



City of Westminster

Westminster Health & Wellbeing Board

Date:	22 January 2015
Classification:	General Release
Title:	WORKING AGREEMENT BETWEEN THE LOCAL SAFEGUARDING CHILDREN BOARD AND HEALTH AND WELLBEING BOARD
Report of:	The Executive Director for Tri-borough Children's services
Wards Involved:	All
Policy Context:	<p>This report provides the Westminster Health and Wellbeing Board (H&WB) with an overview of the role and responsibilities of the Tri-borough Local Safeguarding Children Board (LSCB) and its priorities for 2013/14.</p> <p>The report proposes that the H&WB agree to a formal working agreement between the Westminster H&WB and the Tri-borough LSCB to maximise opportunities to safeguarding children in the local area.</p>
Financial Summary:	N/A
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1. Executive Summary

- 1.1 This report provides the Westminster Health and Wellbeing Board (H&WB) with an overview of the role and responsibilities of the Tri-borough Local Safeguarding Children Board (LSCB).
- 1.2 The report proposes that the H&WB agree to a formal working agreement between the Westminster H&WB and the Tri-borough LSCB to maximise opportunities to safeguarding children in the local area.

- 1.3 The protocol was originally presented to the H&WB in April 2014, however Members requested clarification as to whether it was proposed that the Board would have executive responsibility for the LSCB, which was a parallel body. The Board also sought clarification of the powers members of the LSCB would have in speaking on behalf of the local authority.
- 1.4 This report seeks to clarify that the H&WB **does not** have executive responsibility for the LSCB. The two Boards have complementary but distinct roles in promoting the welfare of children and young people and keeping them safe. The LSCB is not subordinate to the Health and Wellbeing Board in a way that might compromise its separate identity and independent voice
- 1.5 The LSCB is a partnership of organisations working with children and families in the three boroughs; as such, members of the LSCB would be able to represent the collective view of the Board on an issue but would not be able to speak on behalf of a particular agency. While LSCBs do not have the power to direct other organisations they do have a role in making clear where improvement is needed. Each Board partner retains their own existing line of accountability for safeguarding.

2. Key Matters for the Board

- 2.1 The Board is asked to consider:
 - a) The complementary but distinct roles the Health and Wellbeing Board (H&WB) and the Tri-borough Local Safeguarding Children Board (LSCB) have in safeguarding and promoting the welfare of children and young people in Westminster.
 - b) The LSCB's current priority areas for focus during 2013/14-2014/15.
 - c) The proposed protocol for joint working between the Westminster H&WB and the Tri-borough LSCB.
 - d) How else the two Boards might work together to promote 'safeguarding is everyone's business' and to ensure that there is a coordinated approach to strategic planning between the three H&WB's and the LSCB.

3. Background

Statutory requirements of Local Safeguarding Children Board (LSCB)

- 3.1 Section 13 of the Children Act 2004 requires that every area establish a Local Safeguarding Children's Board (LSCB). The LSCB has a range of roles and statutory functions including developing local safeguarding policy and procedures and scrutinising local arrangements. The statutory responsibilities of the LSCB are:

- a) to coordinate what is done by each person or body represented on the Board for the purposes of safeguarding and promoting the welfare of children in the area; and
 - b) to ensure the effectiveness of what is done by each such person or body for those purposes
- 3.2 The LSCB must include at least one representative of the local authority and include representation of: the Police; Local Probation Trust; Youth Offending Team; the NHS Commissioning Board and clinical commissioning groups; NHS Trusts and NHS Foundation Trusts all or most of whose hospitals, establishments and facilities are situated in the local authority area; CAFFCASS; and the governor or director of any secure training centre or prison in the area of the authority.
- 3.3 Members of an LSCB should be people with a strategic role in relation to safeguarding and promoting the welfare of children within their organisation. They should be able to: speak for their organisation with authority; commit their organisation on policy and practice matters; and hold their own organisation to account and hold others to account.
- 3.4 The role of the LSCB is to scrutinise and challenge the work of agencies both individually and collectively. The LSCB does not commission services and is not operationally responsible for managers and staff in the constituent agencies.

Tri-borough Local Safeguarding Children Board

- 3.5 A Tri-borough Local Safeguarding Children Board for Hammersmith & Fulham, Kensington and Chelsea and Westminster, replaced the previous three LSCBs in April 2012. The LSCB is chaired by an independent chair, Jean Daintith, and is supported by a single team, with an agreed set of subgroups and activities.
- 3.6 As a Tri-borough board there has been increased opportunity for challenge and comparison of key safeguarding activity and practice; better use of training opportunities; shared learning through audits, Serious Case Reviews and projects; and a streamlining of meetings and administration.
- 3.7 There are a number of LSCB subgroups which meet at least quarterly where much of the business of the Board is taken forward. These include:
- **Quality Assurance** - this group has been working on the development of a new multi-agency quality assurance framework for the LSCB which will capture key performance data, audit and survey findings and support the Board in its scrutiny and challenge role.
Chair: Clare Chamberlain – Director of Family Services RBKC
 - **Learning and Development** - this group oversees the existing tri-borough LSCB multi-agency training programme ensuring that the local children's

workforce is equipped to deliver sound safeguarding practice whilst responding to local priorities and national developments and learning.
Chair: Liz Royle - CLCH Head of Safeguarding, CLCH

