

Report to: EXECUTIVE CABINET

Date: 25 July 2018

Executive Member/Reporting Officer: Councillor Oliver Ryan – Executive Member (Children and Families)
Gill Gibson – Director Of Safeguarding and Quality

Subject: BRIEFING REPORT ON FUTURE LOCAL SAFEGUARDING ARRANGEMENTS

Report Summary: The Department for Education has sought expressions of interest from local areas that wish to be considered as an early adopter of revised local safeguarding arrangements for children and to implement their new safeguarding arrangements at an earlier date. Tameside has applied to be considered as an early adopter and therefore has set out its safeguarding arrangements. This report sets out for consideration the proposed arrangements for safeguarding children in Tameside.

Recommendations: Executive Cabinet is asked to agree

- (i) That following agreement of proposed arrangements by statutory partners, the statutory partners have conducted wider engagements across all partners through a series of workshops, which elicited views on Partnership membership and sub group proposals, effective scrutiny and the chairing of local safeguarding arrangements. This report reflects the outcome of engagement and it is recommended that these proposals are adopted.
- (ii) That a review of the funding arrangements for the Children’s Safeguarding Executive is undertaken to ensure that statutory requirements are met.
- (iii) That following agreement by statutory partners and consultation and the publishing of Working Together, finalise safeguarding arrangements for Tameside for implementation in the autumn subject to approval by all relevant bodies.
- (iv) That each of the three statutory safeguarding partners will need to finalise arrangements for internal governance and oversight of the new local safeguarding arrangements; for Tameside MBC and the CCG it is proposed that this is fulfilled by the leads for the three partners reporting regularly to the Leader, Lead Member, Chief Executive and Chief Operating Officer, as well as reports to Cabinet or full Council as relevant;
- (v) That strategic co-ordination of the 4 people facing Boards – Safeguarding Children, Safeguarding Adults, Community Safety and Health & Wellbeing Board, through an agreed annual cycle of business planning, and joint programme of work where relevant, including shared Task & Finish Groups and data sets as follows:-
 - Common performance data set where relevant.
 - Quarterly meetings – Chairs included twice a year, otherwise Business Managers/Relevant Directors.

- Alignment of business planning process – to identify common priorities and co-ordinate, and ensure nothing falling between the gaps.
- Joint work plans where appropriate, including joint Policy Development Groups e.g. Complex Safeguarding

Links To The Corporate Plan: This report links with the deliverables of the Corporate Plan to ‘deliver new safeguarding children arrangements in line with The Children and Social Work Act 2017.

Financial Implications: There are no direct financial implications arising from the report at this stage.

(Authorised by the statutory Section 151 Officer & Chief Finance Officer)

Associated implications will be confirmed once the outcome of the funding arrangements review for the Children’s Safeguarding Executive (as stated in recommendation 3) is known.

Legal Implications:

(Authorised by the Borough Solicitor)

The Children and Social Work Act 2017 requires the Secretary of State to establish a Child Safeguarding Practice Review Panel to which the Local Authority must report known abuse or neglect where a child dies or is seriously injured in either the Local Authority’s area or outside England if the child is normally resident there.

Section 16E of the Act requires local arrangements by safeguarding partners to be made in order to ensure compliance with the above and to hold local child safeguarding practice reviews, and publish outcomes. Partners are defined as the Local Authority, the CCG and the Chief Officer of Police for that area. Relevant agencies must also be involved, and they are as specified in regulations or have extensive functions in the area in relation to children.

Members will need to satisfy themselves that the proposals put forward adequately cover the above legal requirements and are properly resourced, and that effective consultation has taken place.

Risk Management:

All risks will be managed during transition from old arrangements through to new arrangements by the relevant Executive Boards.

