



CHILDREN AND FAMILIES OVERVIEW AND SCRUTINY
COMMITTEE – 5th March 2019

LEICESTERSHIRE'S NEW SAFEGUARDING ARRANGEMENTS 2019

REPORT OF THE
DIRECTOR OF CHILDREN AND FAMILY SERVICES

Purpose of the Report

1. The purpose of this report is to set out the proposals for the new multi-agency safeguarding arrangements, which are required by The Children and Social Work Act 2017 and statutory Working Together 2018, to replace the current Leicestershire and Rutland Local Safeguarding Children Board (LRLSCB) by September 2019.

Policy Framework and Previous Decisions

2. 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, regardless of where they are found; 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.
3. These duties placed on the local authority can only 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 three safeguarding partners who 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.
4. The Children Act 2004, as amended by the Children and Social Work Act 2017, strengthens this already important relationship by placing new duties on key agencies in a local area. Specifically the police, clinical commissioning groups and the local authority are under a duty to make arrangements to work together, with other partners locally, to safeguard and promote the welfare of all children in their area.
5. Working Together 2018 sets out the purpose of the new arrangements and the requirements to be met by the new arrangements.

Background

6. Working Together 2018 guidance covers the legislative requirements placed on individual services and sets out a framework for the three local safeguarding partners to make arrangements to work together to safeguard and promote the welfare of local children including identifying and responding to their needs.
7. 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:
 - (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
8. To fulfil this role, the three safeguarding partners must set out how they will work together 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.
9. Once agreed, local safeguarding arrangements must be published and implemented by September 2019. 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.
10. The purpose of these local arrangements is to support and enable local organisations and agencies to work together in a 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.

Leicestershire and Rutland Arrangements

Accountability and Governance

11. 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 three safeguarding partners plays an

active role. A desired objective of the new arrangements is for a leaner system that avoids duplication, has a multi-agency focus, reduces meeting time and ensures a focus on quality and impact on multi-agency practice in frontline services.

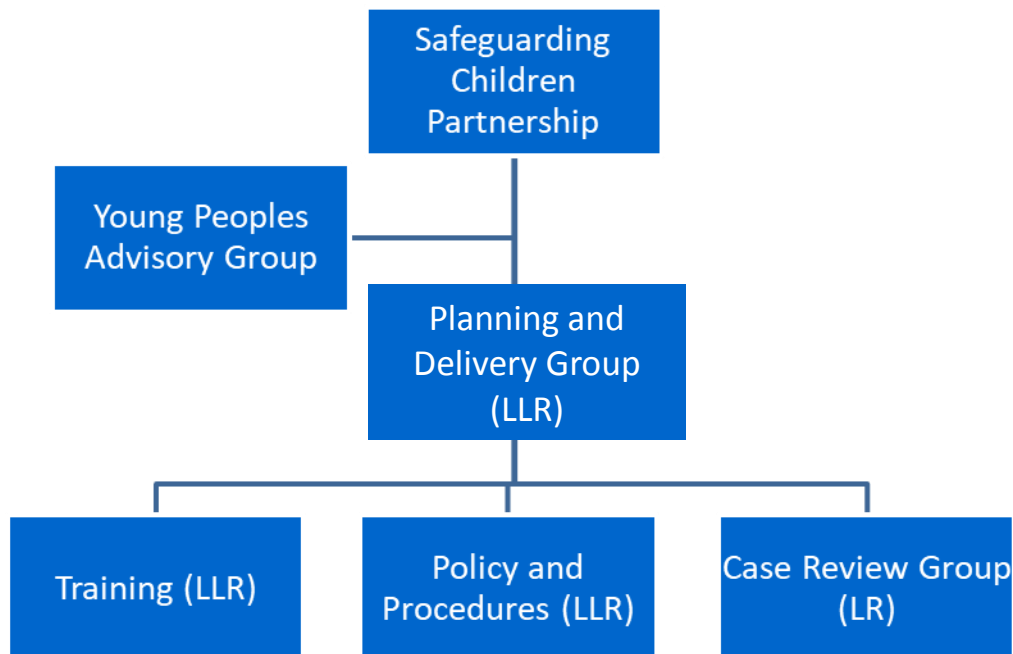
12. Clear governance is essential, ensuring that where other Boards or bodies have lead accountability for key areas of work, the multi-agency safeguarding arrangements do not duplicate that work, but offer a critical friend role, advocating the safeguarding needs of children.
13. To be effective, these arrangements should link to other strategic partnership work happening locally to support children and families.
14. The LRLSCB was judged to be 'Good' by Ofsted in the 2017 inspection and therefore any changes should enhance the effectiveness and efficiency of the arrangements.