- **Case Review** - this group considers how local agencies can learn from national and local case review findings and oversees the implementation of local action plans arising from case reviews.
Chair: Steve Miley - Director of Family Service Hammersmith and Fulham
- **Child Death Overview Panel** - this group has been operating as a tri-borough initiative for some time and considers the circumstances relating to the deaths of children from the three boroughs and relevant practice implications.
Chair: Nicky Brownjohn - Associate Director for Safeguarding (CWHH)
- **Chairs Group** - this group oversees the work of the subgroups, short life working groups and partnership groups of the Board and effectively steers the direction and progress of the Board's work, responding to key issues arising.
Chair: Jean Daintith.

3.8 In order to secure the effective engagement of and communication with local partners, a multi-agency Partnership Group has been maintained in each of the three local authorities. The focus of these partnership groups is primarily early help/prevention of harm.

3.9 There are many opportunities for the H&WB to add value to the work of the LSCB; in particular on areas of national focus and where the contribution of services outside of the membership of the LSCB – such as Adult Services - is critical to ensuring progress in priority areas of work. Examples include priority areas such as child sexual exploitation, female genital mutilation, and missing children; and services for adults who are parents and dealing with issues such as poor mental health and domestic violence.

4. JOINT WORKING AND GOVERNANCE ARRANGEMENTS BETWEEN THE HEALTH AND WELLBEING BOARD AND TRI-BOROUGH LOCAL SAFEGUARDING CHILDREN BOARD

4.1 Health and Wellbeing Boards have a unique role in providing a forum where key leaders from the health and care system work together to improve the health and wellbeing of their local population and reduce health inequalities. H&WBs are the executive body responsible for agreeing what the needs of the local population are, promoting integration, and supporting alignment and joint commissioning.

4.2 Working Together to Safeguard Children 2013 does not outline in detail how the relationship between LSCBs and H&WBs, and other key partnership bodies, should be secured; this is for local determination. The two partnerships are separate and there are no requirements for the boards to report to each other.

However, given the important role that both Boards have to help, protect and care for children and young people this relationship should be clearly articulated.

- 4.3 A draft protocol outlining a proposed joint working arrangement between the two boards is included in Appendix A. The aim of this protocol is to promote 'safeguarding is everyone's business' and to ensure that there is a coordinated approach to strategic planning between the three H&WBs and the LSCB.
- 4.4 The protocol also sets out the proposed governance arrangements which will enable the three boroughs' Health and Wellbeing Boards (H&WB), and the Tri-borough Local Safeguarding Children Board (LSCB), to assess whether they are fulfilling their statutory responsibilities to help (including early help), protect and care for children and young people.
- 4.5 As part of the new Ofsted inspection framework, a review of the effectiveness of the LSCB will be undertaken at the same time as the inspection of the local authority. Such an inspection can be announced at any time and it is anticipated that Ofsted will carry out a simultaneous inspection of Westminster and the other two Tri-borough authorities. This protocol will help explain to Ofsted Inspectors the relationship between the two boards and be used to judge how well the LSCB uses its scrutiny role and statutory powers to influence priority setting across other local strategic partnerships.
- 4.6 In order to deliver the draft protocol, it is proposed that the following arrangements would be put in place to ensure effective co-ordination and coherence in the work of the H&WBs and the LSCB:
 - a) Between September and November each year, the Independent Chair of the LSCB would present to the H&WB its Annual Report outlining performance against business plan objectives in the previous financial year. This would provide the opportunity for the Health and Wellbeing Boards to understand where it may be able to support the performance of the LSCB, to draw across data to be included in the JSNA and to reflect on key issues that may need to be incorporated in the refresh of the Health and Wellbeing Strategies.
 - b) Between October and February the Health and Wellbeing Boards to liaise with the LSCB on the review of the Health and Wellbeing Strategies, and the JSNA to enable the LSCB to consider whether it may be able to support the Health and Wellbeing Board drive delivery of the Health and Wellbeing Strategy.
 - c) Between March and May, the LSCB will share their proposed business plans with the HWBBs to identify areas for partnership working across the year.

5. RECOMMENDATION(S)

- 5.1 It is recommended that the Health and Wellbeing Board approve the protocol for joint working between the H&WB and the Tri-borough Local Safeguarding Children Board.

