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Agenda Item No: 6 (I)

DERBYSHIRE COUNTY COUNCIL

CABINET

11 September 2019

**Report of the Executive Director for Children's
Services**

**ESTABLISHMENT OF THE DERBY AND DERBYSHIRE SAFEGUARDING
CHILDREN PARTNERSHIP (YOUNG PEOPLE)**

1. Purpose of Report

The purpose of the report is to provide an update for Cabinet regarding the establishment of the Derby and Derbyshire Safeguarding Children Partnership (Young People). Following the permissions granted by Cabinet on 21st March 2019 a process was undertaken to determine which authority should host the combined partnership arrangements. This culminated in a decision by the Chief Officers of the statutory safeguarding partners (Derbyshire County Council, Derby City Council, Derby and Derbyshire CCG, Tameside and Glossop CCG, Derbyshire Constabulary) on 25th February 2019 that Derby City Council should host the business unit for the partnership. Arrangements are therefore being put in place to give effect to this decision.

2. Information and Analysis

The purpose of local arrangements is to support and enable organisations and agencies across Derby and Derbyshire to work together so that:

- children are safeguarded and their welfare promoted;
- partner organisations and agencies collaborate, share and co-own the vision for how to achieve improved outcomes for vulnerable children;
- organisations and agencies challenge appropriately and hold one another to account effectively;
- there is early identification and analysis of new safeguarding issues and emerging threats;
- learning is promoted and embedded in a way that local services can become more reflective and implement changes to practice identified as positive for

children and families; information is shared effectively to facilitate more accurate and timely decision making for children and families.

An implementation plan has been devised which details the process by which the DDSCP will be given effect. This document is included in the background papers. Strong leadership will be critical for the new arrangements to be effective in bringing together the range of organisations and agencies within the partnership. The statutory safeguarding partners across Derby and Derbyshire have equal and joint responsibility for local safeguarding arrangements.

In order to ensure that the responsibilities of the partnership are being effectively discharged, a Chief Officer Group will lead the Derby and Derbyshire Safeguarding Children Partnership and includes representation from the following:

- Derby City Council: Chief Executive
- Derby City Council: Cabinet member for Children and Young People
- Derby City Council: Director of Children's Services (statutory role)
- Derbyshire County Council: Executive Director
- Derbyshire County Council: Cabinet member for Children and Young People
- Derbyshire County Council: Director of Children's Services (statutory role)
- Derby and Derbyshire Clinical Commissioning Group: Chief Executive
- Tameside and Glossop Clinical Commissioning Group: Chief Executive
- Derbyshire Constabulary: Chief Constable
- Derbyshire Police and Crime Commissioner

The Chief Officer Group will:

- speak with authority for the safeguarding partner they represent;
- take decisions on behalf of their organisation or agency and be empowered to commit them on policy, resourcing and practice matters;
- hold their own organisation or agency to account on how effectively they participate in and implement the local arrangements;
- hold the Executive Board to account on how effectively it delivers the business plan of the partnership and implements the local arrangements;
- play an active role in facilitating and driving action beyond institutional constraints and boundaries.

The Chief Officer Group will:

- publish a strategy outlining its priority areas of work and a business plan to monitor the effectiveness and drive forward improvements in local safeguarding arrangements across Derby and Derbyshire;
- review and report on the effectiveness of the implementation of the new

arrangements, including the effectiveness of the Executive Board, the partnership working groups and stakeholders group;

- ensure the local safeguarding arrangements drive forward improvement in conjunction with other relevant public boards including Health and Wellbeing Boards, Safeguarding Adult Boards, Channel Panels, Improvement Boards, Community Safety Partnerships, the Local Family Justice Board and Multi-Agency Public Protection Arrangements (MAPPAs);
- publish an annual report;
- respond to recommendations from local and/or national child safeguarding practice reviews;
- respond to issues arising from the review of child deaths across Derby and Derbyshire;
- drive forward learning and organisational development to improve safeguarding arrangements.

The Executive Board is responsible for delivering strategic influence through the business plan and the work of the partnership groups to improve safeguarding arrangements. The Executive Board will be responsible for obtaining assurance of the effectiveness of safeguarding arrangements and emerging concerns across Derby and Derbyshire. The Executive Board is accountable to the Chief Officer Group.

