

CABINET - 24 MAY 2019

**NEW MULTI-AGENCY CHILDREN'S SAFEGUARDING
ARRANGEMENTS**

**REPORT OF THE DIRECTOR OF CHILDREN AND FAMILY
SERVICES**

PART A

Purpose of the Report

1. The purpose of this report is to set out the proposals for the new multi-agency safeguarding arrangements for children. These changes are required by the Children and Social Work Act 2017 and Working Together 2018 (statutory guidance on inter-agency working to safeguard and promote the welfare of children) and will replace the current Leicestershire and Rutland Local Safeguarding Children Board (LRLSCB) by September 2019.

Recommendations

2. It is recommended that the Cabinet approves the approach to the new multi-agency safeguarding partnership arrangements for children to be known as Leicestershire and Rutland Safeguarding Children's Partnership (as set out in Appendix A).

Reasons for Recommendation

3. It is a requirement for all local authority areas to have in place by the end of September 2019, multi-agency partnership arrangements to safeguard and promote the welfare of all children. It is also a requirement to publish these arrangements by 29 June 2019.

Timetable for Decisions (including Scrutiny)

4. The Department for Education requires that local authorities publish their multi-agency safeguarding arrangements by 29 June 2019 with full implementation by 29 September 2019. The following timeline is proposed for Leicestershire and Rutland:
 - i. March to May 2019 - Proposals for new arrangements submitted to Leicestershire County Council Cabinet, Rutland County Council Cabinet, Clinical Commissioning Groups Board and Leicestershire Police Executive Group

- ii. June 2019 - arrangements published
 - iii. September 2019 - arrangements commence
 - iv. September/December 2019 - first meeting of the Safeguarding Childrens Partnership.
5. The Children and Families Overview and Scrutiny Committee considered a report on the new arrangements at its meeting on 5 March 2019. Details of their comments are included in Part B.

Policy Framework and Previous Decisions

6. The Children Acts of 1989 and 2004 set out specific duties for local authorities, working with partner organisations and agencies, to safeguard and promote the welfare of all children in their area. Section 17 of the Children Act 1989 puts a duty on the local authority to provide services to children in need in their area; section 47 of the same Act requires local authorities to undertake enquiries if they believe a child has suffered or is likely to suffer significant harm.
7. These duties can only realistically be discharged with the full co-operation of other partners, many of whom have individual duties when carrying out their functions under section 11 of the Children Act 2004. The responsibility for this join-up locally rests with the safeguarding partners, the Police, Clinical Commissioning Group (CCG) and the local authority, which have a shared and equal duty to agree and make arrangements to work together to safeguard and promote the welfare of all children in a local area.
8. Working Together 2018 sets out the purpose of the new arrangements and the requirements to be met by them.

Resource Implications

9. There are no immediate cost implications arising from the recommendations in this report. The safeguarding partners will need to agree the level of funding secured from each partner, which should be equitable and proportionate. Guidance indicates that the funding should be transparent to children and families in the area, and sufficient to cover all elements of the arrangements, including the cost of local child safeguarding practice reviews.
10. The Director of Corporate Resources and the Director of Law and Governance has been consulted on the content of this report.

Circulation under the Local Issues Alert Procedure

11. A copy of this report will be circulated to all members.

Officer(s) to Contact

Jane Moore

Director of Children and Family Services, Leicestershire County Council

Tel: 0116 305 2649

E-mail: Jane.Moore@leics.gov.uk

PART B

Background

12. Local Safeguarding Children Boards (LSCBs) were established by the Children Act 2004 which gave a statutory responsibility to each locality to have this mechanism in place. LSCBs were the key system in every locality of the country for organisations to come together to agree on how they will cooperate with one another to safeguard and promote the welfare of children.
13. As explained above, Working Together 2018 (WT 2018) guidance covers the legislative requirements placed on individual services and sets out a framework for the local safeguarding partners to work together in accordance with the relevant legislation.
14. A *safeguarding partner* in relation to a local authority area in England is defined under the Children Act 2004 (as amended by the Children and Social Work Act, 2017) as:
 - i. the local authority Chief Executive;
 - ii. the accountable officer of a clinical commissioning group for an area, any part of which falls within the local authority area;
 - iii. the chief officer of police for an area, any part of which falls within the local authority area.
15. The safeguarding partners must set out how they will work together locally and with any relevant agencies. Relevant agencies are those organisations and agencies whose involvement the safeguarding partners consider may be required to safeguard and promote the welfare of children with regard to local need.
16. Once the local arrangements are in place and have been published, the safeguarding partners must also publish a report at least once in every 12-month period that sets out what they have done as a result of the arrangements, including on child safeguarding practice reviews, and how effective these arrangements have been in practice.

