

New Safeguarding Partnership Arrangements in Herefordshire

May 2019

1. Background

2. The Children Act 2004 gave lead responsibility for arrangements to safeguard and promote the welfare of children in a local area to the chief executive of the council, working alongside the lead cabinet member and director of children's services. Specified organisations and agencies were required to work together with the council to achieve this. Responsibility for coordinating and ensuring the effectiveness of such services sat with the Local Safeguarding Children Board (LSCB), chaired by an independent person and working directly to the council chief executive.
3. The Children and Social Work Act 2017 changed this arrangement, and placed **a shared and equal duty** upon three 'safeguarding partners' who have to make arrangements to work together with relevant agencies to safeguard and promote the welfare of all children in a local area. Local Safeguarding Children's Boards are no longer required in their current form, and are to be replaced by more flexible arrangements determined locally.
4. The three safeguarding partners are:
 - the council;
 - a clinical commissioning group (CCG) for an area any part of which falls within the council area; and
 - the chief officer of police for an area any part of which falls within the council area.
5. Under the new legislation, the safeguarding partners **must**:
 - Agree on ways to co-ordinate their safeguarding services;
 - Act as a strategic leadership group in supporting and engaging others;
 - Implement local and national learning from serious child safeguarding incidents.

To fulfil the above role the safeguarding partners must set out how they will work together and with any relevant agencies to safeguard and protect the welfare of children in the area.

6. The geographical footprint for the new arrangements is based on council areas. Every council, clinical commissioning group and police force must be covered by a local safeguarding arrangement. The local arrangements may cover more than one council area and where this is the case the respective safeguarding partners can agree to delegate their safeguarding partner duties to a single council/CCG/chief officer of police.

7. The 2017 Act has removed the requirement for each area to have an LSCB, together with an independent chair, but introduces a requirement for **independent scrutiny**, in order 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.
 8. Changes are also being made to the way in which Serious Case Reviews are commissioned and undertaken. To date, these have been agreed upon, commissioned and undertaken locally. New arrangements include the establishment of the Child Safeguarding Practice Review Panel which has its own statutory powers and decides whether to commission national reviews of child safeguarding cases. Decisions of the panel are based on identifying improvements from cases which are complex or of national importance.
 9. The Child Death Overview Process has also been reformed. The Child Death Review Process will move to the Department of Health (from the Department for Education) as the findings from Child Death Reviews nationally are predominantly health related. The Clinical Commissioning Groups (CCGs) and local authorities are the new Child Death Review (CDR) Partners. The CDR Partners can decide how to undertake Child Death Reviews in order to meet the statutory requirements under the Children Act 2004 (the Act) for reviewing all deaths of children.
- 10. New Safeguarding arrangements for each local area must be published by 29th June 2019 and become operational by 30th September 2019.**

2. What do the changes mean?

11. There are many similarities between the current functions carried out by the Herefordshire LSCB and the new safeguarding arrangements, and safeguarding partners have flexibility in many cases to determine how these arrangements will be made. These include:
 - defining how agencies will work together to improve outcomes for children and families
 - a requirement to undertake case reviews in certain circumstances,
 - scrutinising the effectiveness of arrangements
 - requiring others to provide them with relevant data to enable partners to fulfil their duties
 - using data to assess effectiveness
 - learning lessons
 - publication of an annual report
 - expectations around shared funding
 - agreeing how disputes will be resolved
12. Some of the more significant changes between the current arrangements and the new requirements include;

- broadening of responsibility to three safeguarding partners (as opposed to Council only led arrangements)
- the ceasing of Local Safeguarding Children's Boards (LSCBs) as they are currently
- local choice around which organisations should be included within the arrangements ('relevant agencies' selected from a national list of options rather than a defined list of LSCB members)
- flexibility over how independent scrutiny is built into the arrangements
- choice around geographic area and delegation of safeguarding partner responsibilities
- separation of the child death review function

13. The published arrangements for each local area must include:

- arrangements for commissioning and publication of local safeguarding practice reviews; and
- the arrangements for independent scrutiny of the effectiveness of the arrangements