The Executive Board will articulate and communicate a clear vision across the local partnership. This will include the fundamental message that safeguarding children is everybody's responsibility. The Executive Board will hold to account the work of the partnership groups through a programme of formal reporting delivered by the Chairs of each group. The frequency of reporting will be determined by the function and role of each group and is illustrated in Appendix 1. The Executive Board, through the work of the partnership groups will ensure that there is a coordinated approach to improving the multi-agency responses to vulnerable children.

The Executive Board will drive the agenda for the bi-annual stakeholder events and ensure that partner agencies and members of the community are active participants contributing to the evaluation of safeguarding arrangements across Derby and Derbyshire and driving forward improvement.

In order to achieve effective multi-agency engagement, scrutiny and challenge across the partnership with suitable seniority, the Executive Board will comprise of core representation at each quarterly meeting from:

- Derby City Council
- Derbyshire County Council
- Derby and Derbyshire Clinical Commissioning Group
- Tameside and Glossop Clinical Commissioning Group
- Derbyshire Constabulary
- Derbyshire Community Health Services NHS Foundation Trust

- University Hospitals of Derby and Burton NHS Foundation Trust
- Derbyshire Healthcare NHS Foundation Trust
- Chesterfield Royal Hospital NHS Foundation Trust
- The Chair of the Derby Education Group
- The Chair of the Derbyshire Education Group
- East Midlands Ambulance Service (EMAS)
- Derbyshire Health United / NHS 111

In addition to the core representation, the Chairs of the following Derby and Derbyshire groups will report *at each quarterly meeting*:

- Quality Assurance Groups
- Child Safeguarding Practice Review Groups (previously known as Serious Case Review Panels)

In addition to the core representation, the Chairs of the following Derby and Derbyshire groups will report *two times a year*:

- Education Groups
- Exploitation and Vulnerable Young People Groups
- Joint Policies and Procedures Group

In addition to the core representation, the Chairs of the following Derby and Derbyshire groups will report *on an annual basis*:

- Joint Learning and Organisational Development Group
- Districts Safeguarding Group
- Child Death Review Group (previously known as Child Death Overview Panel)

In addition to the planned reporting cycle, partnership groups will be expected to report by exception to the Executive Board at either the request of Executive Board or Chief Officer Group.

The Executive Board is responsible for the effective work of the partnership groups and will approve the appointment of the chair for each group against agreed and robust criteria and hold them to account for the work carried out as part of the partnership business plan.

The Executive Board will:

- ensure that the priorities and business plan set out by the Chief Officer Group are effectively delivered;
- monitor and challenge the effectiveness of work between the partnership groups, so that the business plan across Derby and Derbyshire is joined up and makes an observable and proven difference;
- ensure that young people and members of the community are active

- participants in the work of the relevant partnership groups;
- ensure the work of the partnership is aligned with other strategic groups so that safeguarding priorities and learning are embedded and inform development;
- ensure that there is consistency in the terms of reference and work plans for the partnership groups;
- respond to recommendations from local and national child safeguarding practice reviews;
- ensure that there are effective interim governance arrangements for the Child Death Overview Panel during the transition to new arrangements and implementation of the Child Death Review Group.

The new arrangements will commence on 29th September 2019 and they will be subject to an initial review of their effectiveness in December 2019.

The arrangements are proposed for an initial period of years and to be reviewed thereafter.

3. Financial Considerations

The budget for the new arrangements is detailed in the report of 21/03/2019. This will be reviewed on an annual basis. It is anticipated that the move to a single business unit for the new partnership will result in financial savings in subsequent years. The new streamlined arrangements will enable the partners to work more efficiently by avoiding duplication of meetings and actions.

4. Legal and Human Rights Considerations

The Children and Social Work Act 2017 makes provision for deletion of sections 13 to 16 of the Children Act 2004, which means that the obligation to establish a local safeguarding children board will be abolished. The Children and Social Work Act 2017 inserts a new section, section 16E, into the Children Act 2004, which requires the “safeguarding partners” for a local authority area in England to 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. Those arrangements must include arrangements for the safeguarding partners to work together to identify and respond to the needs of children in the area.

The definition of “safeguarding partner” for these purposes is: “(a) the local authority; (b) a clinical commissioning group for an area, any part of which falls within the local authority area; and (c) the chief officer of police for a police area, any part of which falls within the local authority area. The Children and Social Work Act 2017 also inserts into the Children Act 2004 section 16J, which gives the safeguarding partners for two or more local authority areas in England power to agree that their areas are to be treated as a single area for the purposes of sections 16E to 16I and 16J(3) to 16J(5) of the Children Act 2004. Sections 16J(3) to 16J(5) make provision for the following arrangements for carrying out functions if there is an agreement to treat local authority areas as a single area:

The proposed arrangements for delegation of functions between the local authorities would involve a delegation of functions under section 16J of the Children Act 2004. This would only allow for the delegation of the functions specified in sections 16E to 16I of the Children Act 2004.

