

**REPORT TO:** Executive Board

**DATE:** 19 July 2018

**REPORTING OFFICER:** Strategic Director, People

**PORTFOLIO:** Children, Education & Social Care

**SUBJECT:** Local Safeguarding Children Board (LSCB)  
Arrangements

**WARDS:** Borough Wide

## **1.0 PURPOSE**

- 1.1 This report highlights the key changes to Local Children's Safeguarding Boards (LSCBs) in light of new legislation introduced through the Children and Social Work Act 2017. It outlines the implications of legislative changes and makes a number of recommendations that would enable a revised framework to be developed locally and sub regionally in view of the fact that it is no longer a statutory requirement for LSCBs to exist.
- 1.2 The report puts forward how future arrangements could build on existing pan-Cheshire arrangements that include the Council and partnership arrangements in Cheshire East, Warrington and Halton. It also puts forward recommendations regarding how local arrangements for scrutinising safeguarding practice within Warrington could be further strengthened.
- 1.3 Recent Statutory Guidance requires the transition to new arrangements to be completed by August 2019. This is on the basis that once the revised guidance is published areas have 12 months to publish new arrangements and a further 3 months to then implement the changes.

## **2.0 RECOMMENDATIONS: That**

**These recommendations are put forward in order to allow the three statutory partners (Council, Police and CCG) to work together, and with wider partners, to agree a framework that meets the statutory requirements outlined in Working Together 2018.**

- 1) in principle, work continues across the 4 areas to develop a model which enhances the current Pan-Cheshire approach to safeguarding children;**
- 2) these developments are considered within a framework of strategy, policy and practice;**

- 3) each area uses these themes to ensure that robust arrangements remain in place to quality assure and scrutinise strategy, policy and practice at local level;
- 4) building on initial discussions, partners develop a clear operating model for monitoring future safeguarding arrangements, which includes governance, financial arrangements and sub groups, including the Child Death Overview Panel, both local and Pan-Cheshire level;
- 5) existing funding arrangements remain in place for an agreed minimum period (2020/ 2021) whilst funding is reviewed, recognising that this would require the agreement of all existing funding partners across current LSCB arrangements; and
- 6) the Executive Board will receive an updated report with firm recommendations in December 2018 following this period of consultation at local and sub-regional levels.

### **3.0 BACKGROUND AND SUPPORTING INFORMATION**

- 3.1 Alan Wood was commissioned by the Department for Education (DfE) in 2016 to undertake a review regarding the effectiveness of LSCB's to safeguard children, Child Death Overview Arrangements and Serious Case Reviews. The 'Wood Report' recommended significant changes to ensure collective accountability around safeguarding and promoting the wellbeing of children and young people which were taken forward and included in the Children and Social work Act 2017.
- 3.2 The Children and Social Work Act 2017 makes clear that it is no longer a statutory requirement for areas to have Local Safeguarding Children's Boards. It is up to the three key statutory partners - Council, CCG and Police - to determine what local arrangements should be. These partners are to determine who other relevant partners are.
- 3.3 Following the change in legislation, a revised issue of the associated statutory guidance, Working Together to Safeguard Children, has been consulted on and was due to be published in May 2018. A draft was published in April 2018 which partners have been using to inform discussions.
- 3.4 The safeguarding partners across Halton, Warrington and Cheshire East and Cheshire West have been working together to respond to the changes outlined in the consultation guidance to ensure local and Pan Cheshire safeguarding activity is in line with statutory requirements.
- 3.5 Whatever arrangements are agreed moving forward, independent scrutiny of safeguarding is still required.

