

EXECUTIVE BOARD DECISION



REPORT OF: Executive Member for Children, Young People and Education

LEAD OFFICERS: Director of Children's Services & Education

DATE: Thursday, 11 April 2019

PORTFOLIO(S) AFFECTED: Children's Services

WARD/S AFFECTED: (All Wards);

KEY DECISION: Y

SUBJECT:

Local Safeguarding Children Board Reforms

1. EXECUTIVE SUMMARY

This briefing paper sets out the recommended option for the replacement of the Local Safeguarding Children's Board (LSCB) to comply with the new area children's safeguarding arrangements. This is being presented to the three Lancashire Councils, (Blackburn with Darwen, Lancashire and Blackpool) the Executive bodies of the Clinical Commissioning Groups (CCGs) and the Police.

The Council and its partners in safeguarding are required to publish their plans for the new arrangements by 29th June 2019 and have the new arrangements implemented by 29th September 2019 in order to comply with the provisions of the Children Act 2004 (as amended by the Children Social Work Act 2017).

2. RECOMMENDATIONS

That the Executive Board:

Approves the formation of the Blackpool, Blackburn with Darwen and Lancashire Safeguarding Children Strategic Partnership Board which has been agreed in principle with safeguarding partner agencies.

In Blackburn with Darwen the business unit covering both the children and adult safeguarding boards has been one unit since 2009. In order to continue the efficiencies realised, the Executive Board are asked to approve the new arrangements for the children board subject to the same adult board arrangements being agreed.

3. BACKGROUND

Under the Children Act 2004, as amended by the Children and Social Work Act 2017, Local Safeguarding Children Boards (LSCBs) will be replaced. Under the new legislation, three agencies are identified as key safeguarding partners (Local Authorities, Chief Officers of Police and Clinical Commissioning Groups (CCGs)) and must make arrangements to work together with relevant agencies (as they consider appropriate) to safeguard and protect the welfare of children in the area.

Also under the new guidance, two agencies (Local Authorities and Clinical Commissioning Groups) are identified as the child death review partners and must set up child death review arrangements. These will remain as the Child Death Overview Panels but with no formal link to the new safeguarding arrangements.

The current Serious Case Review arrangements will be replaced by Child Safeguarding Practice Reviews, which may be conducted at a local or national level. The National Child Safeguarding Practice Review Panel was established on 29th June 2018 and transitional guidance has been published setting out the responsibility of safeguarding partners when a serious incident occurs from that date onwards. This arrangement will remain until such time as the new safeguarding arrangements are implemented locally.

[Working Together to Safeguard Children](#) (July 2018), sets out the statutory guidance to which all new safeguarding arrangements must adhere. This guidance sets out specific detail of the functions to be carried out by new arrangements. Chief Officers/Executives of the new statutory partners (or their nominees) have reviewed these proposals and make the proposal outlined below to establish effective new arrangements and ensure specific compliance with the responsibilities set out in these guidance documents.

Under the guidance it is permissible for the new arrangements to cover more than one local authority area, police force and/or CCG. This report sets out proposals for the three Local Safeguarding Children Boards in Blackpool, Blackburn with Darwen and Lancashire to be replaced by new arrangements that will cover all areas. It is proposed that the new arrangements are called the Blackpool, Blackburn with Darwen and Lancashire Safeguarding Children Strategic Partnership Board.

Alongside the approval of the framework for the new arrangements by Blackpool, Blackburn with Darwen and Lancashire Councils full detailed arrangements for this partnership must also be endorsed by the governance boards of the CCGs, and by the police, as set out earlier in this report. Following agreement, arrangements for internal partnership governance and the business support functions will be completed by the chief officers of each of the named safeguarding partners as required.

To inform these proposals, representatives from each council and representatives from other safeguarding partners have been in discussions by way of a working group. Other partners have been kept informed that discussions were ongoing but they do not have a decision-making role in how the arrangements are established.

The working group has considered proposals set out in this paper for the new arrangements based on:

- The parameters set out by the Children and Social Work Act 2017 and Working Together to Safeguard Children 2018;
- Analysis of the effectiveness of outstanding Local Safeguarding Children Board functions reviewed by Ofsted;
- Analysis of published reports of Multi-Agency Joint Targeted Area Inspections; and
- Concerns from partner agencies about the current level of duplication and risk of inconsistent safeguarding responses present in the current LSCB arrangements.

