



CABINET

12th June 2019

Subject Heading:

Approval of changes to Havering's Children's Safeguarding Partnership

Cabinet Member:

Councillor Robert Benham

SLT Lead:

Tim Aldridge Director Children's Services

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Policy context:

The safeguarding partnership has responsibility for developing policies and procedures for safeguarding and promoting the welfare of children in Havering.

Financial summary:

The proposed new arrangements will not exceed the cost of the current Local Safeguarding Board. It is envisaged that they will replicate the cost of the current arrangements in the first year. While there is potential for costs to reduce as economies of scale emerge, this is not a guaranteed outcome.

Is this a Key Decision?

This is a Key Decision on the grounds it has a significant effect on more than two wards; significant in that the new arrangements for safeguarding children propose a strategic partnership across a tri-borough footprint which affects all wards in the council.

When should this matter be reviewed?

September 2020

Reviewing OSC:

Children and Learning Overview and Scrutiny Sub-Committee

The subject matter of this report deals with the following Council Objectives

Communities making Havering
Places making Havering
Opportunities making Havering
Connections making Havering

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SUMMARY

Further to the Children & Social Work Act 2017 gaining royal assent and the publication of the Working Together guidance 2018, the three Local Authorities LB Havering, LB Barking & Dagenham and LB Redbridge, along with the Metropolitan Police East BCU and BHR Clinical Commissioning Group have been working together to develop a new safeguarding partnership across BHR. This arrangement is designed to ensure that all agencies collaborate across shared priorities, aligning processes and workforce development in an innovative response to the new guidance.

It is proposed that small, senior group of the statutory Safeguarding Partners will take responsibility in leading the safeguarding arrangements across BHR to develop cross borough approaches where appropriate while ensuring there is a robust focus on local safeguarding priorities. This group will provide challenge, oversight and guidance and ensure there is adequate independent scrutiny. The group will seek to resolve any inter- agency conflict that arise and will maintain an ongoing overview on the system as the changes embed

Each local authority area will construct an arrangement designed to meet local needs, with the core purpose of offering oversight and challenge to the local safeguarding system and ensuring that that work is done as effectively and safely as it can be.

The changes published in *Working Together to Safeguard Children* provide us with an opportunity to consider our options for consolidating our safeguarding partnership responsibilities with our neighbouring boroughs. There has been a great deal of organisational change across the partnership over the last few years, resulting in the police implementing a 'tri-borough' Borough Command Unit (BCU) and in addition, both BHRUT and the CCG already operate across the same footprint. As a local authority, we are already working (or exploring options for doing so) as a tri-borough in an increasing number of areas, including our Child Death Overview Panel, joint commissioning, and sector-led improvement for Children's Services. There is the prospect of replacing the LSCB with new, more flexible, local safeguarding arrangements which also aligns well with the Integrated Care Partnership approach.

Every Local Authority area is required to publish the plan for these new arrangements by the end of June 2019, and implement this new arrangement by September 2019.

RECOMMENDATIONS

Based on this report Cabinet is recommended:

- (i) Approve the principles and approach to the new safeguarding arrangements and child death reviews as set out in this report
- (ii) Agree to delegate to the Director of Children's Services, after consultation with the Cabinet Member for Education, Children & Families, the responsibility for finalising the plan for the new arrangements by 29th June 2019.
- (iii) Approve the arrangements for Independent Scrutiny set out at 3.1 below.

REPORT DETAIL

1. Outline of the Safeguarding Partnership Proposals for the area covering Havering, Barking and Dagenham and Redbridge ("BHR")

1.1 Following discussions between the relevant child safeguarding agencies in the BHR area proposals have been made for new arrangements in the light of the requirements to adopt new approaches contained in the Children and Social Work Act 2017.