Existing Arrangements

17. Local Safeguarding Children Boards (LSCBs) are the key system across the UK to coordinate arrangements to safeguard and promote the welfare of children. The partnership working enables organisations to be held to account and ensures that safeguarding children remains high on the agenda across their region.
18. Leicester and Rutland have a joint LCSB – the Leicestershire and Rutland Local Safeguarding Children Board (LRLSCB). Leicester City Council has its own LCSB.
19. The LRLSCB provides policies, procedures and guidance for safeguarding and promoting the welfare of children. It provides advice and information, including

by means of leaflets and posters which are free and available to download from its website. The LRLSCB has formed strong links with the Voluntary and Community Sector and has a VCS Reference Group which also supports Leicester's LCSB.

20. The LRLSCB has an independent Chairman who submits Annual Reports and Business Plans to the member authorities each year (to the Cabinet, the Children and Families Overview and Scrutiny Committee, and the Health and Wellbeing Board). Leicestershire County and Rutland Councils each are represented on the LRLSCB by senior officers.

New Arrangements

21. Lead officers from each of the key partners defined in the Children and Social Work Act 2017 (Leicestershire and Rutland Local Authorities, Leicestershire Police and the Clinical Commissioning Groups which cover the local authority area) have met to develop these proposals and considered the advice of, and previous reports to the Board, from the current Independent Chair.
22. The current LRLSCB members, including the Lead Members for Children from Leicestershire and Rutland who are participating observers on the Board, have had the opportunity to provide comment on the proposals.

Key Principles

23. The purpose of these new local arrangements is to support and enable local organisations and agencies to work together in a system where:
 - i. children are safeguarded and their welfare promoted;
 - ii. partner organisations and agencies collaborate, share and co-own the vision as to how to achieve improved outcomes for vulnerable children;
 - iii. organisations and agencies challenge appropriately and hold one another to account effectively;
 - iv. there is early identification and analysis of new safeguarding issues and emerging threats;
 - v. learning is promoted and embedded in a way that local services for children and families can become more reflective and implement changes to practice;
 - vi. information is shared effectively to facilitate more accurate and timely decision making for children and families.
24. The following key principles underpin the proposals. There should be:
 - i. clear governance and leadership from the safeguarding partners (as set out in paragraph 14) which have equal and joint responsibility for local safeguarding arrangements;
 - ii. a sharpened focus on a small number of critical identified priorities that maximise the effectiveness of the partnership arrangements;
 - iii. appropriate scrutiny of multi-agency frontline practice and evidence of

- the impact of lessons learned from audits and reviews;
- iv. clarity of accountability and expected contributions of agencies to the arrangements;
- v. effective processes to ensure statutory requirements for consideration of serious incident notifications, rapid review and case reviews including arrangements for funding of these;
- vi. improved efficiency - reduction in duplication of reporting and demand for meeting time;
- vii. clearly defined business support functions with capacity to adequately support the arrangements;
- viii. transparent budget agreements between the statutory partners
- ix. a published description of how independent scrutiny of the arrangements will be ensured;
- x. consistency and alignment across Leicester, Leicestershire and Rutland area where possible;
- xi. links to other structures across Leicester, Leicestershire and Rutland.