Principles

15. The following key principles underpin the proposals for the new multi-agency safeguarding arrangements. There should be:
 - clear governance and leadership - the lead representatives for safeguarding partners named in Working Together 2018 are the local authority chief executive, the accountable officer of a clinical commissioning group, and a chief officer of police. All three safeguarding partners have equal and joint responsibility for local safeguarding arrangements
 - a sharpened focus on a small number of critical identified priorities that maximise the effectiveness of the partnership arrangements
 - appropriate scrutiny of multi-agency frontline practice and evidence of the impact of lessons learned from audits and reviews
 - clarity of accountability and expected contributions of agencies to the arrangements
 - effective processes to ensure statutory requirements for the consideration of serious incident notifications, rapid reviews and case reviews, including arrangements for funding of these
 - improved efficiency – a reduction in the duplication of reporting and demand for meeting time
 - clearly defined business support functions with capacity to adequately support the arrangements
 - transparent budget agreements between the statutory partners
 - a published description of how independent scrutiny of the arrangements will be ensured
 - consistency and alignment across Leicester, Leicestershire and Rutland where possible

- links to other structures across Leicester, Leicestershire and Rutland.

Proposed multi agency safeguarding arrangements partnership structure from September 2019



Proposed groups in the new safeguarding arrangements

16. The Leicestershire and Rutland Safeguarding Children Partnership (LRSCP) will replace the Leicestershire and Rutland Local Safeguarding Children's Board and will:
- Drive the safeguarding children agenda forward and facilitate links with other strategic groups.
 - Set the strategic direction for multi-agency safeguarding arrangements across the partnership.
 - Approve the business plan and annual report
 - Set the budget
 - Commission annual oversight and independent scrutiny of safeguarding children arrangements.
 - Receive assurance reports from the Planning and Delivery group *by exception*.
 - Determine the need for involvement of relevant agencies in the arrangements as set out in the regulations.

17. The Partnership will act as a strategic leadership group, as set out in Chapter 3, paragraph 6 of Working Together 2018 and paragraph 12, which states “all three partners have equal and joint responsibility for local safeguarding arrangements”. The Partnership will also ensure that other local area leaders, including Lead Members for Children’s Services and the Police and Crime Commissioner, promote these arrangements. (Working Together 2018 Chapter 1, paragraph 18.)
18. The Lead Member for Children’s Services (LMCS) in local authorities has 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, the LMCS will work closely with other local partners to improve the outcomes and well-being of children and young people. The Lead Members for Children’s Services for Leicestershire and Rutland will therefore attend the Partnership, as in the former arrangements, in a participating observer role. This will enable them to maintain their independence as well as having oversight.
19. Membership of the Partnership will be Director level representatives of the five statutory safeguarding partner organisations covering Leicestershire and Rutland (Leicestershire County Council, Rutland County Council, Leicestershire Police, West Leicestershire CCG and East Leicestershire and Rutland CCG), supported by their nominated operational leads, who will also provide the link to the Planning and Delivery Group as core members of that group. Others will be invited to attend when appropriate.
20. The Partnership will meet quarterly and the chair will be the Independent Advisor.
21. The Planning and Delivery Group will replace the current joint executive across LLR and will:
 - Co-ordinate the business of the LRSCP and ensure the delivery of the business plan.
 - Operate across LLR where possible
 - Commission and manage the business of the sub-groups.
 - Receive and scrutinise performance assurance reports from the local authorities, Police and CCGs to the Partnership on an exception basis and recommend action to address these. It will receive assurance reports from the statutory partners that explain the performance management systems in use and update any changes annually. This will require statutory partners to be transparent in sharing their self-assessed areas for improvement.
 - Receive qualitative information and commission action to respond to areas for improvement arising from multi agency case audits, organisational audits and any audits of safeguarding standards.

- Scrutinise and sign off new guidance, policies and protocols on behalf of the Partnership and refer to the Partnership any continuing areas where agreement cannot be reached.
 - Support and meet with the Young People's Advisory Group to ensure the views of young people are considered when identifying priorities, business planning and needs analysis and that young people are influencing the broader work of the Partnership.
 - Commission and receive advice and information from reference groups.
 - Oversee developments in the LRSCP Learning and Development needs analysis and offer.
 - Set the agenda for the LRSCP meetings.
22. Membership of the Planning and Delivery Group will be based on the current Executive Group but must include Assistant Director level roles and Heads of Safeguarding or Safeguarding leads of statutory partners, plus any sub-group chairs not already attending. Other partner agency representatives relevant to the safeguarding children agenda will be invited when appropriate. The Group will meet five times a year and be chaired by the Independent Advisor or a Senior Statutory Partner.
23. Where required, task and finish groups on specific themes will be commissioned in line with the in-year priorities of the Safeguarding Children Partnership. These will be commissioned and managed through the Planning and Delivery Group, and where possible will be undertaken on an LLR basis.