Access to Information:

The background papers relating to this report can be inspected by contacting Gill Gibson, Director, Quality and Safeguarding



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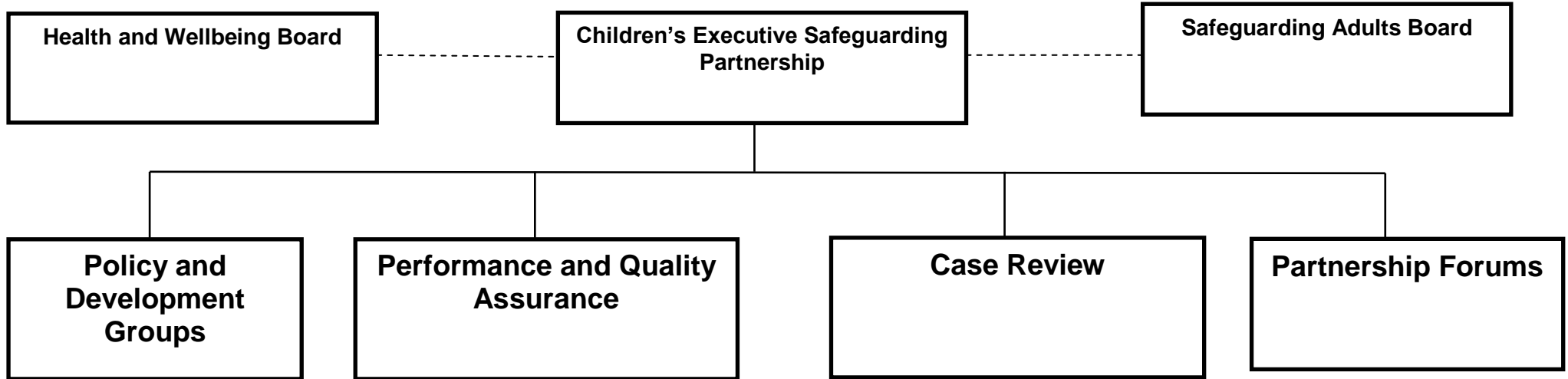
1 BACKGROUND/LEGISLATIVE CHANGE

- 1.1 The Children and Social Work Act (2017) set out provisions which will replace Local Safeguarding Children Boards (LSCB) with new flexible local safeguarding arrangements led by 3 safeguarding partners (local authorities, chief officers of police, and clinical commissioning groups), and places a duty on those partners to make arrangements to work together and with any relevant agencies for the purpose of safeguarding and promoting the welfare of children in their area.
- 1.2 Under the new legislation, the responsibility for Serious Case Reviews (SCRs) will also change. Responsibility for case reviews will move to a two tier system of national and local reviews. The National Child Safeguarding Practice Review Panel will commission and publish reviews of serious child safeguarding cases which it thinks raise issues that are complex or of national importance. Local safeguarding partners will still be required to complete local reviews where the partners believe there are lessons to be learned.
- 1.3 The Department for Education (DfE) expects the revised Working Together guidance to be enacted on 29 June 2018. Safeguarding partners will then have up to 29 June 2019 to publish their local arrangements and must notify the Secretary of State for Education when they have done so. Safeguarding partners will have up to end of September 2019 to implement their local safeguarding arrangements.
- 1.4 This report sets out for consideration the proposed arrangements for safeguarding children in Tameside, subject to the detail of the final published statutory guidance.

2 REPORT PURPOSE

- 2.1 The Department for Education has sought expressions of interest from local areas that wish to be considered as an early adopter of revised local safeguarding arrangements for children and to implement their new safeguarding arrangements at an earlier date. Tameside has applied to be considered as an early adopter and therefore has set out its safeguarding arrangements. This briefing paper sets out for consideration the proposed arrangements for safeguarding children in Tameside.
- 2.2 Taking into account the national and local picture the proposed safeguarding arrangements are developed with the following principles in mind:-
 - The rights and interests of children need to be at the heart of the arrangements.
 - The arrangements exist to improve outcomes for children and all measures of success should be toward that goal.
 - The responsibility for effective safeguarding lies with each partner agency, it does not lie with the Tameside Safeguarding Children's Board (TSCB) or with the future governance body for our local safeguarding arrangements. The TSCB and the future governance arrangements are responsible for holding each partner individually to account for their safeguarding work, which includes their responsibility for effective multi-agency working.
- 2.3 An Executive Group will carry out the primary function of holding each other and all relevant partners to account, and for developing the local arrangements which make clear the shared vision and objectives for Tameside's children. The need for improvement will be informed and driven by the input from service users and practitioners.

