

NORTH LINCOLNSHIRE COUNCIL

CABINET

**WORKING TOGETHER TO SAFEGUARD CHILDREN
(H.M. GOVERNMENT, APRIL 2013)**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To provide Cabinet with an overview of the revised 'Working Together to Safeguard Children' (H.M. Government, April 2013).
- 1.2 To highlight the specific responsibilities and expectations placed upon the Council.

2. BACKGROUND INFORMATION

- 2.1 The new 'Working Together to Safeguard Children' (H.M. Government, April 2013) guidance (the guidance) came into effect on 15 April 2013. It streamlines previous guidance and clarifies the responsibilities of professionals towards safeguarding children, refocusing workers and managers away from processes towards the needs of the child.
- 2.2 The guidance reflects 'The Munro Review of Child Protection' and 'A child centred system: the government's response to the Munro review of child protection'. These documents highlight the need for a child-centred approach in which all professionals share a responsibility to work effectively with vulnerable families, as early as possible, to safeguard children and young people.
- 2.3 Section 11 of the Children Act (2004) places duties on a range of organisations and individuals to ensure their functions, and any services that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children. Various other statutory duties apply to other specific organisations working with children and families.
- 2.4 Key changes resulting from the guidance are summarised below, together with progress on implementation of new requirements. Where there are decisions that require the agreement of Cabinet or LSCB these are discussed in the following section 'Options for Consideration.'

2.5 Implications for Local Authorities:

- 2.5.1 Local authorities, with their partners, are required develop and publish local protocols for assessment. This should include assessment to provide early help to families where a child and family would benefit from coordinated early support.
- 2.5.2 **Chief Executive of the Council:** Every LSCB is required to have an independent chair. It is the responsibility of the Chief Executive to appoint or remove the LSCB Chair with the agreement of a panel. The Chief Executive, drawing on other LSCB partners and, where appropriate, the Lead Member will hold the Chair to account for the effective working of the LSCB.
- 2.5.3 **The Lead Member for Children:** The Lead Member for Children is required to be a participating observer of the LSCB. This function will enable the Lead Member to draw to the attention of the Chief Executive any concerns about the operation of the LSCB.
- 2.5.4 **Access to social work advice:** For an early help assessment to be effective a teacher, GP, health visitor, early years' worker or other professional should be able to discuss concerns they may have about a child and family with a social worker in the local authority. Within local authorities, children's social care should act as the principal point of contact for welfare concerns relating to children. Therefore, contact details should be signposted clearly so that children, parents and other family members are aware of who they can contact if they require advice and/or support.
- 2.5.5 **Timeliness of assessment and support:** Within one working day of a referral being received, a local authority social worker should make a decision about the type of response that is required and acknowledge receipt to the referrer. There will no longer be a requirement to conduct separate initial and core assessments but the maximum timeframe for the assessment to conclude, such that it is possible to reach a decision on next steps, should be no longer than 45 working days from the point of referral. Depending on the needs of the individual child, and the nature and level of any risk of harm faced by the child, the assessment may need to be done more quickly. Revised procedures are in place to ensure that all concerns are responded to within the new timescales.

2.6 Implications for Local Safeguarding Children Boards

- 2.6.1 **Local Safeguarding Children Boards (LSCB):** LSCBs are required to publish a threshold document that includes the process for the early help assessment and the type and level of early help services to be provided; and the criteria, including the level of need, for when a case should be referred to local authority children's social care for assessment and for statutory services under section 17 (child in need), section 47 (risk of significant harm), section 31 (care orders), section 20 (duty to accommodate) of the Children Act 1989. The North Lincolnshire 'Getting in Touch' guidance is being updated.
- 2.6.2 **LSCB Annual Review:** The Chair of the LSCB must publish an annual report on the effectiveness of child safeguarding and promoting the welfare of children in the local area.
- 2.6.3 **Learning and Improvement Framework:** LSCBs should maintain a local learning and improvement framework to be shared across local organisations who work with children and families. The framework should enable organisations to be clear about their responsibilities, to learn from experiences and improve services as a result.
- 2.6.4 **Serious Case Reviews and other learning reviews:** A national panel of independent experts on Serious Case Reviews will advise LSCBs about the initiation and publication of SCRs. LSCBs may use any learning model which is consistent with the principles in the guidance, including the systems methodology recommended by Professor Munro.
- 2.6.4.1 Learning Reviews following significant incidents should be conducted regularly, not only on those cases which meet statutory requirements but also on other cases which can provide valuable lessons about how organisations are working together to safeguard and promote the welfare of children. The different types of review include:
- Serious Case Review - where abuse or neglect is believed to be a factor (statutory requirement)
 - child death review - a review of all child deaths up to the age of 18 (statutory requirement)
 - review of a child protection incident which falls below the threshold for an SCR; and review or audit of practice in one or more agencies.

