a) to which Chapter 3 of Part 8 of the Education and Inspections Act 2006, and
  - (b) in respect of which funding is provided by, or under arrangements made by, the Secretary of State.
13. A person registered under Chapter 2, 2A, 3 or 3A of Part 3 of the Childcare Act 2006.
14. The provider of a children's centre

### Health and Social Care

15. Northumberland Gateshead Clinical Commissioning Group
16. NHS England (Regional Memorandum of Understanding)
17. The Northumberland upon Tyne Hospitals Foundation Trust
17. An NHS foundation trust
18. The registered provider of an adoption support agency
19. The registered provider of a registered adoption society
20. A registered provider of a fostering agency
21. A registered provider of a children's home
22. A registered provider of residential family centre
23. The registered provider of a residential holiday schemes for disabled children

### Local Government

24. Northumberland City Council

### Criminal Justice

25. The Children and Family Court Advisory and Support Service (Cafcass)
26. A governor of a prison in England (or, in the case of a contracted-out prison, its director)
27. Providers of probation services
28. The principal of a secure college.

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<sup>2</sup> Child Safeguarding Practice Review and Relevant Agency (England) Regulations 2018.



29. The governor of a secure training centre (or, in the case of a contracted out secure training centre, its director).
30. The governor of a young offender institution (or, in the case of a contracted out young offender institution its director).
31. Northumberland Youth Offending Team

### **Police and Immigration**

32. The British Transport Police (Memorandum of Understanding)
33. The Common Council of the City of London in its capacity as a police authority.
34. Port Police Forces
35. Any person or body for whom the Secretary of State must make arrangements for ensuring the discharge of functions under section 55 of the Borders Citizenship and Immigration Act 2009.

### **Miscellaneous<sup>3</sup>**

36. Charities
37. Religious Organisations
38. Any person or body involved in the provision, supervision or oversight of sport or leisure.

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<sup>3</sup> JSCR SE (2018) Recommendation 4: When considering national guidance or advice Newcastle Safeguarding Children Board and Newcastle Safeguarding Adults Board should ensure that expectations for engagement with a national agency that is not a local partner are addressed and kept under review.

## Implications

<b>Policy</b>	The changes to the safeguarding arrangements require a change to the policy and procedures currently in place.
<b>Finance and value for money</b>	The current funding arrangements for the LSCB need to be reviewed and discussions will take place about future funding requirements
<b>Legal</b>	Working Together is statutory guidance
<b>Procurement</b>	NA
<b>Human Resources</b>	NA
<b>Property</b>	NA
<b>Equalities</b> (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
<b>Risk Assessment</b>	NA
<b>Crime &amp; Disorder</b>	NA
<b>Customer Consideration</b>	All safeguarding arrangements need to be customer facing
<b>Carbon reduction</b>	NA
<b>Wards</b>	All wards

## Background papers

Working Together to Safeguard Children 2018

## Report sign off

Monitoring Officer/Legal	
Executive Director of Finance & S151 Officer	
Relevant Executive Director	Cath McEvoy-Carr
Chief Executive	
Portfolio Holder(s)	VJ WD

## Author and Contact Details

Cath McEvoy-Carr, Executive Director of Adult Social Care & Children's Services  
 Tel: 01670 624034  
 Email: cath.mcevoy-carr@northumberland.gov.uk