Proposed Safeguarding Arrangements for Tameside



3 PROPOSAL

3.1 It is proposed that a Children's Safeguarding Executive Partnership is established. The partnership would consist of the three statutory partners, Clinical Commissioning Group (CCG), Police and Local authority (LA). In addition, the statutory partners will invite the following agencies to be represented on the partnership:-

- Tameside & Glossop Integrated Care Foundation Trust
- Action Together
- Chair of Primary Heads
- Chair of Secondary Heads
- Core Partner – primacy of the Voice of the Child
- Pennine Care Foundation Trust

3.2 The remit of the partnership is to provide the strategic oversight and scrutiny of safeguarding children across Tameside by holding partners to account in the delivery of safeguarding priorities across the Borough. It is envisaged that the group would meet four times per year.

3.3 The Executive would reserve the right to invite other agencies to join the partnership.

3.4 To ensure the voice of children and young people are central to the new arrangements an independent children's advocate will be appointed to the Children's Executive Safeguarding Partnership to ensure primacy of the Voice of the Child. The advocate is there to ensure the Executive's business always maintains a primary focus upon children's experience.

3.5 The three statutory partners have agreed that the employment of an Independent Chair to oversee and provide independent scrutiny to the executive is essential to ensure transparency and facilitate collective decision making where differences of opinion may be apparent.

3.6 This arrangement will ensure Tameside Children's Safeguarding Executive is compliant with the draft Working Together which states:-

"In situations that require a clear, single point of leadership, all three safeguarding partners are responsible for determining who should take the lead on issues including implementation and compliance. Where there is failure to reach agreement, or where those providing independent scrutiny consider that the leadership arrangements are weak or malfunctioning, action should be taken to resolve the dispute. The escalation route for any dispute should be set out in the arrangements."

4 ESCALATION AND DISPUTE RESOLUTION

4.1 All agencies in Tameside remain subject to the Greater Manchester Safeguarding Procedures and its Resolving Professional Disagreements/Escalation Policy. This sets out the general principles of resolution as well as the specific processes to be followed. There will be no substantive differences to this policy, and the role of the LSCB will simply be taken up by the new Children's Safeguarding Executive Partnership.

4.2 When a disagreement arises between members of the Children's Safeguarding Executive Partnership, then the general principles of resolution will still apply, in particular:-

- Where the disagreement is between two agencies, then they should seek to meet and find a satisfactory resolution;

- Where the disagreement cannot be resolved, or involves a more complex set of partner agencies, then it will be for the full Children's Safeguarding Executive Partnership to seek a resolution;
 - Where necessary, the three statutory safeguarding partners have primacy in determining the resolution to a disagreement;
 - Where there is disagreement between the statutory safeguarding partners, then the Independent Chair of the Executive Partnership should be asked to mediate and negotiate a satisfactory solution
 - Where necessary, the statutory safeguarding partners may escalate to the Leader of the Council, the Chair of the CCG and the Chief Constable of GM Police; and in the final resort to the relevant Secretary of State.
- 4.3 Whistleblowing Procedures provide an additional important route for staff to raise concerns in a safe process that protects their position, if this is a concern. The Children's Safeguarding Executive Partnership will promote effective whistleblowing procedures within each agency in the borough.