The delegation of functions extends solely to the arrangements of the safeguarding partnership and not the overriding responsibility for ensuring the safeguarding of children in Derbyshire.

A legal agreement will be established between the statutory partners to set out their shared responsibilities and accountability for the new Multi-Agency Safeguarding Arrangements (Derby and Derbyshire Safeguarding Children Partnership).

It is proposed that those staff currently working for the existing Derbyshire Safeguarding Board will transfer to the new joint arrangement and it has been agreed between the partners that the transfer of the staff will be undertaken in accordance with the provisions of the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE), as amended. The staff transferring will transfer on their existing terms and conditions of employment, including pension provision save for such amendments to procedures as are necessary given that they will be working for a new employer. Changes to terms and conditions can only be made in limited circumstances, including where there is an economic, technical or organisational (ETO) reason which entails changes in the workforce. The new Partnership is proposing that a new structure will be implemented to enable the new Partnership to meet its objectives in due course following transfer. The implementation of the new structure may be considered to be an ETO reason.

5. Human Resources Considerations

The combined partnership arrangement will be serviced by a single business unit hosted by Derby City. Consultation with staff and unions will be ongoing regarding the specific posts within the unit. There will not be any redundancies as a result of this process.

It is proposed that two members of staff will transfer to Derby City Council in order that they can work within the business unit. Their presence will facilitate the transition and assimilation of knowledge and information relating to the Derbyshire Safeguarding Children Board into the new partnership arrangement.

6. Other Considerations

In preparing this report the relevance of the following factors has been considered – equality of opportunity, health, social value, prevention of crime and disorder, environmental, property and transport considerations.

7. Background Papers

1. Report of 21st March 2019

2. Implementation Plan.

8. Key Decision

No

9. Call-In

Is it required that call-in be waived in respect of the decision proposed in the report?

No

10. Executive Directors Recommendation

1. To approve the delegation of functions as outlined.
2. To approve the proposed transfer of two members of staff under TUPE arrangements, but notes the future proposals of the new Partnership
3. To note the arrangements for the operation of the Derby and Derbyshire Safeguarding Children Partnership to commence on 29th September 2019.

Jane Parfremment
Executive Director for Children's Services

**DERBYSHIRE COUNTY COUNCIL
CABINET
21 March 2019**

Report of the Strategic Director for Children’s Services

**Establishment of the Derby and Derbyshire Safeguarding Children
Partnership – (Young People)**

1. Purpose of Report

This report seeks Cabinet(s) approval to establish new Multi-Agency Safeguarding Arrangements across the Derby City and Derbyshire County areas replacing both the Derby Safeguarding Children Board and the Derbyshire Safeguarding Children Board.

The new arrangements would be called the Derby and Derbyshire Safeguarding Children Partnership and would bring together the lead members and chief officers from the statutory agencies to oversee and scrutinise the work of a joint executive board comprising both statutory and other key partners. It would continue to be independently chaired.

The new arrangements would boost the capacity within the system to improve its scrutiny of safeguarding arrangements, retaining a distinct focus on the respective issues of Derbyshire and Derby City respectively through a structure of dedicated sub-groups for each area, whilst ensuring duplication is minimised. The arrangements would build on the excellent performance of the two separate boards but allow for wider sharing of both learning and resources.

To support the new arrangements the report seeks approval to establish a joint business unit hosted by one of the local authorities. The detail of this team is yet to be finalised and as statutory timescales are tight, with implementation of the new arrangements being required no later than 29th September 2019, it is requested that the detailed structure of the team is delegated to the relevant Directors and Cabinet Members.

2. Information and Analysis

Section 30 of the Children and Social Work Act 2017 Act ‘abolishes’ Local Safeguarding Children Boards by deleting sections 13 to 16 of the Children Act 2004. Under the Children and Social Work Act 2017 Act, the three statutory safeguarding partners [Local Authorities, Chief Officers of Police, and Clinical Commissioning Groups (CCGs)] must make arrangements to work together with relevant agencies to safeguard and protect the welfare of children in the area. These are referred to as Multi-Agency Safeguarding Arrangements.