**If you have any queries about this Report or wish to inspect any of the
Background Papers please contact: Tim Deacon, LSCB Manager
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APPENDICES:

- A) Protocol to set out governance arrangements between the Health and Wellbeing Board and the Tri-borough Local Safeguarding Children Board

BACKGROUND PAPERS:

Children Act 2004

Working Together to Safeguard Children 2013

APPENDIX A

Protocol to set out governance arrangements between the Health and Wellbeing Board and the Tri-borough Local Safeguarding Children Board

Purpose of the Protocol

1. The purpose of this protocol is to set out the governance arrangements which will enable the three borough's Health and Wellbeing Boards (H&WB), and the Tri-borough Local Safeguarding Children Board (LSCB), to assess whether they are fulfilling their statutory responsibilities to help (including early help), protect and care for children and young people.
2. The aim of this protocol is to promote 'safeguarding is everyone's business' and to ensure that there is a coordinated approach to strategic planning between the three H&WB's and the LSCB.

Statutory framework

3. H&WB's were established by the Health and Social Care Act 2012. They are intended to be a forum where key leaders from the health and care system work together to improve the health and wellbeing of their local population and reduce health inequalities.
4. The Children Act 2004 required each local authority to establish a Local Safeguarding Children Board (LSCB). It is the key statutory mechanism for agreeing how the relevant organisations in each local area will co-operate to safeguard and promote the welfare of children and to ensure that these agencies are effective.
5. Working Together to Safeguard Children 2013 does not outline in detail how the relationship between LSCB's and H&WB's, and other key partnership bodies, should be secured; this is for local determination. However, given the LSCB's scrutiny and challenge role, and the fact that they do not commission or directly delivery services, there is a strong case that the relationship between them is clearly articulated.

Role and responsibilities

6. The three borough's H&WBs have strategic influence over commissioning decisions across health, public health and social care through their Joint Strategic

Needs Assessment (JSNA) and the development of their Health and Wellbeing strategies.

7. The H&WB Board is the executive body responsible for agreeing what the needs of the local population are, promoting integration, and supporting alignment of and joint commissioning. The purpose of the Board is to provide strong and effective leadership across the local authority and NHS partners to improve the health and wellbeing of local residents and reduce inequalities in outcomes. The Board sets a clear direction, across traditional boundaries, to deliver change and fresh thinking in the provision of health, adult and children's services social care and housing services.
8. The LSCB is required to: a) coordinate what is done by each person or body represented on the board for the purposes of safeguarding and promoting the welfare of children in the area; and b) to ensure the effectiveness of what is done by each such person or body for these purposes.

Working together

9. The H&WB and the LSCB agree that strategic planning across partnerships will be coordinated to secure coherent delivery of business, to avoid duplication and gaps.
10. The H&WB and LSCB will work together to ensure that the JSNA includes comprehensive safeguarding data analysis. The JSNA will drive the formulation of the Health and Wellbeing Strategies and the LSCB's Business Plan.
11. The Independent Chair of the LSCB will forward the LSCB's annual report, on the effectiveness of child safeguarding and promoting the welfare of children across the three boroughs, to the Chair of the H&WB. The Chair will also present a report to the H&WB which outlines particular areas of focus which would benefit from the joint strategic leadership of both boards.
12. The H&WB will liaise with the Tri-borough LSCB to ensure members are aware of the JSNA, the Health and Wellbeing Strategy, the commissioning intentions and progress against these. The LSCB will provide relevant feedback on any key aspect of the H&WB plans as set out above, in respect of safeguarding and promoting the welfare of children.
13. This process will provide opportunity for sharing learning and expertise and to enable Boards to feed any improvement and development needs into the planning process for future years' strategies and plans.

14. In addition to the above the Tri-borough LSCB and H&WB will have members in common who can ensure that key information in relation to trends, concerns and action plans are communicated to relevant Boards in a coordinated way. The LSCB Chair will also, at any time necessary, bring to the H&WB or its members, any matters which require their attention outside of the opportunities outlined above.
15. The H&WB and LSCB will work together to ensure that they include the views of young people in their development of key strategies.

Outcomes of joint working

16. The role of the LSCB in relation to the HWBB would be one of equal partners underpinned by this protocol. The LSCB has a statutory responsibility to challenge and hold agencies to account for the safety of local children and young people. This protocol is designed to ensure these functions are discharged effectively in the three boroughs without duplicating functions or creating additional structures. Other outcomes include:
 - a. Ensuring safeguarding is “everyone’s business” and is reflected in the public health agenda;
 - b. Supporting the Health and Wellbeing Board to drive delivery of safeguarding outcomes through the Health and Wellbeing Strategy, and of safeguarding on wider determinants of health outcomes (such as domestic abuse);
 - c. Cross-Board partnership working to embed safeguarding across the health and wellbeing sector.

Signed

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Chair of Westminster Health and Wellbeing Board

Independent Chair of the Tri-borough Local Safeguarding Children Board