1.2 The model is founded on the following seven principles:

1. A joint commitment to meet the needs of the most vulnerable children and young people in our communities will drive everything we do;
2. Where it is better for children, we will work across the wider footprint of the BHR health and care economy; where it is better we respond locally, then we will do so to ensure delivery of the safeguarding priorities for each individual borough;
3. As safeguarding partners we will strive to make joint decisions wherever possible, while also recognising the subsidiarity within the joint arrangements;
4. The core focus of this Plan is on our quality assurance and scrutiny functions. We will develop an approach that is characterised by reflective learning and appreciative inquiry;
5. We will use this Plan and future iterations of it to reduce duplication and repeated demands on those agencies that work across more than one local authority area;
6. As Safeguarding Partners we will take the lead responsibility for these arrangements. We will ensure that relevant local agencies are asked to contribute proportionately and in a focussed way to key, relevant priorities;

7. The structure designed to support our arrangements will flex and respond to meet need and circumstances: form will very clearly be driven by function

1.3 Staff in all agencies across BHR will follow the Pan-London Child Protection Procedures. These will continue to govern the operational delivery of safeguarding services to children and young people across our area.

2. Structure and Functions:

2.1 Safeguarding Leadership Group

There will be regular meetings of the statutory Safeguarding Partners – the DCS for each of the three boroughs; the East BCU Commander (Met Police) and the CCG's Chief Nurse. This small, senior group will take the appropriate level of responsibility in leading the safeguarding arrangements across BHR and in particular will:

- (a) Develop cross-borough responses where it makes sense so to do;
- (b) Ensure that local arrangements are focussed on local issues and that local learning is made available across the BHR area;
- (c) Identify themes and activities that require independent scrutiny, and commission scrutiny providers to provide challenge and guidance (see section on Independent Scrutiny);
- (d) Resolve any inter-agency conflict as might arise;
- (e) Maintain an ongoing overview of the new system as the changes begin to happen.

2.2 Local area Safeguarding Partnership Group

2.2.1 Each local authority area will construct an arrangement designed to meet local needs.

2.2.2 Each will have a core purpose of offering oversight and challenge to the local safeguarding system and ensuring that that work is done as effectively and safely as it can be. The current local proposals are:

2.2.3 Havering will retain a focussed group chaired by the Director of Children's Services, to work in conjunction with the BHR Partnership and provide overall strategic direction and governance for the safeguarding partnership within Havering. The Havering Safeguarding Partnership Group (HSPG) will develop and oversee the implementation of an annual work programme, identifying key priorities for the partnership, and agreeing objectives for the partnership and individual agencies. Providing leadership and oversight, the HSPG will ensure that the local partnership is effective and provides opportunity for the alignment of safeguarding priorities across agencies and in the wider community of Havering. It will be aligned with national and regional safeguarding work to ensure that local work both learns from and contributes to national best practice.

2.2.4 To facilitate effective scrutiny of interdependent work areas, four local thematic groups overseen by the HSPG are envisaged, each to be chaired by a member of the HSPG. The themes will be: Adolescent Safeguarding; Quality and Effectiveness; Schools and Learners; and Case Review Group. The HSPG will also develop Task and Finish Groups as required to examine areas of particular concern. Terms of reference will be drawn up for the HSPG, Task and Finish groups and thematic work groups to ensure clarity of purpose.

2.2.5 The Havering Safeguarding Partnership Group will liaise with and receive relevant reports from other local **Strategic Partnerships**, such as the **Health and Well-Being Board, Community Safety Partnership**, and the **Safeguarding Adults Board**. At times it will be appropriate to agree joint work with such partnerships.

3. Independent Scrutiny & Governance

3.1 The London Borough of Havering will commission an independent person with significant experience in the strategic co-ordination of multi-agency services to safeguard and promote the welfare of children to scrutinise the work of the HSPG through various mechanisms such as observation of processes, review of minutes, and evolving dialogue with stakeholders, particularly children, young people and their families. The independent person will be asked to comment on the partnership arrangements and to make recommendations for future scrutiny activity. The independent person will provide a report to Cabinet by June 2020 as to how the implementation has progressed with recommendations for frequency of reporting thereafter.

There will be bespoke training for Members to strengthen and inform the scrutiny and governance they bring to bear on the new arrangements at committee and Lead Member level.