4. KEY ISSUES & RISKS

There is a risk to child protection and safeguarding if the changes to these arrangements are not

made effectively and to the reputation of the council (including inspection grades, fulfilment of statutory duties of elected members and chief officers) if arrangements are not effective. The key issues to arrange are set out below.

1. Geographical Area

The Blackpool, Blackburn with Darwen and Lancashire Safeguarding Children Strategic Partnership Board will co-ordinate safeguarding services and act as a strategic leadership group across the unitary authorities and county. Activity by the partnership will include the identification of the needs of children and young people living in diverse urban and rural areas and ensuring that effective action is taken to safeguard them.

Driving forward effective local arrangements requires attention to the detail of what works and where improvement is needed. In order to achieve this level of detail across the diverse areas of need, the new arrangements will be supported by joint thematic sub groups and will include reporting and scrutiny of some key functions in particular geographical areas, or in themes, for example similar ward characteristics on deprivation.

The new arrangements will be subject to review and this will include analysis of future opportunities to build on existing practice which brings together a number of sub-groups where the effectiveness of the co-ordination and scrutiny of arrangements across the three geographical council areas can be sustained and improved.

The new arrangements will be supported by changes in the framework for health commissioning and greater collaboration of CCGs across the ICS area.

Each local authority will remain responsible for fulfilling its own statutory and legislative duties to safeguard and promote the welfare of children.

The District Councils will continue to have essential safeguarding responsibilities. In order to uphold their responsibilities for safeguarding, arrangements will be developed for the District Councils to actively participate in their existing joint arrangements to co-ordinate their safeguarding duties.

The statutory requirements do not allow for local authority boundaries to be split but every effort will be made to ensure a collaborative approach with the new arrangements established for Cumbria given the health boundary extends into South Cumbria.

2. Independent Scrutiny and Role of Elected and Lay Members

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 incidents and conduct child safeguarding practice reviews (previously known as serious case reviews).

It is proposed that there is ongoing independent scrutiny delivered through the role of an independent chair of the Strategic Board. A key feature of effective LSCBs, the role of the independent chair will provide the opportunity for scrutiny across the three local authority areas with demonstrable independence and a sufficient degree of authority to ensure that the agencies respond positively and work to address areas of weaker practice.

The revised guidance reflects the requirement that young people and members of the community have an increased role in shaping service development across all agencies and contributing to the scrutiny processes that hold agencies to account. This will require an increased focus within the new arrangements.

There is a requirement within the new arrangements to consider the part played by existing partners and designate those with a crucial role as “relevant agencies”. The recommendation is that considerable benefit has been derived from the breadth of the existing partnership and, while efficiencies can be gained by shared representation, a broad range of agencies should be nominated. It is also felt that there have been benefits from the presence of lead elected members and from lay members and that future arrangements should enable some continued involvement.

3. Strategic Board

Strong leadership is critical for the new arrangements to be effective in bringing together the various organisations and agencies within the partnership. The statutory safeguarding partners across Blackpool, Blackburn with Darwen and Lancashire have equal and joint responsibility for local safeguarding arrangements.

In order to ensure that the responsibilities of the partnership are being effectively discharged, it is proposed that the Strategic Board includes representation from the following (including all areas covered by the different organisations listed below):

- Director of Children’s Services & Lead Member Blackpool Council
- Director of Children’s Services & Lead Member Blackburn with Darwen Council
- Director of Children’s Services & Lead Member Lancashire County Council
- Director of Safeguarding NHS England on behalf of Pan Lancashire CCGs
- Superintendent, Public Protection Unit, Lancashire Constabulary
- Victims & Vulnerable Lead, Lancashire Police and Crime Commissioner
- Chief Officers of the other relevant agencies or their nominees.

The Strategic Board members will:

 speak with authority for the safeguarding partner they represent;

 take decisions on behalf of their organisation or agency and be empowered to commit them on policy, resourcing and practice matters;

 hold their own organisation or agency to account on how effectively they participate in and implement the local arrangements; and

 play an active role, facilitating and driving action beyond institutional constraints and boundaries.