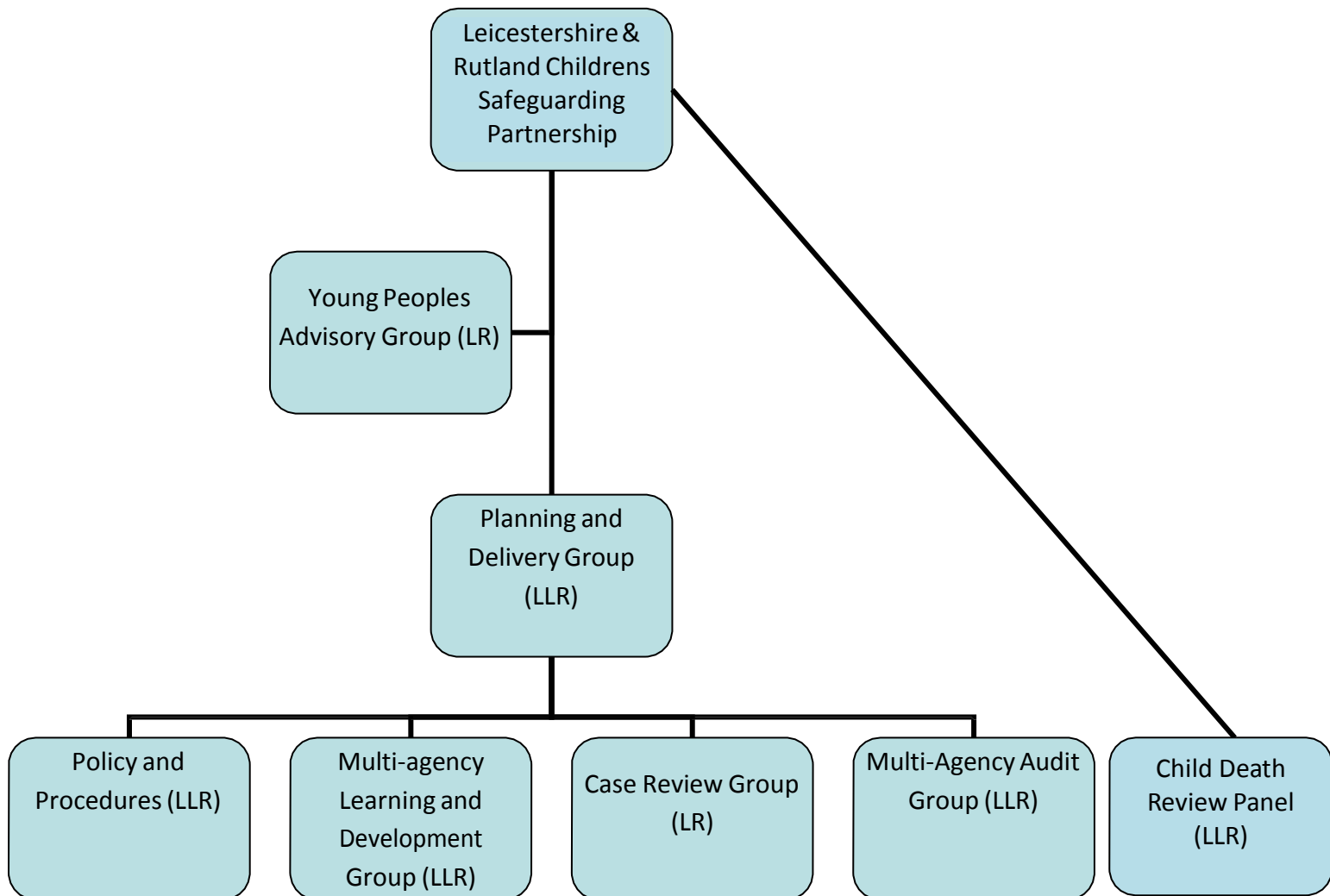
Accountability and Governance

- 25. Strong leadership is critical for the new arrangements to be effective in bringing together the various organisations and agencies. It is important therefore that the lead representative from each of the safeguarding partners plays an active role.
- 26. Clear governance is essential, ensuring that where other Boards or bodies have lead accountability for key areas of work, the multi-agency safeguarding arrangements do not duplicate that work, but offer a critical friend/advocacy role. To be effective these new arrangements should continue to link to other strategic partnership work happening locally to support children and families for example the Health and Wellbeing Board, Strategic Partnership Board and Youth Offending Service Management Board.
- 27. The governance arrangements are further supported by the requirement for the safeguarding partners to publish the local safeguarding arrangements and to report at least once in every 12-month period setting out what has been done as a result of the arrangements, including child safeguarding practice reviews, and how effective these arrangements have been in practice.”

Proposed Multi-agency Safeguarding Arrangements for Leicestershire and Rutland from September 2019

- 28. The new arrangements will cover the local authority areas of Leicestershire and Rutland; the statutory safeguarding partners being Leicestershire County Council, Rutland Council, the East Leicestershire and Rutland CCG, the West Leicestershire CCG and Leicestershire Police.
- 29. Leicester City will have a separate Safeguarding Partnership for Children, however both partnerships will be supported by a number of joint meetings across Leicester, Leicestershire and Rutland.

30. The proposed partnership structure is outlined in the following diagram, along with a brief description of each group:-



Key:

LLR - Leicester, Leicestershire and Rutland

LR - Leicestershire and Rutland

Leicestershire and Rutland Safeguarding Children Partnership (LRSCP)

31. The LRSCP will be the strategic leadership group. It will consist of Director-level representatives from the five statutory safeguarding partner organisations. Other organisations will be invited to attend as appropriate. The LRSCP will be chaired by the Independent Advisor. In the first year the partnership will meet quarterly - July, Sept, Dec, March following which the meeting frequency will be reviewed.

