

**Luton**  
**Safeguarding**  
**Children**  
**Board**



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# **LSCB**

## **GOVERNANCE** **ARRANGEMENTS AND TERMS** **OF REFERENCE**

## Introduction

The Children Act 2004 placed a duty on local authorities and relevant agencies to cooperate “to safeguard and promote children’s well-being”.

Since 2006 it has been a statutory responsibility of the local authority to establish a LSCB in its area.

## Statutory Context

The statutory objectives and functions of Local Safeguarding Children Boards (LSCBs) are established in statute under Section 14 of the Children Act 2004.

Section 14 sets out the objectives as follows:

- a) To coordinate what is done by each person or body represented on the Board for the purpose of safeguarding and promoting the welfare of children in the area; and
- b) To ensure the effectiveness of what is done by such person or body for those purposes.

The Working Together (WT) Guidance to Safeguard Children was revised and came into effect from 15 April 2013. It replaces the Working Together to Safeguard Children (2010); The Framework for the Assessment of Children in Need and their Families (2000); and Statutory guidance on making arrangements to safeguard children under section 11 of the Children Act 2004

The WT 2013 Guidance covers;

- The legislative requirements and expectations on individual services to safeguard and promote the welfare of children; and
- A clear framework for the LSCB to monitor the effectiveness of local services.

The Working Together 2013 guidance should be read and followed by the Local Authority Chief Executives, Directors of Children’s Services, LSCB Chairs and senior managers within organisations who commission and provide services for children and families, including social workers and professionals from health services, adult services, the police, Academy Trusts, education and the voluntary and community sector who have contact with children and families.

## Functions of the LSCB

The LSCB is a statutory body, it requires strong working relationships with wider strategic partnerships, but needs to remain independent in order to exercise its unique statutory role effectively to:

- Assess the effectiveness of the help being provided to children and families, including early help;
- Assess whether LSCB partners are fulfilling their statutory obligations as detailed in the Working Together 2013 Guidance
- Quality assure practice, including through joint auditing of case files involving practitioners and identifying lessons to be learned; and

- Monitor and evaluate the effectiveness of training, including multi agency training, to safeguard and promote the welfare of children.

Regulation 5 of the Local Safeguarding Children Boards Regulations 2006 sets out specific functions for a LSCB as follows:

- Developing policy and procedures for safeguarding and promoting the welfare of children
- Communicating to persons and bodies in the area the need to safeguard and promote the welfare of children, raising the awareness of how this can best be done and encouraging them to do so
- Monitoring and evaluating the effectiveness of what is done by the authority and their Board partners individually and collectively to safeguard children and advising them on ways to improve
- Participating in the planning of services for children in the area; and
- Undertaking reviews of serious cases and advising the authority.

The LSCB should be consulted by relevant partnerships on all issues which affect how children are safeguarded and their welfare promoted.

## **Information Sharing**

'Working Together' (2013) stresses the importance of information sharing between professionals and local agencies to promote effective service provision. The LSCB will provide a strong role in supporting information sharing between and within organisations and addressing any barriers to information sharing.

The LSCB can require a person or body to comply with a request for information. This can only take place where the information is essential to carrying out LSCB statutory functions. Any requests for information about individuals must be 'necessary' and 'proportionate' to the reasons for the request. The LSCB should be mindful of the burden of requests and should explain why the information is needed (s8, Children, Schools and Families Act 2010).

## **Governance and Accountability**

### **Relationship between the Luton Safeguarding Children Board and the Safeguarding of Vulnerable Adults Board (SOVA)**

The safeguarding and wellbeing of vulnerable members of the community, whatever their age, is a shared responsibility. It is recognised by both the LSCB and SOVA that a commitment to a 'whole family' approach is essential in ensuring the safety and wellbeing of both adults and children.

The LSCB Independent Chair chairs both the SOVA and LSCB Boards in Luton.

### **Relationship with the Health & Social Care Review Group (LBC)**

The LSCB Independent Chair is invited to attend this group twice annually to provide an overview of safeguarding arrangements in Luton.

### **Relationship between the LSCB and the Bedfordshire Police & Crime Commissioner**

The Police and Crime Commissioner has a legal responsibility under section 1(8) (h) of the Police Reform and Social Responsibility Act 2011 to 'hold the chief constable to account for the exercise of duties in relation to the safeguarding of children and the promotion of child welfare that are imposed on the chief constable by sections 10 and 11 of the Children Act 2004.'

The LSCB will ensure that the annual report is submitted to the Police and Crime Commissioner and that he is able to meet with the Chair of the Board at least annually if requested.

