
Meeting	Safeguarding Overview and Scrutiny Committee
Date	20 th March 2013
Subject	Joint Working Adults & Children's Safeguarding
Report of	Cllr Rajput, Cabinet Member for Adults Cllr Harper, Cabinet Member for Education, Children and Families
Summary	This report outlines the functions and priorities of the Safeguarding Adults and Children's Boards options for closer working between them. It identifies how joint working can be strengthened to improve safeguarding outcomes.

Officer Contributors	<ul style="list-style-type: none">• Dawn Wakeling, Adults and Communities Director• Ann Graham, Assistant Director Social Care, Children's Services• Sue Smith, Safeguarding Adults Manager• Helen Elliott, Safeguarding Children's Board Manager
Status (public or exempt)	Public
Wards Affected	All
Key Decision	No
Reason for urgency / exemption from call-in	Not applicable
Function of	Not applicable
Enclosures	Not applicable
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1. RECOMMENDATIONS

- 1.1 That Safeguarding Overview & Scrutiny Committee note and comment on the contents of this report.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Safeguarding Overview and Scrutiny Committee, 10th September 2012, Barnet Multi-Agency Safeguarding Adults Board Annual Report 2011/12 (agenda item 8).
- 2.2 Safeguarding Overview and Scrutiny Committee, 10th September 2012, Barnet's Independent Safeguarding Children's Board Annual Report 2011/12 (agenda item 9).

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 Safeguarding is a key priority for the Council and partners and is the responsibility of everyone who works for or with the London Borough of Barnet. It is reflected in strategic partnership goals, including the Corporate Plan 2012-13, Health and Well-being Strategy, Sustainable Community Strategy and Commissioning Strategy.
- 3.2 The Corporate Plan includes the strategic objectives 'Safeguarding vulnerable children and adults', and 'Working with our partners and residents to keep Barnet safe.' Our aim is to work with partners such as the police, the NHS and with residents to ensure that Barnet remains a place where people want to live and where people feel safe. These are reflected in both Adult Services and Children's Service business plans.

4. RISK MANAGEMENT ISSUES

- 4.1 A failure to keep children or vulnerable adults safe represents not only a significant risk to residents but also to the reputation of the Council. Failure to keep children safe is identified as a key risk in the Children's Service; failure to keep vulnerable adults safe is a key risk for Adult Social Care; and is also embedded within the Community Safety team risk register. Although safeguarding must be the concern of all agencies working with children and vulnerable adults, the Local Authority is the lead agency for safeguarding children and vulnerable adults. As such, both members and senior officers carry a level of accountability for safeguarding practice in Barnet. Governance structures are in place to ensure that other lead stakeholders, including health and the police, are represented to ensure that practice across the partnership meets safeguarding requirements.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 Equality and diversity issues are a mandatory consideration in decision making in the Council pursuant to the Equality Act 2010. This means the Council and all other organisations acting on its behalf must have due regard to the equality duties when exercising a public function. The broad purpose of this duty is to integrate considerations of equality and good relations into day to day business requiring equality considerations to be reflected into the design of policies and the delivery of services and for these to be kept under review.

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

- 6.1 Any costs associated with the recommendations within this report will be contained within existing resources.

7. LEGAL ISSUES

- 7.1 The primary functions of Local Safeguarding Children Boards (LSCBs) are set out in S14 (1) of the Children Act 2004. These are “to co-ordinate 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 of the authority by which it is established and; to ensure the effectiveness of what is done by each such person or body for those purposes”.
- 7.2 The detailed functions are set out in Local Safeguarding Children Boards Regulations 2006/90 (The Regulations).

Regulation 5 states that the functions of LSCBs in relation to its objective (as defined in section 14(1) of the Act 1) are as follows:

- (a) developing policies and procedures for safeguarding and promoting the welfare of children in the area of the authority,
- (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;
- (c) monitoring and evaluating the effectiveness of what is done by the authority and their Board partners individually and collectively to safeguard and promote the welfare of children, and advising them on ways to improve;
- (d) participating in the planning of services for children in the area of the authority;
- (e) undertaking reviews of serious cases and advising the authority and their Board partners on lessons to be learned.

8. CONSTITUTIONAL POWERS (Relevant section from the Constitution, Key/Non-Key Decision)

8.1 The scope of Overview and Scrutiny Committees is contained within Part 2, Article 6 of the Constitution.

8.2 The terms of Reference of the Scrutiny Committees are in the Overview and Scrutiny Procedure Rules (Part 4 of the Constitution). The Safeguarding Overview and Scrutiny Committee has within its terms of reference the following responsibilities:

- To scrutinise the Council and its partners in the discharge of statutory duties in relation to safeguarding.
- To scrutinise the provision of the education (children and adults), special education needs provision, and the protection and welfare of children.
- To scrutinise Barnet's Safeguarding Adults Board and any relevant Sub-Groups, including policies, procedures and performance through consideration of the Board's Annual Report.
- To scrutinise the provision of Adult Social Care services (including those who have physical disabilities, sensory impairment, learning disabilities, mental health needs or other special needs) to ensure that residents are safeguarded and supported to lead as independent lives as possible in their own homes.