## **4.0 CHANGES INTRODUCED BY THE CHILDREN AND SOCIAL WORK ACT 2017**

### **4.1 The revised guidance creates the following key changes and approaches:**

- i. Three core safeguarding partners – the local authority, the chief officer of police for an area that falls with the local authority area, and CCG for an area that falls with the local authority area - have the statutory duty to make arrangements to safeguard and promote the welfare of all children in that area. Whilst there will still be a duty to cooperate and engage, the revised guidance will not stipulate statutory duties beyond those already in legislation for agencies beyond these three core agencies.
- ii. The safeguarding partners have equal and joint responsibility for the safeguarding arrangements and must identify a senior officer in each agency to have responsibility for ensuring full collaboration with these arrangements.
- iii. This duty includes the requirement to publish those local arrangements, and to define who the relevant agencies are who will be expected to work to and contribute to the effectiveness of those arrangements.
- iv. The arrangements must be subject to independent scrutiny which is for the safeguarding partners to agree. The DfE has been clear that areas may explore a range of options to implement this scrutiny but that any models considered should not involve a person or persons from the local area, and/or having prior involvement with one of the key safeguarding partners.
- v. The safeguarding partners must publish an annual report every 12 months in line with the structure in Working Together 2018. It must also be independently scrutinised and published.
- vi. Financing is for the key safeguarding partners to agree and also agreed with each relevant agency.
- vii. Working Together 2018 gives flexibility in determining the format of the new safeguarding arrangements, including whether they will be on a local geographical area or a wider footprint. There is evidence-based good working, both on a Pan-Cheshire and local authority area basis, and a key consideration for all was the need for balance between local and Pan Cheshire scrutiny and accountability.

## **5.0 PROPOSED SAFEGUARDING ARRANGEMENTS – PAN-CHESHIRE**

- 5.1 There are existing, successful, Pan-Cheshire arrangements regarding some children's safeguarding arrangements.
- 5.2 It is recognised, however, that there is duplication across this footprint and some ineffectiveness in the current ways of working with a small number of people being repeatedly drawn upon to work at both levels (local and sub-regional), often with the same or similar agenda. Given the current resource challenges, options have focused on how these issues could be improved within new arrangements.
- 5.3 The aim is to improve effectiveness and efficiency of the safeguarding system, whilst ensuring that good practice and working together at local level between agencies is maintained and enhanced further. This is why it is recommended that both Pan-Cheshire and local arrangements remain but responsibility, accountability and governance is made clearer. This would enable appropriate delegation in representation at each level of the arrangements to reduce duplication and improve effectiveness.
- 5.4 It has been recognised that some good shared approaches are in existence and that the new arrangements should support the continuation of this. In particular, complex safeguarding issues (e.g. Child Sexual Exploitation (CSE) and trafficked children) are already subject of joint policy development and are strategically monitored at the Pan-Cheshire level. Any new arrangements would seek to ensure that accountability and governance of these areas should sit under a sub-regional safeguarding group that sits as part of an overall sub-regional governance and accountability framework.
- 5.5 The decision should enhance already strong partnership arrangements across the four areas. To date, partners have discussed how existing strengths could be built on, both at Pan-Cheshire and local level and there is agreement on how the necessary safeguarding functions could be structured within a framework which are described in more detail below.
- 5.6 It is proposed that key sub regional activity is addressed via three core areas of focus- strategic, policy and practice. Highlighted below are some specific issues that partners agree could be considered in each area:

### **(a) Strategic**

- i. Establish a strategic business plan with some consideration given to “contextual safeguarding” as identified within Working Together 2018 which enables arrangements to future proof for emerging issues
- ii. Delegate to sub-groups responsibility for establishing targets for improvements and implementation of action plans.
- iii. Establish a robust performance information framework, that provides relevant and timely quantitative, qualitative and outcome evaluation.
- iv. Receive expert and/or professional advice as appropriate on emerging national initiatives, policy and guidance and act upon this
- v. Consider the involvement of Pan-Cheshire relevant agencies such as National Probation Service, Community Rehabilitation Companies, CAF/CASS and the Youth Justice Service

### **(b) Practice**

- i. Identify & consider cases meeting Serious Case Reviews (SCRs) criteria and consider any themes or issues from national SCRs
- ii. Identify cases where lessons can be learned but don't meet the SCR criteria.
- iii. Receive summary reports and action plans from single agency audits.
- iv. Develop and maintain the Learning & Improvement Framework ensuring it takes account of national/local learning requirements
- v. Provide a leadership regarding the scrutiny role of safeguarding activities across partners so that areas of good practice can be shared and promoted.
- vi. Co-ordinate the strategic response on complex and contextual safeguarding – CSE, Missing, Harmful Practices, Trafficked Children, Domestic Abuse, Organised Crime.

### **(c) Policy**

- i. Design/ implement publicity, communication and training so that the arrangements promote consistent messages across the footprint on any issues of regional relevance.
- ii. Identify new national policies, procedures, guidance and research findings.