Working Together to Safeguard Children (July 2018), sets out the statutory guidance to which all new Multi-Agency Safeguarding Arrangements must adhere. Under the guidance, it is permissible for the new arrangements to cover more than one local authority area with the same principle applying for Clinical Commissioning Groups and Chief Officers of Police.

The new guidance offers an opportunity to refresh the design of the Multi-Agency Safeguarding Arrangements across Derbyshire and Derby.

Opportunities exist, therefore, to improve the co-ordination and impact of the work partnership as the new Multi-Agency Safeguarding Arrangements enable partner agencies who work

across the City and County boundaries to maximise strategic use of resources and reduce some duplication of their activity.

Implementing the new Derby and Derbyshire Safeguarding Children's Partnership arrangements will require the additional redesign of the business support function to enable the two separate LSCB teams to join together to fully support the work of the combined body. As the new arrangements will need to be published in June 2019 and be operational by September 2019, it is proposed to delegate the final design of this team to the relevant Directors and Cabinet Members. This will reduce the risk of any delays to the establishment of the new arrangements.

At the meeting between the Independent Chairs of both the Derby and Derbyshire Safeguarding Boards and Chief Officers of the two LSCBs on 12 March 2018, it was agreed that a working group should be set up to establish a proposal for new arrangements to replace the two existing LSCBs.

The working group was established and comprises both Directors of Children's Services (Derby City Council and Derbyshire County Council), Head of Public Protection (Derbyshire Constabulary), the Chief Nurse and Head of Safeguarding Children / Lead Designated Nurse for Safeguarding Children (Derbyshire CCGs¹) and the two Independent Chairs of the two LSCBs. The Tameside and Glossop Clinical Commissioning Group has been represented at one meeting. The business managers for the two LSCBs support the working group.

The working group drew up proposals for the new arrangements based on:

- Parameters set out by the Children and Social Work Act 2017;
- Analysis of the effectiveness of outstanding Local Safeguarding Children Board functions reviewed by Ofsted;
- Analysis of published reports of Multi-Agency Joint Targeted Area Inspections;
- Commentary from existing LSCB partner agencies about the effectiveness of local arrangements.

Following consultation with partner agencies from both LSCBs on 29 June 2018 and publication of the national guidance *Working Together to Safeguard Children* (4 July 2018), an updated proposal was developed in light of minor amendments requested by partners during the consultation period. This proposal details the new arrangements and was endorsed by the Chief Officers of the two LSCBs on 5 October 2018.

The functions as prescribed for the Derby and Derbyshire Multi-Agency Safeguarding Arrangements are no less complex and detailed than the functions carried out by the two LSCBs. Opportunities exist, therefore, to improve the co-ordination and impact of the work as the two areas join together the two LSCB business teams to provide a single business support function.

The current business support function of the two Boards is currently delivered by staff comprising 3.92 FTE employed by Derby City Council and 5.6 FTE employed by Derbyshire County Council. Work is underway to agree a single joint business team arrangement with equivalent capacity. The hosting arrangements were the subject of detailed discussion between the Independent Chairs and the statutory partners. Both local authorities would be happy to host and a process is underway to present an independent analysis of the strengths of each authority for consideration by the Chairs and the statutory partners. It is proposed that the decision regarding the hosting arrangements be delegated to the statutory partners in

¹ Derbyshire CCG's which consist of Southern Derbyshire CCG, North Derbyshire CCG, Hardwick CCG and Erewash CCG

order to avoid further uncertainty and delay.

Risks

Risk to both Derby City Council and Derbyshire County Council arises from a delay in the decision-making in respect of this proposal, leading to a failure to participate with statutory partners in the establishment of new multi-agency safeguarding arrangements, as set out in national guidance. The failure to establish these arrangements within prescribed timescales could result in Derby and Derbyshire safeguarding arrangements being unable to uphold their statutory duties to safeguard children according to new guidance. This may lead to adverse reputational risk, possible regulatory sanction for the local authorities in respect of their responsibilities to safeguard children and ultimately be potentially detrimental to local agencies' ability to effectively safeguard children across the area. This risk extends to both the Derbyshire Clinical Commissioning Groups and Derbyshire Constabulary who share legal responsibility for implementation of the new multi-agency safeguarding arrangements.

The proposal is supported by the statutory partners to lead to better working arrangements across the partnership and value for money.

The risks arising from any delay in decision-making would be mitigated through delegation of decisions as outlined in this paper to the Director of Children's Services (statutory post holders) for the two local authorities to enable progress to be made within the prescribed timescales.