9. BACKGROUND INFORMATION

9.1 The Local Safeguarding Children's Board (LSCB) functions are defined by the Children Act 2004 and the Regulations; they are described in more detail in Chapter 3 of Working Together 2010 (currently under revision) and include the following:

- Establishing thresholds, policies and procedures where there are concerns about a child.
- Ensuring compliance with safer recruitment and safer workforce procedures. This includes the LSCB role in ensuring that practitioners have access to good quality training to enable them to discharge their responsibilities to safeguard and protect children.
- Communicating and raising awareness about safeguarding across the wider community, including dialogue with children and young people to ensure their voice is heard in the way that services are planned and delivered.
- Monitoring and Evaluation to assure the quality of safeguarding activity by the local authority (LA) and partner agencies. This will include audit and self-evaluation to identify any gaps and determine what works well in order to promote improvement. The Apprenticeships, Skills, Children and Learning Act 2009 require LSCBs to publish an annual report on the effectiveness of safeguarding in the local area. This provides an element of scrutiny of the partnership arrangements in the delivery of services to

children and young people in the area. The Munro Report (2011), has provided further impetus to the independence and scrutiny of LSCBs.

- Participation in planning and commissioning to ensure that services take account of the need to safeguard children and young people.
- LSCBs are required to collect and review information about the deaths of all children in the area in order to identify any specific matters of concern and any wider public health considerations, for example road safety¹. The LSCB must have procedures in place to ensure a co-ordinated multi-agency response to any unexpected death of a child should be considered.
- The LSCB has a duty to ensure that Serious Case Reviews are undertaken in cases where abuse or neglect is known or suspected to be a factor with the aim of identifying and sharing lessons to improve practice. LSCBs are required to publish anonymised Executive Summaries and Overview reports in order to disseminate learning.
- Other activities. The regulations allow discretion for LSCBs to engage in other safeguarding activity agreed locally with the partnership. For example, the LSCB may take a lead in developing anti-bullying initiatives.

9.2 The Care and Support White Paper, *Caring for our Future*, and draft Care and Support Bill (July 2011), set out the Government's plans to reform the law for adult care and support. Safeguarding Adults Boards (SABs) will be placed on a statutory footing once the Bill becomes law.

9.3 The draft Bill states (at clauses 34 and 35) that the primary function of the SAB should be to protect adults where a person has needs for care and support (whether or not the authority is meeting any of those needs) and is experiencing, or is at risk of, abuse or neglect, and as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it by providing leadership, ownership and co-ordination of multi-agency working at a local level, reducing the risk of abuse. Three specific requirements have been set:

- SABs must agree and publish a plan, which describes the outcomes the Board will deliver and how the members of the SAB will work together, which should be reviewed on an annual basis.
- SABs must publish an annual report on the exercise of their functions.
- SABs must commission Safeguarding Adults Reviews (previously referred to as serious case reviews), with members having a duty to co-operate in this regard.

9.4 The LA remains the lead agency for adult safeguarding. Required membership of the SAB includes the Local Authority, the police and the NHS, with other members being locally decided.

9.5 The White Paper and draft Bill do not set a requirement for an independent chairperson but stipulate that in consultation with SAB members the local authority must appoint a chair with "the required skills and experience".

¹ Regulation 6 of the Local Safeguarding Children Boards Regulations 2006

- 9.6 Priorities for the Safeguarding Children Board are the implementation of the Munro review recommendations, which aim to place the journey and experience of the child at the centre of safeguarding. Other priorities are:
- To implement and embed the revised Working Together Guidance following publication.
 - To further develop the scrutiny function of Barnet SCB (BSCB) in monitoring and evaluating the effectiveness of safeguarding activity across the partnership, so that children & young people in Barnet are safe from abuse, neglect, violence and sexual exploitation.
 - To develop tools and protocols to improve information sharing, risk assessment and partnership working, including support for the development of the Multi-Agency Safeguarding Hub (MASH).
 - To focus on young people at risk through peer to peer violence and exploitation including work on the issues of gangs, sexual exploitation and bullying.
 - To promote and evaluate a model of early help for children and families which reduces demand and cost.
 - To strengthen the BSCB role in promoting learning and development across the partnership including learning from a systems based approach to review.
- 9.7 The revised Ofsted inspection framework will evaluate the whole safeguarding partnership, not only the Council. The quality of arrangements between adults and children's services has been identified by Ofsted as a key area of national concern and thus provides an impetus for developing systems that promote a more holistic approach to supporting families.
- 9.8 Priorities for the Safeguarding Adults Board centre on ensuring compliance with London-wide procedures, overseeing safeguarding issues in the local provider market and ensuring an effective local response to national issues such as Winterbourne View and dignity in for older people in hospitals. Other priorities are:
- Raising awareness among the public, staff across the health and care system, carers and people using services and through this ensuring that people have access to information and advice about protecting themselves.
 - Leading strategies on safer recruitment and workforce training and development.
 - Leading the development and implementation of strategies to ensure safe local services for older, disabled and other people at risk of harm and abuse, which prevent abuse and treat people with dignity and respect.
 - Working with services such as trading standards, community safety, housing and the police to ensure effective prevention and response to safety and safeguarding.
 - Ensuring all services are aware of and adhere to their responsibilities under the Mental Capacity Act 2005, including the Deprivation of Liberty Safeguards and Equality Act 2010.

