

GOVERNANCE ARRANGEMENTS

March 2006

Introduction

The Children Act 2004 requires each local authority which is a Children's Services Authority to establish a Local Safeguarding Children Board (LSCB). The Act specifies the functions of the Local Safeguarding Children's Boards and draft guidance is now available in [Working Together to Safeguard Children – Draft for public consultation](#)

This paper brings together proposals for the governance arrangement for the County Durham Local Safeguarding Children Board, developed as follows:

- Preliminary discussion at the LSCB development workshop that began on 13 December 2004;
- Completion of an Audit and Preparation Toolkit¹ by all agencies;
- Working group collated the audit findings;
- Initial proposals presented to the LSCB meeting on 8 July 2005;
- Further revision to produce this set of proposals.

Alongside the work to develop the LSCB, further work has been taken forward by the Every Child Matters in County Durham Implementation Team and consultation is currently underway on [Consultation on Functional Modelling - Discussion Paper Initial Modelling](#)

The following proposals cover:

- Accountability;
- Key purposes, functions and tasks;
- Core membership;
- Ensuring shared ownership and engagement.

¹ From ACPC to LSCB: An Audit and Preparation Toolkit revised April 2005. Developed by Tony Morris, Jan Hayworth and Dorothy Lewis April 2005.

Accountability Arrangements

- The LSCB will work alongside the Children and Young People's Executive Board and have responsibility for specific areas within the Every Child Matters outcome *staying safe*. These areas would include all safeguarding issues.
- The Children and Young People's Executive Board and the LSCB will robustly define safeguarding in the context of guidance in *Working Together*.
- There will be clear and explicit links to other appropriate groups in relation to other aspects of the *staying safe* outcome.
- The LSCB will be chaired by the Corporate Director of Children & Young People or their nominated representative.
- There will be formal accountability arrangements between the LSCB and all partner agencies.
- There will be explicit linkage with multi-agency public protection arrangements; domestic violence fora; crime and disorder reduction partnerships.

Key Purposes, Functions and Tasks

The key task of the LSCB is the safeguarding (protecting from harm) of children and young people contributing to the Every Child Matters outcome of *staying safe*. In turn this will contribute to the overall delivery of Every Child Matters within County Durham.

The following will be specific purposes, functions and tasks of the LSCB (in some cases subject to further national guidance):

1. Policies and procedures function

This general function has a number of specific applications set out in regulations.

- a) Developing policies and procedures for safeguarding and promoting the welfare of children in the area of the authority, including policies and procedures in relation to:**
 - (i) The action to be taken where there are concerns about a child's safety or welfare, including thresholds for intervention;**
 - (ii) Training of persons who work with children or in services affecting the safety and welfare of children**
 - (iii) Recruitment and supervision of persons who work with children**
 - (iv) Investigation of allegations concerning persons working with children**
 - (v) Safety and welfare of children who are privately fostered**

**(vi) Co-operation with neighbouring children's services authorities
(i.e. Local Authorities) and their Board partners**

2. Communicating and raising awareness function

- b) Communicating to persons and bodies in the area of the authority the need to safeguard and promote the welfare of children, raising their awareness of how this can best be done, and encouraging them to do so**

3. Monitoring and evaluation function

- c) Monitor and evaluate the effectiveness of what is done by the Local Authority and board partners individually and collectively to safeguard and promote the welfare of children and advise them on ways to improve**

4. Participating in the planning and commissioning

- d) Participating in the local planning and commissioning of children's services to ensure that they take safeguarding and promoting the welfare of children into account**

5. Serious case review function

- e) Undertake reviews of cases where a child has died or has been seriously harmed in circumstances where abuse or neglect is known or suspected and advising on lessons that can be learned**

6. Further functions relating to child deaths

From 1 April 2008 each LSCB will have the further functions set out in regulations relating to child deaths. They become compulsory on LSCBs by that date, but can be carried out by any LSCB from 1 April 2006.

- a) Putting in place procedures for ensuring that there is a co-ordinated response by the authority, their Board partners and other relevant persons to an unexpected death;**
- b) Collecting and analysing information about each death with a view to identifying:**
 - i) any matters of concern affecting the safety and welfare of children in the area of the authority, including any case giving rise to the need for a Serious Case Review;**
 - ii) any general public health or safety concern arising from deaths of such children.**

7. Other activities

An LSCB may also engage in any other activity that facilitates, or is conducive to, the achievement of its objective.

