

Subject: Safeguarding Practice - Update
Date of Meeting: 2 November 2009
Report of: Director of Children's Services
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Key Decision: No Forward Plan No: N/A
Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This is the sixth report or presentation to the Children and Young People's Trust Board (CYPT) following events in the London Borough of Haringey (the Baby Peter case) and the resulting review of national safeguarding policy designed to achieve a 'step change in the arrangements to protect children from harm'.
- 1.2 The purpose of this report is to summarise the actions taken following the previous safeguarding report to the Board on 8 June 2009 and to provide the context for discussion with the Independent Chair of the Local Children's Safeguarding Board (LSCB) as agreed in recommendation 3 of that report.
- 1.3 This report is complemented by a separate report and Appendix in Part 2 of the Agenda.

2. RECOMMENDATIONS:

- 2.1 That the actions taken to continue to monitor and strengthen safeguarding and child protection arrangements across the CYPT partnership and the LSCB be noted.
- 2.2 That, with the Chair of the LSCB, the Board considers what further actions should be taken, including development of a formal protocol between the CYPT Board and the LSCB, to clarify governance arrangements for safeguarding and child protection in the city including the relationship between the two boards.

3. RELEVANT BACKGROUND INFORMATION:

National Context

- 3.1 The National Safeguarding Unit and the revised Ofsted Inspection Framework are both now in place. The revision of Statutory Guidance is proceeding, including early consultation on Chapter 8 which deals with Serious Case Reviews. Implementation of the new Independent Safeguarding Authority (ISA) has been delayed following the announcement by the Secretary of State of a final review.

- 3.2 The Care Quality Commission (CQC) published the findings of the national audit of NHS safeguarding arrangements in July. David Nicholson, the NHS Chief Executive, has written to all NHS organisations setting out his expectations regarding the actions required in response to the CQC report.
- 3.3 The Apprenticeships, Skills, Children and Learning Bill is expected to receive Royal Assent in November 2009 followed by consultation on new Children's Trust Statutory Guidance and requirements for Children and Young People's Plans (CYPP) and scheduled to be published in March 2010.
- 3.4 The Government Office of the South East (GOSE) has established networks for LSCB Chairs and for LSCB Business Managers and has published proposals to support improvement in the quality of Serious Case Reviews.

Local Children's Safeguarding Board

- 3.5 The Director of Children's Services and the Chair of the LSCB have consolidated arrangements to manage the Board's business. A new Executive Committee is in place and a Business Plan is being drafted to include a review of membership and the terms of reference for each of the current sub groups.
- 3.6 A successful Spring Conference on June 9th 2009 focused on local referral, assessment and intervention processes and thresholds. As a result the Executive Committee recommended 4 themes for inclusion in the draft CYPP:
- Strengthening child protection systems and pathways linked to professional confidence, communication and leadership.
 - Focusing on vulnerable groups especially early permanence and adolescents at risk (including self-harm, sexual exploitation & substance misuse).
 - Raising the profile the broader safeguarding agenda, including the role of the LSCB
 - Developing organisational culture across services for children and young people to promote supervision and professional development including provision of reflective space for managers and practitioners
- 3.7 Following the conference, the Executive Committee also requested each member agency to provide a report for the September LSCB meeting summarising the action taken by their organisation following events in the London Borough of Haringey. The LSCB identified a number of issues from these reports which will be addressed at the December meeting.
- 3.8 Alan Bedford, the Chair of the LSCB, will attend the CYPT Board on November 2nd to discuss his assessment of the safeguarding and child protection issues facing the city and to agree a way forward for the LSCB and the CYPT Partnership.

Children and Young People's Trust:

- 3.9 The CYPT's Senior Management Team continues to monitor closely the actions reported to the Board on the 8th June in respect of the 5 areas of practice identified in January 2009 as requiring review and development i.e.
- compliance with the recommendations of the 2005 Climbie Inquiry
 - Monthly Monitoring Reports of CYPT social care data
 - Operation of the 3 Area Panels for complex and high risk cases
 - Compliance with and development of the CYPT Supervision Policy
 - Standards of record keeping on case files
- 3.10 The management team has also addressed the resource implications of the Government's Action Plan in response to Lord Laming's report as required by recommendation 2 of the June 8th report i.e.
- 3.10.1 The implications for local authorities and Children's Trusts remain unclear. Future reports by the Social Work Task Force, revision of the Statutory Guidance, the outcomes of the ISA review and publication of the work programme for the National Safeguarding Unit are expected to clarify what will be required.
- 3.10.2 The increase in child protection activity in the city, as set out in the Quarter 2 Performance Improvement Report, continues to have significant resource implications for all agencies across the CYPT Partnership. The management team has put in place a comprehensive action plan to review and manage the high level of child protection activity for the CYPT including:
- Initiatives as part of the city council's Value for Money Programme (2) including: Child Care Decision Making processes and outcomes; a review of legal services support to the CYPT; staff accommodation and flexible working arrangements
 - Initiatives led by senior managers in the CYPT including: review of Secure Accommodation and Independent Agency Placements; performance monitoring, management and risk assessment; permanence planning for very young children; procurement of expert assessments within Care Proceedings; development of CYPT fostering capacity; review of major external contracts.
- 3.11 The Director of Children's Services has completed the second phase of the restructuring of management and leadership arrangements and, as a result, the new Head of Safeguarding and LSCB Business Manager posts described in the last report will be recruited to as soon as possible. A further consultation paper outlining proposals for Phase 3 in relation to integrated and area working, including social work duty and long term teams, will be issued to staff by the end of October 2009.