Planning and Delivery Group

32. The Group will run across LLR where possible and replace the current Joint Executives (Leicester, Leicestershire and Rutland Joint Executive Group and the Leicestershire and Rutland Executive Group)
33. The Group will co-ordinate the business of the LRSCP and ensure the delivery of the business plan. Membership of this group will be based on the existing LRLSCB Executive Group but must include Assistant Director level representation, Heads of Safeguarding or Safeguarding leads from statutory partners, and chairs of sub-groups. Others will be invited as necessary. The group would be chaired by an independent advisor or senior statutory partner.
34. The Group, and notably the Chair, will have a significant workload including ensuring delivery of the LRSCP business plan, commissioning/managing sub-groups, and scrutinising assurance reports and new policy. It will report directly to the LRSCP.
35. This will require further refinement and development to ensure it is able to deliver the range and volume of activity and replace the need for a separate effectiveness group. The details of this will be completed by September 2019 in partnership with Leicester City.

Young People Advisory Group

36. This will comprise around a dozen members, with flexibility to allow new representatives to join. The group would work with the Planning and Delivery Group to ensure the views of young people help shape the LRSCP's priorities, and to give feedback on its work. The group will formally lead a session of the LRSCP once each year and will have a standing item on the agenda of the other meetings should it wish to contribute.

Policy and Procedures Group

37. This group will consist of officers from across the safeguarding partnership, including representatives of the five statutory partners, and would continue to be run as a joint group with Leicester. It will report to the Planning and Delivery Group and will operate as now and be joint with Leicester City. Clearly the next year will require significant additional time and input to ensure all procedures are compliant with the new legislation in WT 2018. Responsibility for the review and evaluation of the threshold document will be held by the Policy and Procedures Group.

Multi Agency Learning and Development Group (Leicestershire, Rutland and Leicester)

38. The LRSCP will carry out a Training Needs Analysis each year (as is done at present by the LRLSCB) to identify what training is required locally. This will be informed by partnership priorities, the outcome of reviews and audits, and other local/national issues.

39. Training – both face-to-face and online – will be commissioned based on this for the year ahead with a margin of flexibility built in to address any emerging priorities and issues.
40. This will be co-ordinated by the multi-agency learning and development group run jointly with Leicester.

Case Review Group (CRG)

41. The Case Review Group (CRG) will consider referrals for local Safeguarding Practice Reviews and receive notifications and referrals; ensure rapid reviews are undertaken and reports are prepared to be sent to the National Child Safeguarding Practice Review Panel. The group will commission reviews and consider and disseminate learning from reviews, audits and inspections (local, other local authorities and national).
42. This group is already in place and work to achieve a common process and alignment with Leicester City is underway. This will continue in the new arrangements through the Case Review Group. WT 2018 requires that there should be independent scrutiny of the arrangements to identify and review serious child safeguarding cases. This will be provided by the independent advisor.
43. Initially the Chair will be the local authority lead from the Safeguarding Partners with responsibility for notifications to the national Child Safeguarding Practice Review Panel. Membership will consist of safeguarding leads from all partner agencies.

Child Death Review Panel

44. The responsibility for ensuring child death reviews are carried out is held by 'child death review partners,' who, in relation to a local authority area in England, are defined as the local authority for that area and any clinical commissioning groups operating in the local authority area. The new Safeguarding Partnership will need to maintain a link with CDRP to enable reciprocal reporting of any safeguarding concerns. This can be provided by the Directors of Public Health.
45. This is an existing Panel arrangements for which will remain unchanged. Arrangements will continue to be run jointly with Leicester.

Multi Agency Audit

46. This group will focus activity and emphasis on quality assurance of frontline services through multi-agency thematic audits. The group will provide constructive challenge and gather views of multi-agency practitioners to test assurance reports from statutory partners.
47. Terms of reference for each group will be developed through an iterative

process with members of current groups and the LRLSC Partnership and will be in place when the new partnership comes into force on 29 September 2019.

48. The statutory partners from the LRLSCP will continue to meet with the safeguarding partners for the Leicester City area for a leadership discussion to include sharing intelligence, reviewing key priorities and strategic commissioning.
49. In addition to the above structure, task and finish groups will be commissioned as necessary on specific themes in line with in-year priorities and where possible on an Leicester, Leicestershire and Rutland basis. These arrangements will be commissioned and managed by the Planning and Delivery Group.