14. They should also include:

- who the three local safeguarding partners are, especially if the arrangements cover more than one council area;
- geographical boundaries (especially if the arrangements extend or cut across the usual council boundaries);
- the relevant agencies the safeguarding partners will work with, why and how these agencies have been identified and how they will work together to improve outcomes for children and families;
- how all early year's settings and schools (including independent schools, academies and free schools) and other educational partners will be included in the safeguarding arrangements;
- how any youth custody and residential homes for children will be included in the safeguarding arrangements;
- how the safeguarding partners will use data and intelligence to assess the effectiveness of the help being provided to children and families, including early help;
- how inter-agency training will be commissioned, delivered and monitored for impact and how they will undertake any multi-agency and interagency audits;
- how the arrangements will be funded;
- the process for undertaking local child safeguarding practice learning reviews, setting out the process for embedding learning across organisations and agencies, and how any changes made will impact on outcomes for children and families;
- how the arrangements will include the voice of children and families; and
- how the threshold document setting out the local criteria for taking action and providing help aligns with the arrangements.

3. New Herefordshire Arrangements

15. In terms of the geography of the new arrangements, it has been agreed locally that the partnership will cover the footprint of the Herefordshire Council area. The ambition is to take this opportunity to not only to make the changes which the new Working Together guidance requires, but to seize the opportunity to make improvements to the arrangements in Herefordshire which will result in better frontline practice, involve children and young people and enable their views and experience to be heard and understood, and to more effectively engage practitioners.
16. Options for the new arrangements were considered by the safeguarding partners and a preferred option for further consultation was agreed. This is attached in Appendix 1. The partners also agreed to commission additional capacity to support a thorough consultation and development of the new model, and to assist with the project management of the transition to the new arrangements. Kathy O'Mahony, an independent consultant with good knowledge of Herefordshire, was appointed and commenced work in April.
17.
 - ✓ There was a clear mandate to further develop the model as proposed
 - ✓ There was wide consensus improvements could be made to the current LSCB arrangements and change was positive
 - ✓ Current LSCB arrangements could be improved upon through stronger challenge, more effective communication & engagement, improved leadership & support and better processes
 - ✓ The new arrangements offer a range of opportunities to improve strategic safeguarding arrangements, including putting quality and effectiveness so clearly at the heart of the arrangements, more generally reducing the potential for duplication and the overall streamlining of arrangements
 - ✓ Concerns focused on two main areas - that the new partnership dynamics may diminish the overall benefits of the wider partnership, and in the detail of how the work, particularly in current standing sub groups, will get done in the new model
 - ✓ The need to see schools well represented in the new model was widely agreed
18. The concerns are being borne in mind as the new arrangements take shape. The three key partners are clear that in developing new arrangements, they are creating conditions for effective safeguarding by the whole partnership but recognise this needs careful work and thought about wider engagement and participation. It will also be vital that those who become members of the boards are suitably skilled

and experienced and at the right level within their organisation to provide effective representation, and that attendance is reliable and consistent to ensure continuity.

19. Partners also recognise that it will be vital to ensure that strategic priorities are limited to those areas which must receive attention through these arrangements, and the annual plan which will be developed will help in determining this.
20. The working title for the new partnership arrangement is **Safeguarding Children and Young People in Herefordshire** and work is underway to develop terms of reference for each board. Agreement has been reached by the three key partners – the local authority, police and CCG, that the role of independent chair should be retained in the new arrangement. The partners will take responsibility for taking a lead role in the development and chairing of the subgroups.
21. **The Safeguarding Partners Board** will be a small and strategic group. It will be independently chaired to support **independent scrutiny** and oversight of the board. This board will provide the overall strategic direction for the development of safeguarding services for children and young people and will fulfil the functions of a safeguarding board as outlined above. This includes agreeing ways to co-ordinate safeguarding services, providing strategic leadership in supporting and engaging others, and implementation of local and national learning from serious child safeguarding incidents. Through the development, implementation and review of the annual business plan, this board will determine and review annual priorities. The decision makers will be the 3 key partners, and decisions have been made in terms of who will represent these organisations in these arrangements: The Director of Children’s Services (Council), The Head of Safeguarding & Designated Nurse for Safeguarding Adults and Children (CCG) and the Superintendent Policing Commander for Herefordshire Local Policing Area.
22. **The Quality and Effectiveness Group** will be a key partnership group, responsible for monitoring outcomes for children and providing oversight of performance and quality assurance processes, and measuring effectiveness of the overall safeguarding system in Herefordshire. This group will also be independently chaired which will enable and support the **independent scrutiny** of the new arrangements. This group will have wider membership from the partnership, will meet a minimum of quarterly, and will be responsible for:
 - Setting and implementing a performance management framework
 - Establishing a multi-agency data set
 - Establishing and implementing an audit process which will include a level of independent scrutiny
 - Ensuring case review findings are disseminated and implemented
 - Ensuring the child’s voice is heard and acted upon
23. There will be 3 subgroups. A **Learning from Cases Group**, which will be responsible for:

