

# **North Somerset Council**

## **REPORT TO THE CHILDREN AND YOUNG PEOPLE SERVICES POLICY AND SCRUTINY PANEL**

**DATE OF MEETING: 20 JUNE 2019**

**SUBJECT OF REPORT: NEW SAFEGUARDING CHILDREN PARTNERSHIP ARRANGEMENTS**

**TOWN OR PARISH: ALL**

**OFFICER/MEMBER PRESENTING: SHEILA SMITH, DIRECTOR, PEOPLE AND COMMUNITIES**

**KEY DECISION: NO**

### **RECOMMENDATIONS**

- That Panel endorse the proposed new arrangements and recommend acceptance of them by the Executive.

### **1. SUMMARY OF REPORT**

- 1.1 The Children and Social Work Act 2017 abolished Local Safeguarding Children Boards from September 2019 and replaced them with the requirement for strategic leadership of and accountability for safeguarding children to be provided by the Police, the Clinical Commissioning Group (CCG) and the local authority as equal partners. This paper sets out the detail of this requirement and the local response.

### **2. POLICY**

- 2.1 In 2015, in response to a number of disappointing outcomes of Local Safeguarding Children's Board (LSCBs) inspections, the Government commissioned Alan Wood, a former Director of Children's Services, to lead a review of LSCBs. This took place between January and March 2016 and the review team considered over 600 responses and came to the overall conclusions that LSCBs were not sufficiently effective. Alan Wood recommended the abolition of LSCBs and their replacement by a stronger statutory partnership of the key statutory agencies – police, CCGs and local authorities – who would in turn determine local safeguarding arrangements.
- 2.2 In its May 2016 response, the Government said that it agreed with Alan Wood's analysis, and that 'current arrangements are inflexible and too often ineffective. Meetings take place involving large numbers of people, but decision-making leading to effective action on the ground can be all too often lacking'.

Instead, it proposed a stronger but more flexible statutory framework to support local partners to work together more effectively to protect and safeguard children and young people, embedding improved multi-agency behaviours and practices.

- 2.3 The Children and Social Work Act 2017 received Royal Assent in April 2017. Section 30 of the Act removed the requirement for local areas to have LSCBs. Sections 16-23 introduced a duty on three key partners (local authorities, police and CCGs) to make arrangements with other partners as locally determined to work together in a local area to protect and safeguard children. These arrangements must identify and respond to the needs of children in the area and identify and review serious child safeguarding cases which raise issues of importance in relation to the area.

### **3. DETAILS**

#### **3.1 Key points to note**

- The three safeguarding partners need to agree arrangements by end of June 2019;
- The arrangements must be published, and notification sent to the Secretary of State;
- Within three months of publishing arrangements, the three safeguarding partners must implement the arrangements;
- There will be a 12-month period for LSCBs after new arrangements are in place to complete and publish any outstanding Serious Case Reviews (none in North Somerset);
- Once the arrangements have been published and implemented, the LSCB will no longer exist.

#### **3.2 Progress on Local Arrangements**

- 3.2.1 It was agreed in 2017 that the agencies working within the Avon and Somerset area would come together to consider the new local arrangements using the Constabulary's 'footprint' as a possible 'local area'. A project working group did a considerable amount of work that culminated in a final options paper being presented in May 2018 to representatives from all the relevant agencies:

- Avon and Somerset Police;
- Bristol, North Somerset and South Gloucestershire CCG;
- Bath and North East Somerset CCG;
- Somerset CCG;
- Bath and North East Somerset Council;
- Bristol City Council;
- North Somerset Council;
- Somerset County Council;
- South Gloucestershire Council.

- 3.2.2 However, at this meeting it became clear that the predicted unanimous agreement was unable to be achieved. All nine agencies agreed to fund a piece of work to seek to identify common ground and a way forward – this was completed in November 2018 and followed by the setting up of the Avon and Somerset Strategic Safeguarding Partnership (ASSSP) and a number of workstreams.

### **3.3 Current Situation**

- 3.3.1 All agencies have agreed to set up the Avon and Somerset Strategic Safeguarding Partnership and this has been in place for some months – see Appendix 1 for ASSSP Terms of Reference. The working groups are focussed on the six areas identified under 'Scope'. All five local authorities are at different stages of consultation with partners on the new arrangements in their areas. Here in North Somerset, our consultation started at the last LSCB meeting but there were no local authority personnel present as we had our Ofsted focussed visit at the same time. We therefore held a follow-up workshop on Monday 3 June at which the three statutory partners outlined our proposal which recommends an Executive Group (the three statutory partners) to meet twice a year and a new Safeguarding Children Group to meet four times a year to replace the current LSCB and Executive Group.
- 3.3.2 Below the Safeguarding Children Group, we are consulting on the possibility of the following working groups:
- Early Intervention;
  - Domestic abuse;
  - Quality Assurance (link to Avon and Somerset independent scrutiny arrangements);
  - Workforce development (link to Avon and Somerset work);
  - Communications (link to Avon and Somerset-wide group);
  - Children and Young People's group;
  - Serious Case Reviews.
- 3.3.3 Across the Avon and Somerset area all agencies recognise that the year September 2019 to September 2020 will be a transitional one with the workstreams resulting in new regional arrangements, but with local accountability at its heart.