Safeguarding Assurance Framework

50. The Partnership will receive assurance from the statutory partners and seek assurance of safeguarding arrangements and practice from a range of named relevant partners including:
 - i. District Councils
 - ii. Early Years Settings and Schools (including independent schools, free schools and academies)
 - iii. Voluntary and community sector
 - iv. Health providers
 - v. Private sector children's services providers, including children's residential homes.
51. As outlined above the current Leicestershire and Rutland (LR) and Leicester, Leicestershire and Rutland Executives with a single Leicester, Leicestershire and Rutland Planning and Delivery Group and replace the need for the additional meeting of the Safeguarding Effectiveness Group with direct assurance reporting by agencies to the new partnership. The diagram below shows the outline of the framework for safeguarding assurance.



52. At the heart of this Framework are two simple questions:

- i. Are we improving our ability to keep children safe and how do we know?
- ii. How much did we do? How well did we do it? and what difference did it make?

Accessing Services and Help - Threshold Document

53. Children's needs should be determined by a robust assessment which should inform the proportionate service response. Clear thresholds and processes, together with a common understanding of them across local partners, will help to ensure that appropriate referrals for support are made. Such a common understanding can only continue to improve the effectiveness of joint work, and lead to better outcomes for children and families.

54. Working Together 2018 requires that the safeguarding partners publish a threshold document, which sets out the local criteria for action in a way that is transparent, accessible and easily understood and, as such, enables practitioners to identify the right support for the right child at the right time. The Threshold Document for Leicestershire and Rutland has already been agreed by the safeguarding partners and is in place and has been published on the Local Safeguarding Children's Board website.

Inter-Board Partnership Arrangements

55. The Safeguarding Children Partnership will have key links with, provide information to and seek relevant assurances through the following partnership boards:

- i. Strategic Partnership Board and associated sub groups (including the Vulnerability Executive that leads the strategic overview and delivery of the Leicester, Leicestershire and Rutland response to the exploitation of children);
- ii. Youth Offending Service Management Board;
- iii. Leicestershire Health and Well Being Board;
- iv. Rutland Health and Well Being Board;
- v. Leicestershire Children and Family Partnership;
- vi. Rutland Children's Trust;
- vii. Leicestershire and Rutland Safeguarding Adults Board;
- viii. Leicestershire Safer Communities Strategy Board;
- ix. Rutland Community Safety Partnership;
- x. Child Death Review Panel (Leicester, Leicestershire and Rutland).

Independent Scrutiny of the new Partnership

56. The published arrangements will include the plans for independent scrutiny. Working Together 2018 requires that safeguarding partners ensure that the scrutiny is objective, acts as a constructive critical friend and promotes reflection to drive continuous improvement.
57. The role of independent scrutiny is to provide assurance in judging the effectiveness of multi-agency arrangements to safeguard and promote the welfare of all children in a local area, including arrangements to identify and review serious child safeguarding cases.
58. The overall scrutiny of the safeguarding arrangements will be provided by the partnership though the scrutiny of the safeguarding partners assurance reports.
59. From September 2019, the new arrangements propose that the current Independent Chair model be adapted to become an Independent Advisor which will provide part of the independent scrutiny function including advising on decisions relating to local practice reviews and notifications to national bodies.
60. The Lead Member for Children's Services (LMCS) in local authorities holds key political accountability for ensuring that the needs of all children and young people, including the most disadvantaged and vulnerable and their families and carers, are addressed. In doing so, they will work closely with other local partners to improve the outcomes and well-being of children and young people.
61. The Lead Members for Children's Services in Leicestershire and Rutland will therefore attend the Leicestershire and Rutland Children's Safeguarding Partnership, as in the former arrangements, in a participant observer role to maintain their independence to facilitate this.
62. The option of commissioning peer reviews of the arrangements in place remains open and will form part of the independent scrutiny options.

63. The option of independent scrutiny to support any dispute resolution process is also part of the current procedure and where the statutory partners cannot come to a unanimous agreement then the advice of the independent advisor should be sought and in coming to a final decision, the response to that advice should be transparent. Each statutory partner retains their own access to legal advice.
64. There is a statutory requirement for the partnership to publish a report every 12 months. This will set out what has been done by the Partnership to safeguard children and young people during the previous year and how effective the partnership arrangements have been. This will be independently scrutinised.

Overview and Scrutiny Comments

65. The new arrangements for the Children's Safeguarding Partnership were considered by the Children and Families Overview and Scrutiny Committee at its meeting on 5 March 2019. The Committee was supportive of the new arrangements and asked for an update on progress within the first year of operation.

Equality and Human Rights Implications

66. The new safeguarding arrangements will support vulnerable children and young people from across all communities in Leicestershire. The new arrangements are responsible for ensuring that service responses are fair, equitable to all and that children are safe. This report does not highlight any specific equal opportunities implications therefore an EHRIA screening has not been undertaken.

Background Papers

Working Together to Safeguard Children 2018: <https://bit.ly/2GK6UHA>