5 INDEPENDENT SCRUTINY/PEER REVIEW

- 5.1 It is a condition of statutory safeguarding arrangements under the new legislation that there is independent scrutiny of both the safeguarding arrangements themselves and the effectiveness of those arrangements. The annual published report both needs to be subject to independent scrutiny and to set out what the arrangements for that scrutiny are.
- 5.2 The GM Children's Board and its Lead Members and Directors of Children's Services have agreed in principle that the new proposed Safeguarding Standards Board should provide a consistent model of independent scrutiny for all GM authorities and local safeguarding arrangements. It is planned that this will consist of sympathetic scrutiny of an agreed outcomes and performance data set; review of annual reports an annual programme of peer review along the lines developed by the local Government Association Programme; any other specifically required elements of independent scrutiny.
- 5.3 Stockport, as our strategic improvement partner, may be considered necessary to provide any additional independent scrutiny functions that may be required.
- 5.4 The three statutory partners will also be held to account by The Leader of the Council and the Executive Member for Children and Families bi-annually.

6 A NEW NEIGHBOURHOOD MODEL OF PARTNERSHIP ENGAGEMENT

- 6.1 It is proposed that safeguarding partnership workshops are established. The remit of these workshops would be to implement the children's safeguarding agenda and strategic plan. The workshops would require senior representation of each partner agency to ensure effective contribution and commitment. The workshops would have an operational remit in which to ensure that there is clear multi agency delivery of safeguarding duties within Tameside. That there is clarity on the implementation of statutory duties to all partners in their contribution to safeguarding and improving outcomes for children and young people. Partnership workshops would report to the Executive on the effectiveness of single and multi-agency work. Performance would be measured against a set of pre-determined outcome measures or service standards. The workshops also provide the opportunity for partners to feed up or escalate issues of concern to the Executive Partnership. The

Safeguarding Executive group would be the mechanism, by which the statutory partners receive assurance on safeguarding arrangements.

- 6.2 The model proposes that the partner agencies, take responsibility for leading, developing and delivering against the safeguarding aims and objectives. The detailed work on performance and quality improvements in operational safeguarding arrangements will be fulfilled by either existing partnership groups, or task and finish group arrangements. It is essential that the views and wishes of children and young people are central to informing the work of all these groups. We need to ensure that the safeguarding partnership is informed by the views of children. The Children's Safeguarding Executive will hold partners to account to ensure the views of children are embedded practice. The Executive will require partners to report on children and parents' views and feedback, and that they are changing practice as a consequence. The Executive will ensure that any detailed review of an area of need or service brings together service user feedback with performance data and quality audit findings – and that our culture will be to start discussions with the voices of children and families.

7 PROVISOS AND PARAMETERS

The proposed safeguarding arrangements outlined here assume the following key points.

- 7.1 That they are an outline of the proposed arrangements and offer a view on a streamlined structure. They do not include detail in relation to how the specific functions such as case reviews will be carried out, this will be further developed.
- 7.2 All three partners must be consulted on them and agree to them at their appropriate governance and accountability boards and the feedback from each partner will be valued and considered equally.
- 7.3 They are subject to change in line with amendments to the Working Together to Safeguard Children Guidance when published in spring 2018.
- 7.4 They will be independently scrutinised and challenged by the TSCB Independent Chair in early 2018.
- 7.5 All agencies in Tameside remain subject to the Greater Manchester safeguarding procedures including the resolving Professional Disagreement/Escalation Policy.

8 SUB GROUP ARRANGEMENTS

- 8.1 It is proposed that there are two standing sub groups that report into the Children's Safeguarding Executive Group, the Performance and Quality Assurance Group and the Case Review Group.

9 PERFORMANCE AND QUALITY ASSURANCE

- 9.1 This is where the Board's resources should be concentrated, to ensure that the Board has clear, accurate and detailed understanding of our safeguarding system, what is working well and what is not. The group will develop a fit for purpose quality and performance framework, and support partners in ensuring that reporting mechanisms are strong. The Board's personnel will bring research and best practice into this group to inform safeguarding arrangements in the borough. The group is not about building capacity to do partners' work for them but in bringing together intelligence to inform how the system is working.

- 9.2 It is important that we ensure all relevant agencies can demonstrate effective quality audit practice.