Although the review process must include appropriate representation from other organisations, and these organisations may be required to submit written information about their involvement with the child who is subject to the review, there is no longer any requirement for organisations to undertake Individual Management Reviews (IMRs).

- 2.6.4.2 Publication of SCRs: Final reports of SCRs findings must be published on the LSCB's website for a minimum of 12 months. The reports should provide a sound analysis of what happened in the case, and why, and what needs to happen in order to reduce the risk of recurrence; be written in plain English and in a way that can be easily understood by professionals and the public alike; and be suitable for publication without needing to be amended or redacted.
- 2.7 **Schools:** Local authorities are required to take reasonable steps to ensure that the LSCB includes representatives from all types of school in their area. Section 175 of the Education Act 2002 places a duty on local authorities (in relation to their education functions and governing bodies of maintained schools and further education institutions) to exercise their functions with a view to safeguarding and promoting the welfare of children. The same duty applies to independent schools (which include Academies and free schools) by virtue of regulations made under section 157 of the same Act.
- 2.8 **Health:** The NHS Commissioning Board will be responsible for ensuring that the health commissioning system as a whole is working effectively to safeguard and promote the welfare of children.
- 2.9 **Clinical Commissioning Groups** are responsible for safeguarding quality assurance through contractual arrangements with all provider organisations.
- 2.10 **NHS Providers:** All providers of NHS funded health services are required to identify a named doctor and a named nurse for safeguarding. Named professionals have a key role in promoting good professional practice within their organisation.
- 2.11 **Early Years providers** are required to ensure that staff complete safeguarding training that enables them to recognise signs of potential abuse and neglect and that there is a practitioner who is designated to take the lead responsibility for safeguarding within each early years setting.

2.12 **Adult Services:** Every assessment of an adult is required to consider if there are children in the family and if so any potential impact upon their welfare. Arrangements in North Lincolnshire are already in place and any specific issues that arise will be raised at the Adult Safeguarding Board.

3. OPTIONS FOR CONSIDERATION:

3.1 **Chief Executive of the Council:** It is proposed that the Chief Executive along with the agreed panel members from the LSCB appraises and confirms the position of the Independent LSCB Chair in North Lincolnshire. It is proposed that the panel consists of the LSCB representatives from the Police, the Clinical Commissioning Group and the Local Authority.

3.1.1 Arrangements are put in place for an annual review and appraisal by the Chief Executive, the panel and in consultation with the Lead Member. Thereafter, the appointment of the chair will be made upon a three yearly tendering process.

3.1.2 The LSCB will publicise guidance to enable all partner agencies and members of the public to communicate with the Chief Executive any concerns regarding performance of the Chair of the LSCB.

3.2 **Lead Member:** The Lead Member plays an important role in ensuring that safeguarding matters are considered by Elected Members, ensuring that vulnerable children remain a priority for the Council. The role of participating observer should therefore be recognised as a key role to enable Elected Members to continue to have a strong voice.

3.3 **Schools:** At present LSCB representation from schools consists of a nominated primary and a nominated secondary school head-teacher, who represents both local authority schools and academies. Currently there are no Free Schools in the area. Independent schools are not represented. Special schools are represented by the primary and secondary consortium representative.

3.4 **Clinical Commissioning Group:** The CCG requirements will be assured by the relevant Board member for the CCG who will assure that all contractual arrangements will be within the Health and Well being Board.

3.5 **Early Years:** Relevant agencies should ensure that any early years providers have access to the appropriate training to recognise the signs and symptoms of abuse. This is already an expectation with regard to North Lincolnshire.

3.6 LSCB:

3.6.1 Membership of LSCB: It is recommended that the LSCB review the membership of the Board and give consideration to Housing, Armed Forces and British Transport Police.

3.6.2 The LSCB Annual Review should be provided to the Chief Executive, Leader of the Council and local Police and Crime Commissioner and Chair of the Health and Well being Board.

3.6.3 Serious Case Reviews: The SCR subcommittee has adopted a learning review methodology and should assess whether we continue with this and it fulfils the new requirement's

4. ANALYSIS OF OPTIONS

4.1 The options identified above will form an action plan to ensure North Lincolnshire meets the expectations of the guidance.

5 RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

5.1 Any resource implications arising from the actions will be subject to a separate report.

6. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

6.1 The DfE has undertaken and published an Equality Analysis of the new guidance.

7. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

7.1 'Working Together to Safeguard Children' (H.M. Government, April 2013) is statutory guidance.

8. RECOMMENDATIONS

8.1 That Cabinet complies with and supports the implementation of the new statutory guidance 'Working Together to Safeguard Children' (H.M. Government, April 2013).

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Background Papers used in the preparation of this report: 'Working Together to Safeguard Children' (H.M. Government, April 2013).