### **3.4 Conclusion**

- 3.4.1 It is intended that the new arrangements will demonstrate our collective purpose to achieve a local system where:
- Children are safeguarded, and their welfare promoted;
  - Partner organisations and agencies collaborate, share and co-own the vision for how to achieve improved outcomes for vulnerable children;
  - Organisations and agencies challenge appropriately and hold one another to account effectively;
  - There is early identification and analysis of new safeguarding issues and emerging threats;
  - Learning is promoted and embedded in a way that local services for children and families can become more reflective and implement changes to practice;
  - Information is shared effectively to facilitate more accurate and timely decision making for children and families.

## **4. CONSULTATION**

- 4.1 There has been a number of consultation events across the Avon and Somerset area, across local safeguarding partners and within agencies. The various workstreams involve a range of practitioners and managers who are influencing developments. We recognise that we need to work with children and young people

to ensure that the new arrangements build on and develop the successful sub-group work undertaken to date.

## **5. FINANCIAL IMPLICATIONS**

### **5.1 Costs**

There are no additional costs associated with the new arrangements. There will be fewer meetings with fewer local authority staff being required to attend. There will no longer be an Independent Chairperson and it is envisaged that there will be a modest saving for the local authority.

### **5.2 Funding**

The current funding arrangements will need to be reshaped to better reflect the equal responsibilities placed on the three statutory partners and there is a workstream on the issue of Resources. This recognised that funding ratios will not change significantly in 2019/20 but that there will be new proposals for 2020/21 that reflect both funding and resources in kind.

## **6. LEGAL POWERS AND IMPLICATIONS**

6.1 Outlined below are the statutory requirements of the new arrangements. The key change is that strategic responsibility for safeguarding children moves from being solely the local authority to joint accountability shared by the Police, the CCG and the local authority.

## **7. RISK MANAGEMENT**

7.1 The main risk associated with these changes is that one or more of the statutory partners refuses to engage fully with the new governance arrangements. The presence of the ASSSP and a range of independent scrutiny arrangements are in place to challenge and/or mitigate that risk.

## **8. EQUALITY IMPLICATIONS**

8.1 Have you undertaken an Equality Impact Assessment? No.

8.2 There are no equality implications with this proposed change in governance arrangements as the legislation and policies relating to safeguarding individual children and young people remain the same.

## **9. CORPORATE IMPLICATIONS**

9.1 None.

## **10. OPTIONS CONSIDERED**

10.1 During the course of the consultation the nine partners considered a range of options including:

- One Safeguarding Board across Avon and Somerset – not supported by the majority of partner agencies as seen as too big a board

- Two boards, one for Bristol, BaNES, North Somerset and South Gloucestershire, and one for Somerset – initially supported but ultimately not pursued because individual local authorities formed different partnerships within their local area.

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## **BACKGROUND PAPERS**

<https://www.gov.uk/government/publications/wood-review-of-local-safeguarding-children-boards>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/526330/Government\\_response\\_to\\_Alan\\_Wood\\_review.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/526330/Government_response_to_Alan_Wood_review.pdf)

# Avon and Somerset Strategic Safeguarding Partnership

## Terms of reference

### Purpose

To promote a child centred approach to safeguarding children, who may be vulnerable to abuse or exploitation from within their families and from individuals they come across in their day to day lives.

The regional group shall provide oversight as a strategic leadership group of equal partners, supporting and engaging others and implementing local and national learning. It shall enable all partners to co-ordinate the delivery of strategic decisions and planning, which will ensure the adoption of best practice consistently across the area, thereby drawing benefit over and above local arrangements. The legal status of the group is described in Appendix 1.

### Vision

We create a collaborative and supportive working relationship which ensures that:

- All children and young people in our region are safe from harm
- All children and young people in our region have a voice with influence

### Aims

In all of its operations, the regional group will aim to:

- Promote the safeguarding concerns of children and young people and their families across all member organisations
- Plan strategically, taking a whole system approach to safeguarding children, young people and families
- Align resources, knowledge and expertise across regional and organisational boundaries
- Improve outcomes by removing barriers to innovation and joint working
- Collectively challenge and support the partnership by providing strategic drive via robust performance management
- Seek opportunities to achieve the best possible value for money, and to create opportunities to invest in new ways of delivering our responsibilities
- Maintain links with operational delivery across all member organisations via a sub-structure of themed groups.

### Governance and accountability

The regional group represents a geography served by 9 core partners, who deliver safeguarding children arrangements in 5 areas based on local authority boundaries. (Appendix 2).