- considering any cases causing concern
- commissioning and overseeing reviews
- providing the quality and effectiveness group with review findings and action plans
- Agrees publication and dissemination of learning
- Oversees implementation of action plans

The membership and frequency of this group has yet to be agreed, but this will be determined as more detailed work gets underway through the development of the terms of reference.

24. A **Development and Practice Group** will be responsible for:

- Developing and overseeing the delivery of the partnership training programme
- Develop assurance systems to ensure that training is of high quality and meets the needs of the partnership
- Overseeing amendments to policies and procedures to ensure consistency of practice
- Developing and implementing engagement strategy with children and young people

This group will meet quarterly and will link to any regional arrangements either in place or contribute to the development of regional approaches to policies and procedures and learning. Further detail will be added as the terms of reference are developed.

25. **An Education sub group**, which is likely to take the form of the current Designated Safeguarding Leads group. The group itself would not need to change a great deal, but the intent is to strengthen the links to the strategic board to enable this group to have a strong influence on the quality and effectiveness of safeguarding arrangements for children and young people.

All subgroups will be responsible for providing assurance to the Partners Board, and should flag any risks/issues to them also.

26. **The Safeguarding Children's Summit** will be created. This is a new forum that will enable the widest engagement of partners, practitioners and those who represent the voices of children, young people and their families. The summit will evolve in discussion and consultation with partners, practitioners and service user forums. They will take place ahead of the partners board meetings so that learning from the summit can influence that board. The summit will ensure:

- Dissemination of local learning and best practice
- Dissemination of local challenges
- Identification of multi-agency working issues and potential resolution
- Two-way communication between leaders and practitioners, service users and decision makers

The frequency has yet to be finalised but is likely to be twice a year. Again, further detail will be added as the terms of reference are developed.

27. It is further proposed that there will be a need across the year to convene short life **task and finish groups** to tackle specific issues identified by the board or the sub groups. There have been precedents to this which have been highlighted during the consultation as working well.
28. In terms of the changes to **CDOP** arrangements, the geographical and population 'footprint' of Child Death Review Partners has been locally agreed. The CDR Partners for Herefordshire and Worcestershire will form a joint Child Death Overview Panel which will review all child deaths in those areas. Herefordshire currently review 10 deaths and Worcestershire 35 deaths per year on average. In addition, there will be West Mercia wide Themed Reviews based on emerging findings from the Herefordshire and Worcestershire Child Death Overview Panel; in conjunction with CDR Partners from Shropshire, Telford and Wrekin.

4. Next Steps

29. As outlined in this paper, there has been wide support for the Herefordshire proposals to date and work is progressing with the safeguarding partners and the wider partnership to develop the arrangements in more detail and to develop a transition plan to support the move to the new arrangements. Next steps include:
- Terms of reference – these have been drafted for the board and subgroups and further work is now underway to develop them further with involvement of partners and the business unit.
 - A transition plan has been drafted and the business unit will assist in the development of a more detailed transition plan. Current board arrangements will cease to exist in their current form by the end of August. The work of the board will be marked and celebrated in July.
 - The proposals will be signed off by the 3 strategic safeguarding partners and taken through the governance arrangements in the Local Authority, Police and CCG between May and June.
 - Once the arrangements have been finalised the paper required by the DfE will be completed and formatted for publication.

5. Recommendations

1. The chief executive of Herefordshire Council notes the national changes to the governance of children's safeguarding arrangements and what that is required as a result.
2. The chief executive of Herefordshire Council approves the outline proposals as set out in this report, in terms of Herefordshire's response to the changes resulting in the dissolution of the Herefordshire Safeguarding Children's Board and its sub groups, to be replaced by the new arrangements outlined above.
3. The Council amends the Constitution to reflect that the safeguarding children partnership arrangements will no longer be known locally as Herefordshire Safeguarding Children's Board (the local LSCB as referred to above) and will be known in future as Herefordshire Safer Children & Young People Partnership

Kathy O'Mahony
KEOM Consulting
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