3.2 The London Borough of Barking and Dagenham (LBB) will retain a smaller, more focussed group, chaired by their Director of Children's Services. (LBB intend to commission an individual approach to independent scrutiny).

3.3 The London Borough of Redbridge (LBR) will retain a multi-agency partnership, again smaller than currently exists and which will be chaired by an independent chair. LBR have indicated an interest in sharing independent scrutiny arrangements with LB Havering.

4. The Work Programme 2019-20

The BHR Safeguarding Partnership Group has identified three main goals for 2019-20:

4.1 Adolescents both at Risk and who present a Risk

Cabinet, 12 June 2019

- 4.1.1 There has already been a determination that the first major priority theme within these new safeguarding arrangements is that of, and which will need to cover issues associated with, gang membership and knife crime. This is a clear example of a current pressing issue, felt in all areas, where borough boundaries are irrelevant for both perpetrators and victims of harm and where all agencies have a contribution to make at some level.
- 4.1.2 There is a need to look at the development of a contextual safeguarding approach across the area and a need to actively engage with local communities and young people in seeking to improve responses and to keep more young people safe. The work will coincide with the first review being commissioned by the National Child Safeguarding Practice Panel, which is focussed on adolescents and criminal exploitation.
- 4.1.3 The task and finish group will be asked to review current practice, both strategically and operationally, identify areas of good and best practice that can be more widely adopted, examine the roles and contributions of the existing multi agency arrangements to address the needs of young people at risk.

4.2 Independent Scrutiny.

- 4.2.1 We are committed to the value independent scrutiny can bring to all of our safeguarding work. Holding a mirror up to that work is crucial to provide confidence that practices are as safe and effective as possible. We are committed to seeking challenge that is informed, expert (including expert by experience) and focussed on our overall commitment towards continual improvement.
- 4.2.2 There is a requirement under the new guidance to ensure that a mechanism for independent scrutiny of these Safeguarding Partnership Arrangements is in place.
- 4.2.3 Across BHR there needs to be a range of scrutiny processes in play so we can be assured that added value is being delivered, and we will develop a menu of scrutiny processes that will include:
 - Developing inter-borough peer review and challenge;
 - 1. Promoting the role of children, young people and families to actively engage in system challenge and scrutiny;
 - 2. Commissioning external challenge from experts who have a proven track record in the area under scrutiny;
 - 3. Consider the best way to ensure the “Voice of the Child” is captured in independent scrutiny arrangements.

4.3 Common Processes and Approaches

4.3.1 A number of functions and activities have been identified that could be more efficiently provided either once across the whole area or at least to common templates and processes. We will therefore commission another task and finish group to work on these, building on the best of the work already underway under the governance of the three respective LSCBs and bringing to a conclusion some good work that has already been initiated by those Boards. We have already constructed a response to the Child Death Overview Panel (CDOP) duties across our three areas and we want to extend and expand that approach as far as possible. In particular, we want this group to develop responses to the following, set out against the aspirations and commitments we have agreed for each of these areas of work:

4.3.2 Rapid Reviews

4.3.2.1 Aim: Compliance with the national requirement to complete rapid reviews within 15 working days; reviews that offer the necessary narrative and analysis that enables local partners and the National Safeguarding panel to make informed choices about the way(s) forward and the quick and effective dissemination of learning back into the system.

4.3.2.2 Given these are by definition, case specific, they will be carried out within the area of residence for the child/family involved. We will use our existing local arrangements for the conduct of Serious Case Reviews to conduct these reviews. However, we will develop a common template for all agencies who might be asked to contribute to such a review. The Safeguarding Partners will sign off any completed review and in particular ensure that any recommendations contained therein – whether to conduct a Local Safeguarding Review, whether to conduct any other form of local response; to recommend a national review or to not do any review of any description – are properly owned by the local system.

4.3.2.4 All rapid reviews, regardless of their proposed outcomes, will be tabled both within the local arrangements and with the tri-borough Safeguarding Partners' meeting – it is important that all are sighted on specific incidents of concern and abuse that trigger the rapid review threshold. Safeguarding Partners will want to identify any emerging themes, which might lend themselves to a thematic local child safeguarding practice review.