Members of the group remain wholly accountable to their employing organisations, and will be sufficiently empowered to discuss, influence and where necessary agree funding for the regional approach and related and agreed activities.

The minutes of group meetings will be made public via the 5 local arrangements for children's safeguarding.

## Scope

The regional group works collaboratively, aligned to the priorities of the 5 local arrangements. It will make recommendations to the organisations that are represented at it, and monitor the work and performance of the groups that report to it.

The work in scope is defined by the regional group, and is laid out in the Terms of Reference of each regional work stream and this document.

The group provides strategic leadership across the partnership by;

- supporting performance and data analysis
- intelligence sharing and risk reduction
- working together through standing groups as required
- commissioning task and finish activity as required
- establishing and reviewing regional policies and procedures
- regional communication coordination

## Out of scope

- Work of sub regional scale, unless by specific agreement.
- Regional or sub-regional management of the local arrangements

## Roles and Responsibilities of Members

Members of the group are expected to ensure that these responsibilities are met at all times:

- The members of the group (and through them the organisations they represent) will cooperate to promote the safeguarding of all children, 0-25 years of age where appropriate.
- The group will report to local governance arrangements and local arrangements may report to the regional group.

In undertaking these responsibilities the members of the group will ensure that it continues to:

- take account of statutory guidance in developing regional arrangements.
- oversee arrangements for effective sharing of information across the partner agencies.
- offer effective challenge to partners.

## Running the group

The group is chaired by one of its members, with a deputy chair who will replace the chair after a period of time agreed by consensus. The chair and deputy shall be from different core partner agencies – NHS/Police/Local Authority.

The group is supported by Avon and Somerset Constabulary (meeting bookings, arranging dates, circulating papers) and by the Chairing organisation (minute taker).

The group is hosted at Avon and Somerset Constabulary Head Quarters.

The group meets quarterly.

The quorum for a meeting of the group is 66% of the representatives set out in the membership.

The group members make recommendations to the organisations that are represented at it, and monitor the work of sub-groups that report to it.

## Membership

Membership is granted to those with senior directorial strategy and safeguarding responsibility and resource management oversight in core partner organisations. Deputising is not acceptable. Where a partner is unable to attend, they should arrange with colleagues from their local partnership (or another member of the ASSSP leadership group) to ensure their views on issues are included in the meeting.

Members:

Directors of Children's Services from each Local Authority

Directors with accountability for safeguarding in NHS CCG's

Head of Neighbourhood and Partnerships, plus lead for safeguarding in Avon & Somerset Police.

## Data Protection and Information Governance

The statutory duties regarding data protection and information governance are set out in detail in the Memorandum of Understanding.

## Review of Terms of Reference

These terms of reference will be reviewed at least annually, or at times when the Group is otherwise reviewing its constitution (as outlined in the Memorandum of Understanding) or activity. The first review will be December 2019.

## Dissolving the group

The group will be decommissioned by agreement of the members. Any member agency may leave by giving notice of 12 months.



## Appendix 1

### Legal status

The Regional Group is established as a shared element of the local safeguarding arrangements across the 5 Local Authority areas, developed in accordance with the recommendations made by the 2016 Wood Review and subsequent legislative and framework amendments to the Children Act 2004 and the Working Together to Safeguard Children 2018 statutory guidance.

Section 16 of The Children and Social Work Act 2017 inserts into section 16E of the Children Act 2004 an obligation on safeguarding partners for a local authority area in England to make arrangements for safeguarding partners and any relevant agencies that they consider appropriate to work together in exercising their functions, so far as the functions are exercised for the purpose of safeguarding and promoting the welfare of children in the area. The safeguarding partners (defined within section 16E Children Act 2004 and discussed within section 2 of this Memorandum) have a shared and equal duty to make arrangements to work together to safeguard and promote the welfare of all children in a local area.

The Regional Group shall provide oversight as a strategic leadership group, supporting and engaging others and implementing local and national learning. The Regional Group shall enable all partners to co-ordinate the delivery of strategic decisions and planning, which will ensure the adoption of best practice consistently across the area.

## Appendix 2

Strategic Safeguarding Group Membership		
Name	Core Partner	Core partner statutory duties
Chris Sivers	South Gloucestershire Council	South Gloucestershire
Jacqui Jensen	Bristol City Council	Bristol
Janet Baptiste-Grant	NHS BNSSG CCG	Bristol North Somerset South Gloucestershire
Julian Wooster	Somerset County Council	Somerset
Lisa Harvey	NHS BANES CCG	BaNES
Mike Bowden	BaNES Council	BaNES
Sheila Smith	North Somerset Council	North Somerset
Sandra Corry	NHS Somerset CCG	Somerset
Victoria Capel	Avon and & Somerset Police	BaNES Bristol North Somerset Somerset South Gloucestershire
Will White	Avon and & Somerset Police	BaNES Bristol North Somerset Somerset South Gloucestershire