The LSCB will have a much clearer role in performance management of the safeguarding function of all partner agencies and separate proposals in relation to this performance management function have been developed.

Membership

The membership of the LSCB is defined by the Children Act 2004. Because of the size of County Durham and its two tier local authority structure, there are particular problems with this defined core membership. The following membership list highlights those areas where there is need for further debate:

Core Membership

- The Chair will be the Corporate Director of Children & Young People or their nominated deputy.
- The Children's Services Authority will be represented by Senior Managers.
- Durham Constabulary will be represented a Senior Manager.
- National Probation Service – Durham will be represented by a Senior Manager.
- The Strategic Health Authority will be represented by the Designated Nurse Child Protection who will also have a role in liaising with the PCTs.
- The PCTs will be represented by one or two members at Director level (to be determined by current discussions on PCT reconfiguration).
- County Durham and Darlington Acute Hospitals NHS Trust will be represented by the Designated Consultation Paediatrician.
- County Durham and Darlington Priority Services Trust will be represented by the Director of Adult Mental Health and Nursing Services.
- CAF/CASS (County Durham) will be represented the Service Manager for Public Law.
- The Prison Service will be represented by the Head of Resettlement of HMYOI Deebolt.
- The Governor of a secure training centre will be represented by the Director of Hassockfield Secure Training Centre.
- Connexions will be represented by the Executive Director for County Durham.
- The Youth Engagement Service will be represented by the Head of Youth Engagement Service County Durham.

- District and Borough Councils now have a safeguarding duty under the Children Act 2004.

LSCB may also include *representation from such other relevant persons or bodies as the authority by which it is established consider, after consulting their Board partners, should be represented on it.* It has been agreed that a member of Corporate and Legal Services be nominated as the Board's legal advisor. In addition to the above representation has been sought from:

- Voluntary and Community Sector will be represented by the Assistant Director Children North East 2006-07.
- Adult Social Care representative.
- NSPCC
- The Faith Community

LSCB Officers

- LSCB Business Manager.
- LSCB Admin Co-ordinator.
- LSCB Training Co-ordinator.
- LSCB Practice Improvement/Performance Manager.

In order for the LSCB to effectively discharge a remit which is considerably larger than that of the Area Child Protection Committee, it will be necessary to ensure consistent and senior membership of the LSCB. All members must therefore be at Director level or above, or in posts which (in relation to the safeguarding function) report directly to a Director level post. All LSCB members must have named deputies and attendance by either the identified member or deputy will be mandatory for all partner agencies.

Ensuring shared ownership and engagement

All partners within the LSCB are bound by a common duty to co-operate under the Children Act 2004.

A Memorandum of Understanding will be made between the Children's Services Authority and each partner agency which will include:

- Accountability for delivering the functions of the LSCB;
- Mandatory attendance at meetings by nominated members or deputies;
- Explicit agreement of business planning processes including the funding arrangements;
- Explicit agreement to agreed performance management arrangements;
- Explicit agreement to contribution to Annual Performance Assessment (APA) and other national monitoring arrangements.

April 2006

Working Together to Safeguarding Children – Draft for Public Consultation**Table: Bodies covered by key duties**

Body (in addition to LA's)	CA 2004 Section 10 (duty to co-operate)	CA 2004 Section 11 (duty to safeguard & promote welfare)	Ed Act 2002 Section 175 (duty to safeguard & promote welfare and regulations)	CA 2004 Section 13 (statutory partners in LSCBs)	CA 1989 Section 27 (help with children in need)	CA 1989 Section 47 (help with enquiries about significant harm)
District Councils	✓	✓		✓	✓	✓
Police Authority	✓	✓				
Chief Officer of Police	✓	✓		✓		
Local Probation Board	✓	✓		✓		
Youth Offending Team	✓	✓		✓		
Strategic Health Authority	✓	✓		✓	✓	✓
Primary Care Trust	✓	✓		✓	✓	✓
Connexions Service	✓	✓		✓		
Learning & Skills Council	✓					
Special Health Authority		✓ (as designated by the Secretary of State)			✓	✓
NHS Trust		✓		✓	✓	✓
NHS Foundation Trust		✓		✓	✓	✓
British Transport Police		✓				
Prison or Secure Training Centre		✓		✓ (which detains children)		

CAFCASS				✓		
Maintained Schools			✓			
FE Colleges			✓			
Independent Schools			✓			
Contracted Services	✓		✓			