4.3.3 Local Child Safeguarding Practice Reviews

4.3.3.1 Aim: the completion of LCSP reviews that are short, focussed and reflective, enabling effective dissemination of learning across the system and that meet the standards set out in Working Together 2018 and are responsive to any future guidance from the National Panel.

4.3.3.2 These are child specific and will need to be commissioned and delivered within the relevant authority boundary. Completed reviews will be tabled both locally and across the wider area. In particular, the Safeguarding

Partners will want to maintain an oversight on emerging themes and risks and the production of a review in one area may result in a stocktake and diagnostic in the others.

4.3.4 Multi Agency Case Evaluations/Learning Reviews.

4.3.4.1 Aim: quality assuring safeguarding systems requires regular and challenging reviews of existing practice and service delivery. Our core focus is to enable reflective learning with a strong focus on 'what works'

4.3.4.2 In addition to the LCSP Reviews as required by Working Together, as Safeguarding Partners we are committed to developing a culture of learning and improvement across the whole area. Relevant staff across the three areas will come together to develop a shared programme of reviews across the local system, the outcomes of which will be shared across the whole area. They will identify an agreed methodology for these reviews with a particular focus on not just involving front-line practitioners but enabling them to conduct and lead on practice evaluations; and to identify examples of good effective safeguarding practice that can be reviewed and analysed and findings disseminated.

4.3.5 Agency Challenge

4.3.5.1 Aim: an assurance that all agencies are making their appropriate contribution to the safeguarding of vulnerable children and young people and are contributing as required to the local safeguarding system. Working Together 2018 is clear in setting out the crucial contribution to 'relevant agencies' especially but not solely schools, colleges, other education providers and early year's settings.

4.3.5.2 The Safeguarding Partners will no longer be subject to a Section 11 Children Act 2004 audit. Health providers should be enabled to rely on their reporting against their contracts as appropriate and cross-boundary agencies will only be asked to do a single return. We will develop a model of (section 11) assurance based on firstly, an agency specific clarity about exactly where their duties to safeguard children and young people lie, secondly an identification of what 'good' looks like in those areas.

4.3.6 Data Analysis and Challenge

4.3.6.1 Aim: we will establish a short focussed dataset designed to focus on the outcomes for children and young people across the system and that add value to our overall scrutiny work 4.3.6.2 As with our commitments around independent scrutiny, so our approach to the construction and purpose of a multi-agency dataset will be driven by the need to add value to work already underway across all partner agencies. We will develop data that focusses on outcomes rather than processes and seek to mirror the data analytical work undertaken within the Police. We will have both an area-wide and local data sets and intelligence gathered from them will be added

to that emerging from case and practice evaluations and from our scrutiny work to give a detailed overview into the quality of safeguarding practice in our area(s).

5 New Arrangements for Child Death Reviews

5.1 The Children Act 2004 introduced a requirement for local authorities in England to review the death of any child resident in their area.

5.2 Review¹ of the resulting Child Death Overview Panel (CDOP) process found that only a small proportion of child deaths were the result of neglect or abuse and these were reliably identified and investigated through parallel safeguarding procedures. The majority of modifiable factors associated with child deaths relate to sub-optimal clinical care or lifestyle and societal factors that might be amenable to more effective public health action.

5.3 This analysis informed changes introduced in the Children and Social Work Act 2017 and subsequent statutory guidance² which require: -

- a) Responsibility for child death review to shift from Local Safeguarding Children Boards (LSCBs) to a joint partnership of local authorities and clinical commissioning groups (CCGs), named Child Death Review Partners (CDRP)
- b) Arrangements to cover a minimum geographical footprint yielding sufficient deaths (estimated to be between 60 and 150 per annum) to identify local patterns in cause of death and underlying modifiable factors and monitor trends overtime.
- c) Every child death to be subject to a thorough mortality review led by clinicians in the acute hospital most involved in the care of that child
- d) Support to families affected by child death to be improved by :-
 - (i) identification of a key worker to support the family and help them understand the circumstances of the death
 - (ii) the offer of bereavement support, if needed, at an appropriate time.