- Addressing safeguarding issues in personalisation: enabling people to weigh up the risks and benefits of their options and ensuring robust recruitment systems and options for people arranging their own services and supports.
- Ensuring effective responses to suspected or actual abuse through systems and services that enable the person concerned to define the outcomes they want and address the cause of abuse; ensuring access to advocacy in situations where people lack mental capacity.
- Working with the criminal justice system to improve access to criminal and/or restorative justice for victims of abuse.
- Overseeing monitoring and quality assurance of adult safeguarding across the partnership.

9.9 Officers in the Council have identified potential benefits in closer working between the two boards. The options for closer working between the children's and adults safeguarding boards include options of a single board, a single chairperson with an overlap meeting; and integration beneath board level. A working group of Dawn Wakeling, Adults and Communities Director; Ann Graham, Assistant Director, Children's Social Care; Professor Hilary Brown, Independent Chair of Safeguarding Adults Board; Tim Beach, Independent Chair of Safeguarding Children's Board; Sue Smith, Safeguarding Adults Manager; Helen Elliot, Safeguarding Children's Board Development Manager; Kate Kennally, Director for People; conducted a full options appraisal and have identified that the most beneficial option to , would be to move to a single chair, increased joint working at the subgroup level and an overlap meeting between both boards.

9.10 Desk based research found the following practice elsewhere in the country. No boards in London have merged, although a number have the same Chair; e.g. Hillingdon Council has the same Chair for both adults and children's boards. The two boards meet on the same day with an overlapping meeting held in the middle of the day. Tower Hamlets Council until recently had a single Chair but has reverted to separate arrangements. Nottingham Council has recently opted to hold both board meetings on the same day with an overlapping meeting. The National LSCB Lead has been approached for national examples and has indicated that there are no known examples of merged Boards nationally. There is an emerging view that closer working on shared issues is required.

9.11 Areas for joint working

Cross service work already takes place in relation to Safeguarding month. There are two joint SAB/BSCB Board sub-groups: faith and culture and intergenerational.

The following aspects of the safeguarding agenda are shared by both Adults and Children's Services. These will be worked on in a more integrated way to drive improvement.

- Faith and culture and work with minority groups.
- Inter-generational issues focused on think family approaches, including domestic violence, drug and alcohol, information sharing, young carers, transitions, mental capacity.

- Safer recruitment/safer working practices.
- Serious case reviews/learning from experience.
- Learning and development.
- Communications.

9.12 There is benefit in working together across the two boards on the common areas identified above. This would have particular benefit in promoting greater integration in operational practice for families where both the adults and children may be in need of services, which has been a key feature of case reviews both nationally and locally. There are also benefits in having a single chair, subject to agreement with partners on the key requirements for the chair in terms of skills and subject matter expertise.

9.13 Following agreement with partners, implementation plans are as follows:

1. Develop a joint programme of work on subjects identified in option 3 to report into both Boards, with implementation from April 2013 onwards.
2. Move to a single Chair arrangement with an overlap meeting from Autumn/Winter 2013.
3. Review adults and children's board membership to ensure appropriate seniority of partner representatives.
4. Develop a unified safeguarding strategy for 2013 reviews, using results from exercises such as the planned section 11 Children's Audit and the Adults LGA Peer Review.

9.14 Work to scope the above has begun by identifying key people from different agencies to be represented on each of the sub groups, and leadership of each group identified at a senior level.

9.15 To further recommendation 3, the Independent Chairs of both Boards will together re-contract with partner agencies to ensure more senior representation and address expectations about attendance and financial contribution. A review of the membership from adults and children's services on both boards has been conducted and senior representation identified.

10. LIST OF BACKGROUND PAPERS

10.1 None.

Cleared by Finance (Officer's initials)	JH
Cleared by Legal (Officer's initials)	LC