### **The LSCB, Children's Trust Board and the Luton Health and Wellbeing Board**

The LSCB and the Children's Trust Board (CTB) link through the Independent Chair of the LSCB, who is a standing member of the CTB. The Director of Children's Services 'chairs' the CTB and is a member of the LSCB and provides a quarterly update to the LSCB on the work of the Children's Trust Board. Similarly, the LSCB Independent Chair (representing the LSCB) reports quarterly to the CTB on the work of the LSCB. As a standing member of the CTB, the LSCB Independent Chair can both influence and monitor progress against the priorities of the CTB.

The strategic relationship between the two Boards is in line with national guidance issued at the end of March 2010. In November 2010, the statutory requirements for CTBs were removed, permitting local areas to make arrangements to reflect local needs. In Luton, CTB partners agreed to continue with the current arrangements. The CTB reports to the Luton Health and Wellbeing Board (HWB) through the Director of Children's Services (DCS). Although, the LSCB Independent Chair is not a standing member of the HWB, he attends annually to present the LSCB Annual Report and can be co opted to attend as required.

### **Relationship between the Luton Safeguarding Children Board and the Local Family Justice Board**

'Working Together' (2013) states the LSCB, "should work with the Local Family Justice Board." In Luton, the LSCB Independent Chair is a member of the Luton Family Justice Board as is the LBC Legal representative who attends both LSCB and SCR group meetings.

### **Relationship with LBC Chief Executive Officer and Director of Children's Services (LBC)**

Under 'Working Together' (2013) guidance, it is the responsibility of the LA Chief Executive Officer to appoint or remove the LSCB Chair, with the agreement of a panel including LSCB partners and lay members. The Chief Executive, drawing on the LSCB partners and, where appropriate, the Lead Member will hold the Chair to account for the effective working of the LSCB. The LSCB Chair will work closely with all LSCB partners and particularly with the Director of Children's Services. The LSCB Independent Chair will be subject to an annual review of performance by LBCs Chief Executive.

In addition, the Independent Chair will attend bi-annual assurance meetings with the LA Chief Executive Officer and Leader of the Council.

### **The LSCB Learning and Improvement Framework**

[http://lutonlscb.org.uk/learning\\_2\\_3964945023.pdf](http://lutonlscb.org.uk/learning_2_3964945023.pdf)

Revised statutory guidance (WT 2013) states that LSCBs should maintain a local learning and improvement framework which is shared across local organisations who work with children and families. Each framework should support the work of the LSCB and their partners so that:

- Reviews are conducted regularly, not only on cases which meet statutory criteria, but also on cases which can provide useful insights into the way organisations are working together to safeguard and protect the welfare of children;
- Reviews look at what happened in a case, and why, and what action will be taken to learn from the review findings;
- Action results in lasting improvements to services which safeguard and promote the welfare of children and help protect them from harm; and
- There is transparency about the issues raising from individual cases and the actions which organisations are taking in response to them, including sharing the final reports of SCRs with the public

## **LSCB Annual Report and Business Planning**

The Apprenticeships, Skills, Children and Learning Act 2009 introduced a requirement for LSCB's to produce and publish an annual report on the effectiveness of safeguarding in the local area. The 'Working Together' (2013) guidance provides additional details regarding the content of this report - "This report should provide an assessment of the performance and effectiveness of the local service and arrangements to safeguard children, set against a comprehensive analysis of the local safeguarding context. It should recognise achievements and the progress that has been made in the local area, weaknesses, the causes of those weaknesses and the action being taken to address them, as well as providing a realistic assessment of the challenges that still remain. The report should demonstrate the extent to which functions of the LSCB are being effectively discharged."

The Annual Report should also list the contributions made to the LSCB by partner agencies and details of expenditure, including on Case Reviews and other specific expenditure such as training.

The Board will develop an annual Business Plan (and Audit programme) made available on the LSCB web site. Progress against identified objectives and strategic priorities detailed within the LSCB Business Plan will be monitored by the LSCB Business Manager and presented by exception reporting to the LSCB Executive group.

## **LSCB and sub group structure**

### **Frequency of LSCB Strategic Meetings**

The LSCB Strategic Board will meet Quarterly, with the opportunity to call extraordinary meetings, if required. The Chair or any member organisation can request such a meeting.

Any extraordinary meetings should normally be held within 28 days of the request being received by the Business Manager.

## Membership

The statutory organisations within the Borough of Luton are required to co-operate with Luton Borough Council in the establishment and operation of the LSCB and will have shared responsibility for the effective discharge of its functions. The following organisations are represented on the LSCB:

- Children and Learning Dept., LBC
- Housing & Community Living Dept., LBC
- Luton CCG
- Cambridgeshire Community Services
- NSPCC
- Designated Doctor
- Designated Nurse
- Luton & Dunstable NHS Hospital Trust,
- South Essex Partnership Trust (SEPT),
- Bedfordshire Police
- Bedfordshire & Luton Probation Trust
- Lead Member for Children's Services
- Luton Youth Offending Service
- Representation from the voluntary sector
- Two Head teachers representing Primary and Secondary schools
- Further Education Sector
- Two Lay members

While the LSCB has a role in co-ordinating and ensuring the effectiveness of local individuals' and organisations' work to safeguard and promote the welfare of children, it is not accountable for their operational work. Each Board partner retains their own existing lines of accountability for safeguarding and promoting the welfare of children by their services. The LSCB does not have a power to direct other organisations.