5.4 As with other changes regarding children's safeguarding, CDRPs must publish their plans by 29th June and have until 29th September 2019 to meet the new statutory requirements.³

¹ Wood Report: Review of the role and functions of Local Safeguarding Children Boards DfE 2016
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/526329/Alan_Wood_review.pdf

² Child death review: statutory and operational guidance (England) DHSC 2018.
<https://www.gov.uk/government/publications/child-death-review-statutory-and-operational-guidance-england>

³ Working Together: transitional guidance DfE 2018
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/722306/Working_Together-transitional_guidance.pdf

5.5 There are on average around 60 deaths in the Barking Havering and Redbridge patch each year, of which 12 are in Havering. This is also the footprint of the developing Integrated Care System, which will provide the bulk of care for children and their families. Hence BHR CCGs and the three boroughs are currently working together to put in place new arrangements, with BHRUHT and NELFT, and other partners including the MPS, and the Coroner.

REASONS AND OPTIONS

6. Reasons for the decision:

6.1 The Children and Social Work Act 2017 received royal assent on 27th April 2017. Section 16E of the Act requires each Local Authority Area to establish local arrangements for safeguarding and promoting the welfare of children:

- The safeguarding partners for a local authority area in England must make arrangements for —
 - the safeguarding partners, and
 - any relevant agencies that they consider appropriate, to work together in exercising their functions, so far as the functions are exercised for the purpose of safeguarding and promoting the welfare of children in the area.
- The arrangements must include arrangements for the safeguarding partners to work together to identify and respond to the needs of children in the area.
- In this section “relevant agency”, in relation to a local authority area in England, means a person who—
 - is specified in regulations made by the Secretary of State, and
 - exercises functions in that area in relation to children;
- “safeguarding partner”, in relation to a local authority area in England, means—
 - the local authority;
 - a clinical commissioning group for an area any part of which falls within the local authority area;
 - the chief officer of police for a police area any part of which falls within the local authority area.”

6.2 Working Together 2018 guidance (chapter 3, paragraphs 6 & 9) states:

- The three safeguarding partners should agree on ways to co-ordinate their safeguarding services; act as a strategic leadership group in supporting and engaging others, and implement local and national learning including from serious child safeguarding incidents
- In order to work together effectively, the safeguarding partners with other local organisations and agencies should develop processes that:

- facilitate and drive beyond usual institutional agency constraints and boundaries
- ensure the effective protection of children is founded on practitioners developing lasting and trusting relationships with children and their families

6.3 Other options considered:

6.31 The option of maintaining the status quo has been considered and is not recommended as each local authority area is legally required to establish and publish new local arrangements.

6.32 The other option which could be considered is preserving the current geographical borough boundary for the new safeguarding arrangements. This has not been pursued due to the clear benefits of working together across a BHR footprint: borough boundaries are becoming less relevant in safeguarding work particularly in relation to adolescents; numerous shared priorities have been identified in the course of partnership working; and a desire to reduce the burden on the public purse resulting from duplication and repeated demands on those agencies that work across more than one local authority area. This proposed safeguarding partnership also aligns well with the Integrated Care Partnership approach.

IMPLICATIONS AND RISKS

7. Financial implications and risks

7.1 The cost of the new safeguarding arrangements will not exceed the existing costs for the Local Safeguarding Children Board (LSCB) and Local Safeguarding Adults Board (LSAB), and there are potential economies of scale which may be realised in subsequent years.