10 CASE REVIEW GROUP

- 10.1 Within the draft Working Together there is a significant shift away from automatic triggers for serious case reviews.
- 10.2 Safeguarding partners must make arrangements to identify serious child safeguarding cases which raise issues of importance in relation to the area, commission and oversee the review of those cases, where they consider it appropriate for a review to be undertaken. The purpose of a local child safeguarding practice review is to identify any improvements that should be made locally to safeguard and promote the welfare of children (both collectively and individually). This means that learning must be at the heart of all reviews and should seek to prevent or reduce the risk of recurrence of similar incidents.
- 10.3 The Case review group will be responsible for scrutinising cases of serious and significant concern and making recommendations to the executive group on those cases that either require referral to the national case review group or that a local review is commissioned. This group will then coordinate the local case review process and ensure lessons learned from both local and national reviews are implemented by agencies. Reporting through to the Executive group who will oversee the process and provide assurance to the safeguarding statutory members on implementation and completion of arising actions.

11 REMIT OF CHILDREN'S SAFEGUARDING EXECUTIVE IN TAMESIDE

- 11.1 It is proposed that safeguarding children's arrangements in Tameside cover the scrutiny of partners in their statutory duties in child protection, and early help as defined in Working Together. Therefore the focus of the partnerships scrutiny is around ensuring there are sound thresholds for intervention and that these are implemented in a consistent manner, and that there are effective pathways to ensure an early help response for children, young people and families. The review of Children's Governance and recommendations is being taken through the governance process for TMBC and then with partners and will make clear the proposed arrangements for the wide agenda of children's health and wellbeing and how this is synchronised with local safeguarding arrangements.

12 FURTHER CONSIDERATIONS / DEVELOPMENTS

Budget Review

- 12.1 A review of funding for the safeguarding children arrangements will be undertaken. The Children's Safeguarding Executive will specify required budget contributions from those it determines to be relevant agencies, on the basis that these will be equitable and proportionate.

Independent Scrutiny

- 12.2 There are three elements of the Children's Safeguarding Executive functions that will require Independent Scrutiny. The areas laid out below highlight the body that will carry out these functions:-

- Local arrangements – GM Standards Board
- Annual report – GM Standards Board
- Decisions on local case reviews – Chair of Tameside Children's Safeguarding Executive

- Whilst the GM Standards Board is in development, independent scrutiny will be provided by the current Independent Chair of Tameside Safeguarding Children's Board and Joint Improvement Partnership

A detailed proposal on how the Greater Manchester Safeguarding Standards Board will fulfil its scrutiny functions is in development.

Partnership Workshop Membership & Relevant Agencies

- 12.3 The Tameside Children's Safeguarding Executive will finalise list of relevant agencies in Tameside who will be required to co-operate, and who will sit on the safeguarding children's workshop group following consultation. These agencies must cooperate and are aware of specific expectations upon them. They should be consulted and they can be required to make an equitable financial constitution.

The following relevant partners will need to be considered:-

- Health – Designated Professionals
- Health Providers (ICFT, PCFT)
- All Schools (including academies and private schools)
- 3rd Sector
- Children's social care
- Probation
- Early Years providers

- 12.4 The Executives will make clear how information will be shared with relevant agencies and how the local arrangements will be aware of their practice and performance. The review of relevant agencies will be carried out annually.

13 ANNUAL REPORT ARRANGEMENTS

- 13.1 Revise Annual report arrangements to ensure focus is on the analysis of the strengths, weaknesses and effectiveness of safeguarding arrangements within the borough. This would be required at the end of each year in March.

14 CHILDREN'S GOVERNANCE

- 14.1 The Director of Children's services has reviewed Tameside governance arrangements regarding children's services with a particular focus on early help. The review of governance has culminated with proposals for a Starting Well Board as a sub-group of the Health & Wellbeing Board, taking responsibility for the wider agenda of children's needs and sharing dual reporting to and from the Neighbourhood Workshops/Forums.

15 RECOMMENDATIONS

- 15.1 As stated on the report cover