The Board will seek to work with and influence partners across the statutory, voluntary, private, and independent sectors.

If an agency/member is not represented at two consecutive Board or sub group meetings, a formal letter will be sent to the Lead Officer of the agency, from the Independent Chair.

The Board will have access to legal advice through a legal representative from LBC.

Each LSCB board member will attend an annual review with the Independent Chair .

## Role of the lead Member

The Lead Member for Children has delegated responsibility from LBC for children, local young people and families and is politically accountable for ensuring that the Local Authority fulfils its legal responsibilities for Safeguarding and promoting the welfare of Children and young people. The Lead Member provides political leadership for the effective coordination of work with other relevant agencies with safeguarding responsibilities. The Lead Member also must be satisfied that effective quality assurance systems for safeguarding are in place and functioning effectively.

The Lead Member should be a 'participant observer' of the LSCB. In practice, this means routinely attending meetings as an observer, receive written reports, engage in discussions but not be part of the decision making process. This will provide the Lead Member with the independence to challenge when necessary from a well informed position.

### Lay Members

The Apprenticeships, Skills, Children and Learning Act 2009 provided for the appointment of 2 representatives of the local community to each LSCB as lay members. Lay members should operate as full members of the LSCB, participating on the Board itself and on relevant sub groups. The role of the lay members includes:

- Supporting stronger public engagement in Luton child safety issues and contributing to an improved understanding of the LSCB's child protection work in the wider community; and
- Helping to make links between the LSCB and community.

### LSCB Board and sub group Member responsibilities

All members have the following responsibilities:

- to cascade information regarding decisions, procedures, policy and work plans of the Board and the sub groups and ensure appropriate staff at every level of the organisation have the appropriate information to carry out their duties in relation to safeguarding children. Board members and support staff are expected to carry out work as directed by the Board between meetings;
- to act as, or appoint, a strategic lead person to ensure that their organisation have robust and appropriate safeguarding policies including staff recruitment and selection, induction , training, appraisal and supervision;
- a duty to report to the Board issues of good and poor practice within their agencies;
- To identify a named deputy who will attend in the absence of the named member;
- To report to the Board any changes in structure of the agency or patterns of service delivery which may affect the delivery of multi agency safeguarding services and seek the Boards views in relation to these changes;
- To ensure the rules of confidentiality are kept in relation to the meetings and work of the Board;
- To attend a minimum of 75% of the Board meetings and if unable to attend shall nominate a representative of sufficient seniority to attend on their behalf;
- To ensure children and young people are placed at the centre of their work ;
- To ensure their agency delivers services in partnership with the children, young people, and families they are working with;

- Ensure their agency has a policy of inclusion for service delivery which reflects the community of Luton in terms of race, religion, gender, sexuality and disability;and
- Ensure the planning and delivery of safeguarding service will be informed by the involvement of service users, particularly children and young people.

Each Board or sub group member should have a nominated deputy to attend Board/sub group meetings in his/ her absence. Any deputy attending should have the necessary expertise to both represent their agency and understand the LSCB's priorities. substitution should only be used in response to exceptional circumstances. Agency attendance will be monitored and reported in the LSCB Annual report.

### **Chairing Arrangements**

The Luton Safeguarding Children Board has appointed an Independent Chair. This appointment will be reviewed on an annual basis.

The LSCB chair has a specific responsibility as detailed in Working Together 2013 to determine whether the criteria for a serious case review has been met.

The Vice Chair is appointed from within the LSCB membership and this appointment is reviewed on an annual basis.

The LSCB has appointed an Independent consultant to chair the SCR group.

### **Chairs Action and Decision making**

Decisions will be made by consensus wherever possible. Should a consensus not be reached, a vote may be called and the decision carried by the majority of those present and voting at the meeting. The Chair of the Board will have the casting vote where the vote is tied.

Issues requiring decisions by the Chair between meetings will be made by the Chair and ratified at the next meeting, unless it is felt that an extraordinary meeting is required. In the absence of the Chair such decisions will be made by the Vice Chair.

### **Resolution of issues**

Please see 'Resolution of Professional Disagreements relating to the safeguarding of children and escalation of Professional concerns.'