In situations that require a clear, single point of leadership, all safeguarding partners will decide who would take the lead on issues that arise. The detailed governance arrangements will explicitly set out how this will be achieved, mindful of the ongoing responsibilities for each Director of Children’s Services for the safety of children in their area (as set out in section 18 of the Children Act 2004). The Chair of the Board will have a role as arbitrator if agreement cannot be reached.

The Strategic Board will:

- publish a plan setting out local arrangements and how they will be implemented and a Memorandum of Understanding to ensure that there are transparent governance arrangements and decision-making processes;
- ensure that the new arrangements are implemented within the prescribed timescales

and meet the requirements of national guidance;

- publish an annual report regarding the effectiveness of the implementation of the new arrangements, including the effectiveness of any sub groups;
- publish a business plan and drive forward improvements in local safeguarding arrangements across the area;
- present the report on the effectiveness of local safeguarding arrangements to other public boards including Health and Wellbeing Boards, Safeguarding Adult Boards, Channel Panels, Improvement Boards, Community Safety Partnerships, the Local Family Justice Board and Multi-Agency Public Protection Arrangements (MAPPAs);
- respond to recommendations from local and/or national child safeguarding practice reviews;
- drive forward learning and organisational development to improve safeguarding arrangements.

4. Support for the Strategic Board

The Strategic Board will establish its own arrangements within the available budget to co-ordinate the business plan and ensure delivery of the work of the Board to improve safeguarding arrangements and to inform the Strategic Board. This will be via the establishment of a single business unit, which will also continue to support the work of the Safeguarding Adult Board functions across the three LA areas.

5. Tactical and Operational Area Based Groups

It is suggested that the Strategic Board is supported by three tactical/operational area based groups reflecting the following three geographical areas:

- Blackpool and North Lancashire
- Central and South Lancashire
- Blackburn with Darwen and East Lancashire

This will ensure delivery of the Strategic Board objectives at a local level and ensure the Strategic Board's work is also informed by more local issues or concerns. The footprint of these groups will also enable current cross-boundary issues and inconsistencies to be more easily addressed.

6. Established Sub Groups

A number of the existing sub-groups will remain but be extended to cover the whole Pan-Lancashire footprint. Considerable efficiencies and economies will be achieved by doing things once rather than three times as is often currently the case. Other groups may be added as required and are likely to be on a task and finish basis rather than standing sub-groups.

7. Timescale for publication of the plan

Safeguarding partners have up to 29th June 2019 to agree their local arrangements and publish their arrangements but may do so at any time before the end of that period.

8. Implementation of the new arrangements

Following publication of arrangements, safeguarding partners have up to three months from the date of publication to implement the arrangements. The implementation date should be made clear in the published arrangements. All new local arrangements must have been implemented by 29th September 2019.

If the safeguarding partner arrangements are in place and ready to operate before the child death review partner arrangements for a local area, the safeguarding partners may begin work, without waiting for the child death review partner arrangements to begin.

Once the arrangements have been published and implemented, the three LSCBs in Blackpool, Blackburn with Darwen and Lancashire will cease to exist.

Consultations have taken place with key agencies as defined in the legal requirements and more broadly with existing members of the three LSCBs via their meetings.

5. POLICY IMPLICATIONS

As outlined in section 4

6. FINANCIAL IMPLICATIONS

The current budgets for the Boards are as set out in the budget for the three individual councils and the budgets of partner establishments. For Blackburn with Darwen the Safeguarding budget is a ring fenced budget within the Children's Services portfolio.

There may be efficiency savings going forward.

7. LEGAL IMPLICATIONS

The Council and its partners in safeguarding are required to publish their plans for the new arrangements by 29.06.2019 and have the new arrangements implemented by 29.09.2019 in order to comply with the provisions of the Children Act 2004 (as amended by the Children Social Work Act 2017).

8. RESOURCE IMPLICATIONS

As set out above

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision.

Option 3 In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision.

10. CONSULTATIONS

Consultations have taken place in 2018 with partner agencies of the LSCB. Further consultation will be completed with partners and the public once the proposals are agreed.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

VERSION	5.0
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DATE:	27 th March19
BACKGROUND PAPER:	