- iii. Receive, review, agree, implement, promote and where appropriate develop policies and safeguarding procedures
- iv. Analyse the implications of new local policy, procedures or guidance

## **6.0 PROPOSED SAFEGUARDING ARRANGMENTS – LOCAL AREA ARRANGEMENTS**

- 6.1 Whilst there is a desire to work in partnership across the sub-region it is recognised that due to specific organisational accountability, regulatory frameworks (e.g. Ofsted) and the need to ensure strong scrutiny and challenge regarding safeguarding practice at local level, robust local arrangements need to be maintained. It is therefore proposed that local arrangements have the same three areas of focus, with specific responsibilities, as highlighted below:

### **(a) Strategic**

- i. Consistent, coherent information on all of the local work strands within the business plan; including action where work is not meeting targets and respond and contribute to Pan-Cheshire arrangements.
- ii. Effective budget management through regular monitoring of expenditure against priorities and/or targets.
- iii. Annual Report on the effectiveness of safeguarding locally
- iv. Effective partnership relationships based on the requirement of the duty to co-operate and work together and the role and contribution of relevant agencies such as schools, local faith groups, adults safeguarding boards etc.
- v. Agree and publish the local safeguarding performance framework for safeguarding children within the context of the national priorities and best practice and to implement a business plan which reflects those priorities
- vi. Agree and publish arrangements for local independent scrutiny.

### **(b) Practice**

- i Identify priorities for local practice arising from Serious Case Reviews (SCRs), Practice Learning Reviews and multi-agency audits, and monitor evidence of progress
- ii Identify learning from local cases and cascade learning to the workforce.
- iii Co-ordinate multi-agency audits and cascade learning to the workforce.
- iv Ensure themes from multi-agency audits are disseminated to single agencies for them to consider in their internal audits

v Maintain oversight of the relevant action plans to reduce numbers of children who go missing and to prevent the sexual exploitation and/or trafficking of children

### **(c) Policy**

- i. Align existing learning/ development streams to optimise access across partner agencies/stakeholders, avoiding duplication of delivery and effort
- ii. Develop local protocols on key issues of concern, as agreed by the board
- iii. Quality assure partners' policies and procedures
- iv. Take instruction from the board on areas of performance requiring in-depth examination and undertake this work

## **7.0 INDEPENDENT SCRUTINY**

- 7.1 Working Together 2018 states that there has to be independent scrutiny of safeguarding arrangements and there is some guidance as to who could undertake this role.
- 7.2 If agreed, Cheshire West and Chester, Cheshire East, Warrington and Halton will develop their own local arrangements, building on existing ones, with the aim of strengthening them further. During the detailed development work, consideration will be given to how independent scrutiny should be best utilised, including the possible use of peer reviews involving other safeguarding partners outside of the areas.

## **8.0 STRUCTURE AND GOVERNANCE ARRANGMENTS**

- 8.1 Development work will include how a Pan-Cheshire model could operate, alongside localised safeguarding arrangements. Discussions to date have noted existing sub regional arrangements and whether these could be adapted in order to oversee a Pan-Cheshire arrangement. Although further work is needed on this, there seems to be a general consensus that existing arrangements could be reviewed and adapted in order to meet future safeguarding requirements both at sub regional and local level. Therefore it is recommended that further work is undertaken by the Council and its partners on this over the forthcoming months.
- 8.2 Within this work, existing terms of reference would need to be reviewed and revised to ensure there are appropriate representation, scrutiny and accountability of any Pan-Cheshire arrangements.
- 8.3 In light of the draft 'Working Together 2018', there is also an opportunity to review the remit of the current sub groups across all areas and refine the areas covered under the title "*contextual safeguarding*."

- 8.4 To support the oversight and administration of the Pan Cheshire work, administration support and business performance/analysis would need to be agreed.
- 8.5 Within a sub-regional framework, a local model would still be required to oversee the local scrutiny and quality assurance activity. Partner agencies would need to be fully involved in this. It is noted that different models for each area may emerge as each area has its own differences. However, it is anticipated that dedicated administration support and performance analysis will continue to be required.
- 8.6 With regard to governance, local accountability is key, as well as Pan-Cheshire visibility. Subject to agreement, if a Pan-Cheshire arrangement was formalised, there would need to be a clear framework, detailing accountability at all levels and from each statutory partner. The connection between Pan-Cheshire and local arrangements would need to be considered, where ultimate accountability is made clear and is in line with statutory guidance.