[http://bedfordscb.proceduresonline.com/chapters/p\\_reolution\\_disagree.html](http://bedfordscb.proceduresonline.com/chapters/p_reolution_disagree.html)

## **LSCB Structure**

The LSCB has established the following sub groups to carry out its functions. Each sub group has developed its own terms of reference, reviewed annually. Sub group and commissioned task and finish groups report quarterly to the LSCB via a collated report from the Chair of the Executive group.

### **Executive group (Bi monthly meetings)**

The role of the Executive group is to:

- To develop the LSCB Business plan for approval by the Strategic Board
- To monitor the implementation of the LSCB Business Plan and Audit Programme
- To identify national and local issues relevant to the responsibilities of the Board and progress as appropriate
- To commission additional work streams not previously included in the Business Plan
- To develop the LSCB meeting agenda on behalf of the LSCB Chair
- To review & monitor single and multi agency audit activity
- To review and manage the LSCB Risk log

### **Serious Case Review group (Quarterly meetings)**

The role of the SCR group is to:

- To consider cases notified to the LSCB and recommend to the LSCB Chair if SCR or another form of review is appropriate.
- To establish a process and common materials to be used when undertaking any serious case review.
- To appoint a SCR panel and oversee the conduct of serious case reviews as required.
- To implement the action plan agreed by the LSCB following serious case reviews and monitor the implementation of the action plan and to report the outcome to the LSCB via the executive
- To identify lessons that can be learnt from SCRs conducted by other LSCBs
- To identify lessons that can be learnt from national summaries of serious case reviews and other documents
- To maintain the capacity to conduct a SCR when it happens

It should be noted that the implementation of a serious case review is the decision of the LSCB chair in consultation with the Executive Chair following the recommendation of the Serious Case Review Independent chair. Where the LSCB chair makes a decision, which is contrary to the recommendation of the Serious Case Review chair, the reason for the decision should be made in writing and presented to the Board.

The LSCB SCR group will have regard to any advice provided by the National Panel of independent experts on:

- Application of the SCR criteria
- Appointment of reviewers
- Publication of SCR reports

### **Child Death Overview panel - Cross border group with Bedfordshire LSCBs (meets 6 weekly)**

Through a comprehensive and multidisciplinary review of child deaths, the Central Bedfordshire, Bedford Borough and Luton CDOP aims to better understand how and why

children in Central Bedfordshire, Bedford Borough and Luton die and use the findings to take action to prevent other deaths and improve the health and safety of children in the area.

It will collect and analyse information about each child death with a view to identifying:

- Any case giving rise to the need for a **serious case review or investigation as a serious incident**
- Any matters of concern affecting the **safety and welfare of children** in Central Bedfordshire, Bedford Borough and Luton
- Any **wider public health or safety concerns** arising from a particular death or from a pattern of deaths in that area
- How to support bereaved families

And

Put in place procedures for ensuring there is a coordinated response by Central Bedfordshire, Bedford Borough and Luton, the Board partners and other relevant persons to an unexpected death

### **CDOP Annual Report**

The LSCB receives a CDOP annual report presented to the LSCB by the CDOP Chair or CDOP Manager. The report is made available on the LSCB website.

### **Operational Problem Solving group (Bi monthly meetings)**

The objectives of the Operational Problem solving group are to:

- Ensure that local safeguarding practice is co-ordinated and standardised;
- Identify non-compliance with procedures and any unsafe practice and ensure action is taken to address this.
- Ensure appropriate local safeguarding protocols exist and are followed and commission new protocols as required.
- Highlight and disseminate incidences of practice excellence and promote these as learning opportunities.
- Bring to the attention of the LSCB any unresolved matters.
- Receive and review reports following partnership reviews or audits to determine what action should be taken in relation to the findings and recommendations and remit the final report and agreed action plan to the Executive Group
- To achieve all the objectives above; group members will raise operational issues that cannot be resolved through the escalation procedure.

### **LSCB Multi agency training function**

The LSCB Training function sits within the LBC Corporate Learning & Development Department and is managed under an annually reviewed SLA.

- Quarterly performance updates including training provision, budget expenditure and income generation are provided to the LSCB Executive group by the LSCB Training Manager who is a standing member
- A monitoring and evaluation report on the quality, scope, reach and effectiveness of both single and multi agency training will be provided for inclusion in the LSCB Annual Report annually.

### Budget and Resources

The Annual Report provides details of the LSCB income and expenditure budget. All LSCB member organisations have an obligation to provide LSCBs with reliable resources (including finance) to enable the LSCB to be strong and effective. Members should share the financial responsibility for the LSCB in such a way that a disproportionate burden does not fall on a small number of partner agencies.

The LSCB is supported by a Business Unit comprising:

- 1 WTE Business Manager
- 28 hours administrative support
  
- 0.6 Training Manager
- WTE Training Officer

*Please note: the LSCB Training Manager and Training Officer sit within LBC Corporate Learning & Development*