Information Governance Risks

There is a lack of certainty as to whether the Multi-Agency Safeguarding Arrangement as a whole will be considered a separate data controller. Clarity is being sought in writing from the Information Commissioners' Office; this is likely to have an impact on the project timescales, as the relevant contractual arrangements cannot be put in place without this being resolved. Failing to register as a data controller with the ICO can result in a maximum fine of £4,350.

A determination by the ICO will enable the appropriate completion of the mandatory data privacy impact assessment as a priority, to give an appropriate overview of the compliance risks and ensure that the risks are being managed by the two local authorities, CCGs and Police within the new arrangements.

Non-compliance with the provisions of the data protection act can result in fines of up to £20m, reputational damage that would impact relations with service user and other agencies.

Public/stakeholder engagement

The Proposals set out in this report have been developed through a chief officer working group with representation from the Clinical Commissioning Groups, Police, both Local Authorities and the independent chairs.

Wider engagement has taken place and is ongoing with partners; including staff, education representatives and members of the sub-groups. Subject to Cabinet approval of this proposal, part of the work plan for the Multi-Agency Safeguarding Arrangements will include engaging stakeholders including children and young people in the development of the Derby and Derbyshire Safeguarding Children Partnership.

Other options

Current arrangements comprising the two safeguarding children boards could be used as a model for creating two separate new multi-agency safeguarding arrangements for each local authority area. However, this option would not be the preferred model for the key statutory partners as it would continue to duplicate arrangements for them. Separate arrangements would not allow for the two existing Boards to combine strengths, co-ordinate resources and deliver a shared approach. It is envisaged that there will be improved co-ordination and areas of duplication will be avoided, whilst retaining a focus on the distinct and different issues in Derbyshire and Derby City, leading to greater impact and effectiveness over time; the extent of this will be established during the first 12 months of implementation of the new arrangements.

The option of including the Derby and Derbyshire Adult Safeguarding Boards (DSAB's) within the new partnership arrangements was considered by the chief officer group. However, at this stage, it is felt beneficial to retain a strong focus on safeguarding children and minimise the risks inherent in further change. This could be a consideration in the future.

3. Financial Considerations

The chief officer working group has established the principle of future funding on an equal contribution basis from the statutory partners. The Police, two Local Authorities and the CCGs (which includes Southern Derbyshire CCG, North Derbyshire CCG, Hardwick CCG, Erewash CCG and Tameside and Glossop CCG) contribute 25% equally after other partner contributions have been taken into account, to the funding arrangement;

Currently, the National Probation Service, Community Rehabilitation Company and CAF/CASS contribute to both local safeguarding children boards on the basis of nationally agreed funding formulae for the new arrangements. Clarity has been requested as to whether the contributions will continue and it is envisaged that the position will be established by April 2019.

The review of the business support functions will include a review of funding arrangements to ensure best value principles are adhered to and cost-effectiveness is achieved. No budget savings are attached to the proposal at the point of implementation and in the initial year of operation.

The illustration of the proposed funding below is based on the funding levels of the two LSCBs 2018-2019. Any potential areas of activity that can be achieved with greater cost-effectiveness that ensure children are safe will be identified through the review of the business functions and the annual review of the effectiveness of the new arrangements.

Any identified over or underspends at the end of the financial year will be considered by the new Derby and Derbyshire Safeguarding Partnership (MASA) with notification to the partners that the any variance will be shared between them as determined in the partnership agreement.

There will be additional, non-recurrent, resources required to facilitate the transition to the new arrangements, which include the need to obtain appropriate legal advice and project management. It is expected that these can be met from existing resources.

Illustration of funding 2018-2019

- Funding for the Derby LSCB 2018-2019 £197,282

- Funding for the Derbyshire LSCB for 2018-2019 £329,578

	Derby LSCB	2018-2019
Derby City Council	57.43%	£113,295
Derbyshire CCG's	25%	£49,691
Derbyshire Constabulary	13%	£25,839
National Probation Service *	0.99%	£1,945
Community Rehabilitation Company *	1.01%	£2,000
CAFCASS *	0.28%	£550
Shortfall made up from reserves	2.01%	£3,962
Total	100.00%	£197,282

	Derbyshire LSCB	2018-2019
Derbyshire County Council	40.55%	£133,650
Derbyshire CCG's	44.25%	£145,850
Tameside and Glossop CCG	2.14%	£7,069
Derbyshire Constabulary	11.82%	£38,945
National Probation Service *	0.54%	£1,765
Community Rehabilitation Company *	0.54%	£1,765
CAFCASS *	0.16%	£534
Total	100.00%	£329,578

***national funding formula applies**

The combined funding (illustration above) for 2018-2019 is £526,860

Derby and Derbyshire Safeguarding Children Partnership: Illustration of proposed funding 2019-2020.