## **9.0 OTHER OPTIONS:**

- 9.1 Each area could decide to keep all current arrangements as they are. This would rely on the other two statutory partners (Police and CCGs) to agree to this. Discussions to date have recognised that any changes cannot compromise the quality of local quality assurance and scrutiny processes.
- 9.2 All partners agree that it is essential to make sure local arrangements remain in place, especially as recent inspections have acknowledged the strength of partnerships within the area and the effectiveness of safeguarding arrangements. Within this context, partners agree that there is an opportunity to build on existing strengths and develop a high functioning model which clearly sets out the responsibilities at both Pan-Cheshire and local level, where duplication is prevented and practice can improve further.

## **10.0 FINANCIAL CONSIDERATIONS**

- 10.1 The current budget sits within the Children's Safeguarding Board arrangements. This is a pooled budget contributed to by the Council and statutory partners.
- 10.2 The current funding arrangements are complex and have developed over time. In order to support the transition and development of a new structure, there is a need to ensure and maintain funding. Therefore it is recommended existing funding arrangements are maintained for an agreed minimum period (2020/ 2021), with view to reviewing funding once transition is progressed. This means that all existing funding arrangements across the LSCB would continue.
- 10.3 The aim would be to develop a model of support that services local delivery of safeguarding functions and Pan Cheshire activity with no additional costs compared to current arrangements. This will require consideration of key



functions to be met and the resources to be targeted to the specific needs of the arrangements to ensure effective use of the resources made available.

## **11.0 RISK ASSESSMENT**

- 11.1 There is a risk that the quality of scrutiny and quality assurance would be compromised if arrangements are changed in light of the new Act. However, all partners have agreed clear principles that must be adhered to when considering any future changes. Any changes need to enhance and further strengthen partnership working and safeguarding practice and the priority has to be on safety and protection at all times.
- 11.2 A second risk is that wider partners will not agree with any proposed changes. This risk will be mitigated by taking a fully inclusive approach to this work
- 11.3 A third risk is that there may be delay in developing a Pan-Cheshire and local model in the timeframes set. The aim is that this will be mitigated by setting up a working group with appropriate administrative and project management support. This is currently being discussed between the three statutory partners.
- 11.4 A fourth risk is the financial implications of setting up and operating a new model. This will be mitigated by the working group addressing all financial matters so it is clear what the expectations would be on all partners who have safeguarding responsibility.

## **12.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

### **12.1 Children & Young People in Halton**

Ensuring that children and young people are safe from harm is a core statutory duty for the council. It is essential that that members are informed and able to be assured of how effectively this duty is discharged via a robust performance and quality assurance framework.

### **12.2 Employment, Learning and Skills**

As relevant agencies and partners, agencies working in this area must-co-operate with the framework outlined and contribute to ensuring children and young people are safeguarded

### **12.3 A Healthy Halton**

The CCG is a key safeguarding partner as health outcomes are adversely affected for children who experience harm.

#### 12.4 **A Safer Halton**

Adults who care for children as parents, carers or as professionals have to be supported to be able to meet the need of children safely to support children to live at home within families.

#### 12.5 **Halton's Urban Renewal**

None identified

### **13.0 EQUALITY AND DIVERSITY / EQUALITY IMPACT ASSESSMENT**

13.1 The changes are in accordance with statutory guidance. Consideration will be given to the need to complete an Equality Impact Assessment during the transitional phase alongside other Pan-Cheshire Local Authorities.

### **14.0 CONSULTATION**

14.1 The changes are statutory; however, ongoing consultation is needed with the key partners following publication of the statutory guidance as we move into future safeguarding arrangements at a Pan-Cheshire and local level.

14.2 Statutory Guidance will require the transition to new arrangements to be completed by August 2019. This is on the basis that areas have 12 months to publish new arrangements and a further 3 months to then implement the changes.

14.3 Therefore, further work would consider whether to maintain current arrangements into 2019, with view to moving forward with transition activity from then. Alternatively, subject to completion of preparatory work, new arrangements could commence in April 2019 on condition that consultation on a Pan-Cheshire and local arrangement is completed by September 2018. This would allow a period of shadow arrangements to enable a smooth transition and ensure that all risk areas are effectively managed. Both options would need further consideration by partners and scrutiny by the Council.

### **15.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

<b>Document</b>	<b>Place of Inspection</b>	<b>Contact Officer</b>
Working Together to Safeguard Children and Young People (DfE, April 2018)	See attached	Tracey Coffey Operational Director Children and Families  0151 611 6790