7.2 The costs of the new Safeguarding Partnership will be met from cost centre A39000. The Net budget for 2019/20 is £144,570, against which net expenditure is projected at £166,835 resulting in an overspend position for 19/20 of £22k, as follows:-

A39000	Revised Budget 18/19	Actual 18/19	Variance 18/19	Budget 19/20	Projected Cost 19/20	Projected Variance 19/20
Expenditure						
Employee Costs	123,460	151,391	+27,931	119,760	175,204	+55,444
Supplies and Services	89,170	69,398	-19,772	89,170	62,537	-26,633
Total Expenditure	212,630	220,790	+8,160	208,930	237,741	+28,811
Income						
Partner Agency Contributions	-64,360	-71,954	-7,594	-64,360	-70,906	-6,546
Total Income	-64,360	-71,954	-7,594	-64,360	-70,906	-6,546
Accrual Balance						
Mar-18	0	-74,500				
Mar-19	0	73,981				
Total Accrual	0	-519	-519	0	0	+0
Transfers from Reserve						
LBA Pay Protection	-190	-189	+1	0	0	+0
Total Transfer	-190	-189	+1			
Total Net Expenditure	148,080	148,128	+48	144,570	166,835	+22,265

7.3 However, this overspend can be offset against the £73,981 income balance that has been carried forward from 2017/18. Figures for partner agency contributions assume continuation of current levels including £28,706 from the Clinical Commissioning Group, £5000 from MOPAC and contributions from other partner agencies to a total £64,360.

7.4 The service has confirmed that the unspent income balance will be fully utilised in 2019/20 and 2020/21. It has been identified that this balance will be used to fund SARs and learning reviews and redevelopment of Board websites. To ensure maximum resources are available for these development areas, it is imperative that the service continues to ensure partner agency contributions are received in a timely manner. From 2020/21 onwards, costs are proposed to be met within the existing partner contributions.

7.5 The projected costs associated with the Safeguarding Partnership arrangements will need to be monitored as part of the monthly budget monitoring process, to ensure delivery against the existing budget.

8. Legal implications and risks:

8.1 Section 16 of the Children Act 2004 (as amended by the Children and Social Work Act 2017) requires the safeguarding partners and relevant

agencies to work together in exercising their functions in respect of safeguarding and promoting the welfare of children in the area.

8.2 The proposed arrangements must be published and must include scrutiny by an independent person of the effectiveness of the arrangements (section 16 G

8.3 The Working Together Transitional Guidance states that from 29 June 2018, local authority areas must begin their transition from LSCBs to safeguarding partner and child death review partner arrangements. The transition must be completed by 29 September 2019.

8.4 The proposed changes to local safeguarding arrangements and Child death overview panels should ensure that the Council and its partners comply with this legislation and statutory Guidance.

9. Human Resources implications and risks:

9.1 There are immediate implications for the role of the independent chair and implications for other roles may emerge as processes become aligned, but these will not occur in 2019/20. The partnership will carefully consider the implications for existing roles and be clear in terms of the staffing structure that is needed before and as this new arrangement embeds, as there may be staffing implications in the three boroughs which will require a formal consultation process and TUPE implications (as for example is the case with the changes to bring arrangements for Child Death Overview Panel to a tri borough footing).

10. Equalities implications and risks:

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) foster good relations between those who have protected characteristics and those who do not.

‘Protected characteristics’ are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

Exploitation of young people directly impacts on community cohesion and the general sense of wellbeing. Therefore, our work on adolescent safeguarding will be an integral component of our community cohesion agenda. An EIA has also been completed in relation to adolescent safeguarding

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants. An Equality and Health Impact Assessment is being completed.

BACKGROUND PAPERS

None.

Appendices:

Appendix 1: EqHIA on Changes to Havering Children's Safeguarding Partnership
May 2019

Documents of interest for information and reference:

Wood Report: review of the role and functions of Local Safeguarding Children Boards (March 2016)

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/526329/Alan_Wood_review.pdf

Children & Social Work Act 2017 Chapter 2

<https://www.legislation.gov.uk/ukpga/2017/16/contents>

Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children 2018

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/779401/Working_Together_to_Safeguard-Children.pdf

Working Together: transitional guidance: Statutory guidance for Local Safeguarding Children Boards, local authorities, safeguarding partners, child death review partners, and the Child Safeguarding Practice Review Panel (July 2018)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/722306/Working_Together-transitional_guidance.pdf

Child death review: statutory and operational guidance (England) DHSC 2018.

<https://www.gov.uk/government/publications/child-death-review-statutory-and-operational-guidance-england>