- 3.12 As an integral part of the developments outlined above, and in preparation for inspection by Ofsted of local safeguarding and looked after children services, an external consultancy, Outcomes UK, was commissioned by the Senior Management Team to undertake a 'mock inspection of contact, referral and assessment services. The draft report makes a significant contribution to the ongoing assessment and improvement of front line child protection services provided by the CYPT. This report is complemented by a separate report and Appendix in Part 2 of the Agenda, in order to be in line with the recommendations of Lord Laming's Report - The Protection of Children in England: A Progress Report (2009) i.e. Directors of Children's Services, Chief Executives of Primary Care Trusts, Police Area Commanders and other senior service managers must regularly review all points of referral where concerns about a child's safety are received to ensure they are sound in terms of the quality of risk assessments, decision making, onward referrals and multi-agency working. (Recommendation 6)
- 3.13 The final draft CYPP (see separate Board report) also addresses safeguarding and child protection issues under Strategic Improvement 1 'Strengthen safeguarding and child protection, early intervention and prevention'.

NHS Provision:

- 3.14 NHS Brighton and Hove, Brighton and Sussex University Hospitals NHS Trust and the Sussex Partnership NHS Foundation Trust each submitted an update report to the LSCB on September 22nd (paragraph 3.7). Separate reports have also been taken to the Board of NHS Brighton and Hove by the Acting Designated Nurse and the Deputy Director for Quality & Engagement NHS Brighton and Hove.
- 3.15 A permanent appointment has now been made to the Nurse Consultant/Designated Nurse post for the Local Health Economy following a period of temporary acting up arrangements.
- 3.16 The CYPT Chief Officers Group has initiated a review of the Section 75 Agreement between the city council, NHS Brighton and Hove and Southdowns NHS Trust which includes consideration of current governance arrangements for safeguarding and child protection across the local health economy.

4. CONSULTATION

- 4.1 This report has been written in consultation with senior managers in the Child and Young People's Trust and includes relevant multi-agency discussion at the LSCB on September 22nd (paragraph 3.7.)

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The various reviews referred to in paragraph 3.10.1 could have significant financial implications for the CYPT. Until the reviews have been completed it is not possible to quantify these in detail. Once the recommendations arising from these reviews are known, they will need to be properly costed and reported to the board.

Following the baby Peter case there has been a significant increase in child protection activity in the city, which has had a major impact on the CYPT budgets. For example the looked after children placement budgets are projected to be overspent in 2009/10 by £991k, largely as a result of this increased activity. In addition the budget for legal fees relating to care proceedings is forecast to overspend by £700k, primarily due to the substantial increase in activity in this area in line with national trends.

The CYPT management team are currently reviewing the Directorate budget in order to identify savings to offset this additional cost.

Finance Officer Consulted: David Ellis

Date: 21/10/2009

Legal Implications:

- 5.2 The report sets out how the partners to the CYPT have taken steps to meet the national safeguarding agenda so as to ensure the partners to the Trust are meeting their statutory and regulatory obligations for the protection of vulnerable children across the agencies. The Children Act 2004 placed a duty upon all of the agencies within the CYPT to cooperate and prioritise the safeguarding of children. Post the death of Baby Peter the Laming report, sanctioned by central government, made it plain that Directors of Children's Services, Chief Executives of Primary Care Trusts, Police Area Commanders and other senior service managers must regularly review risk assessments, decision making, onward referrals and multi-agency working in the safeguarding context.

The Children's Trust is responsible for improving the well-being of children in the area across all five *Every Child Matters* outcomes, including keeping children safe. The CYPT reports to and is governed by the Children's Board . Alongside the CYPT the partners to the trust together with other agencies such as the police are also obliged to report to the Local Safeguarding Board (LSCB). The Laming report makes clear there must be a clear distinction between the roles and responsibilities between LSCBs and Children's Trusts to ensure appropriate challenge, scrutiny and impartiality. As described in the Laming report it is the responsibility of the LSCB to ensure that the multi-agency partners in each local area are co-operating to safeguard and promote the welfare of children effectively. The LSCB is expected to report to the Children's Trust on the effectiveness of safeguarding and promoting the welfare of children.

Lawyer Consulted: Natasha Watson

Date: 28/09/2009

Equalities Implications:

- 5.3 Statutory Guidance (Working Together 2006) and local procedures (Pan Sussex Child Protection Procedures) take full account of the equalities issues in ensuring the safeguarding of all children, especially those from vulnerable or marginalized groups.

Sustainability Implications:

- 5.4 There are no immediate sustainability implications.

Crime & Disorder Implications:

- 5.5 There are no immediate Crime & Disorder implications.

Risk & Opportunity Management Implications:

- 5.6 Effective management of risk is a central feature of safeguarding children and is at the heart of this report.

Corporate / Citywide Implications:

- 5.7 Events in the London Borough of Haringey following the Joint Area Review of children's services demonstrate that the effectiveness of safeguarding children arrangements have very significant implications for the city council and all of its partners.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 Not applicable.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 This is one of a series of reports to the CYPT Board in response to the requirement by the Secretary of State that all local areas review safeguarding and child protection services for children and young people following events in the London Borough of Haringey. The recommendations in this report enable the Board to discharge that responsibility and to develop its relationship with the Local Children's Safeguarding Board.

SUPPORTING DOCUMENTATION

Appendices:

1. None

Documents In Members' Rooms

1. None

Background Documents

1. None