Safeguarding Assurance

24. In addition to seeking safeguarding assurance from the safeguarding partners, the Partnership will also seek assurance of safeguarding arrangements and practice from a range of named relevant agencies including:-
- District Councils
 - Early years settings, schools and other education providers
 - Voluntary Sector
 - Health Providers
 - Private sector children's services providers
 - Youth custody and residential homes
25. Further work will be undertaken, led by the current Independent Chair of the LRLSCB to develop a process and model of how assurance will be sought and how it will be collated and reported.

Partnership arrangements

26. The Safeguarding Children Partnership will have key links with and provide information through the following partnership boards:-

- Strategic Partnership Board and associated sub groups (including the Vulnerability Executive that leads the strategic overview and delivery of the LLR response to the exploitation of children)
- Leicestershire Health and Wellbeing Board
- Rutland Health and Wellbeing Board
- Leicestershire Children and Family Partnership
- Rutland Children's Trust
- Leicestershire and Rutland Safeguarding Adults Board
- Leicestershire Safer Communities Strategy Board
- Rutland Community Safety Partnership
- Child Death Review Panel (LLR)

Independent Scrutiny

27. Working Together 2018 requires that there is independent scrutiny of the arrangements that provides assurance in judging the effectiveness of the multi-agency arrangements, including arrangements to identify and review serious child safeguarding cases.
28. From September 2019, the new arrangements propose that the current Independent Chair model will be adapted to become an Independent Advisor and this will provide part of the independent scrutiny function.
29. Between April and September 2019, the Independent Chair will engage with partners to clearly define the elements of independent scrutiny in the new arrangements.

Children and Families Overview and Scrutiny Committee

30. The Children and Families Overview and Scrutiny Committee currently receives an annual business plan for the LRLSCB as well as reports on a range of issues relating to safeguarding. As part of the new arrangements, the Committee will receive an annual report that sets out what has been done as a result of the arrangements and how effective these arrangements have been in practice.

Leicestershire & Rutland Safeguarding Children Board Priorities to September 2019

31. The LRLSCB normally sets an annual business plan incorporating priority areas for safeguarding development and improvement. The LSCBs priorities for 2018-19 are:
 - Partnership Transition
 - Multiple Risk Factors
 - Safeguarding Children – Access to Services
 - Child Exploitation - (Child Sexual Exploitation, Trafficking, Missing and Gangs)
 - Safeguarding Children with Disabilities

32. The LSCB has identified that there is further work to carry out on some of its current priorities beyond the end of March 2019. As the new Safeguarding Children Partnership will be in place from September 2019 the LSCB will continue work on its current priorities, rather than develop a new business plan for the period April-September 2019. Priorities for safeguarding children for September 2019 onwards will be identified as part of the development of the Safeguarding Children Partnership.
33. Specific actions for the current LSCB priorities for the period April to September 2019 are being finalised and will be agreed at the LRLSCB meeting on 26th March 2019. These will include:
- Launch of updated partnership thresholds for safeguarding children;
 - Finalising procedures and training updates regarding Children with Disabilities and;
 - Development and monitoring of the pathway to multi agency services in response to Child Criminal Exploitation.

Resource Implications

34. The safeguarding partners will need to agree the level of funding secured from each partner, and this should be equitable and proportionate, and any contributions from each relevant agency should support the local arrangements. 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.
35. The budget to support the arrangements for 2019/20 has still to be agreed. The development of the budget will be in two parts. Firstly, the core budget to support the arrangements and secondly a formal agreement between the statutory partners on funding future case reviews.
36. The 2020/21 budget onward will be agreed by partners as part of the development of the operational arrangements to support the Board.

Timetable for Decisions

37. 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:
- March- May 2019 - development of governance and processes for the new safeguarding arrangements
 - June 2019 - arrangements published
 - September 2019 - arrangements commence
 - September/December 2019 - first meeting of the Safeguarding Children Partnership

Conclusions

38. The Committee is asked to note the current position with the new multi-agency safeguarding arrangements for Leicestershire and Rutland

Background Papers

Working Together 2018

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/729914/Working Together to Safeguard Children-2018.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/729914/Working_Together_to_Safeguard_Children-2018.pdf)

Circulation under the Local Issues Alert Procedure

None

Relevant Impact Assessments

Equality and Human Rights Implications

39. 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.

Officers to contact

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