Derby and Derbyshire Safeguarding Partnership (with similar contributions NPS,CRC and CAFCASS for the two areas)	2019-2020	Percentage difference With 2018-2019 contribution to the LSCB
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			in 1 or both combined areas*
Derby City Council	24.59%	£129,575	Increase of £16280 (14.39%)
Derbyshire County Council	24.59%	£129,575	Decrease of £4075 (3.05%)
Derbyshire CCG's			Total decrease* (across both areas) of £73035 (36.05%)
Tameside and Glossop CCG	24.59%	£129,575	
Derbyshire Constabulary	24.59%	£129,575	Total increase* (across both areas) of £64791 (100.01%)
National Probation Service	0.70%	£3,710	Nil Change
Community Rehabilitation Company	0.71%	£3,765	Nil Change
CAFCASS	0.21%	£1,084	Nil Change
Total			
		£526,860	
(Equivalent to the funding for the two LSCBs 2018-2019)			

4. Legal and Human Rights Considerations

Under the current arrangements, it is the responsibility of the Chief Executive (Head of Paid Service) drawing on other LSCB partners and, where appropriate, the Lead Member, to hold the Independent Chair of a LSCB to account for the effective working of the LSCB.

Under the new legislation, the three safeguarding partners [Local Authorities, Chief officers of Police, and Clinical Commissioning Groups (CCGs)] must make arrangements to work together to ensure that their collective responsibilities are discharged effectively through their work and that with other partners.

A legal agreement will be established between the statutory partners to set out their shared responsibilities and accountability for the new Multi-Agency Safeguarding Arrangements (Derby and Derbyshire Safeguarding Children Partnership).

5. Human Resources Considerations

At such time when the arrangements for the business support function for the new partnership have been agreed (through decision-making delegated to relevant Directors), consultation with trade unions and employees will commence in respect of potential hosting arrangements including: potential transfer in or out of Derbyshire County Council staff under TUPE regulations and work location, new structures, job roles and any potential redundancies.

6. Other Considerations

In preparing this report the relevance of the following factors has been considered – equality of opportunity, health, social value, prevention of crime and disorder, environmental, property and transport considerations.

The proposals outlined in this report were considered by the Derby City Council cabinet at their meeting on 13th March. At the time of writing the decision of their cabinet is not known.

7. Background Papers

Children and Social Work Act 2017
Working Together To Safeguard Children 2018

8. Key Decision

No

15. Call-in

Is it required that call-in be waived in respect of the decision proposed in the report?
No

16. Strategic Director's Recommendation

To approve the establishment of the Multi-Agency Safeguarding Arrangements (called the Derby and Derbyshire Safeguarding Children Partnership) to replace the two existing Safeguarding Children's Boards in line with Working Together to Safeguard Children 2018 statutory guidance and the Children and Social Work Act 2017.

To establish a joint business support team for the new partnership to be hosted by one of the local authorities. The decision on hosting arrangements to be made by the statutory partners supported by an independent analysis of who is best placed to host. The hosting arrangements and specific details of the roles and responsibilities of the team be delegated to the Derby Director of People's Services and the Derbyshire Strategic Director of Children's Services in consultation with the relevant Cabinet Members.

To agree 25% proportion (for each local authority) of the future finance arrangements.

Jane Parfremment
Executive Director for Children's Services



Derby and Derbyshire

Safeguarding Children Partnership

Derby and Derbyshire Safeguarding Children Partnership Plan for new arrangements

Published Thursday 27th June 2019



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**Signatories to the Derby and Derbyshire Safeguarding Children
Partnership Implementation Plan
Derby City Council:**



Carole Mills, Chief Executive Officer

Derbyshire County Council:



Emma Alexander, Executive Director

Derby and Derbyshire Clinical Commissioning Group



Dr Chris Clayton, Chief Executive Officer

Tameside and Glossop Clinical Commissioning Group



Steven Pleasant MBE, Chief Executive Officer

Derbyshire Constabulary



**Assistant Chief Constable Paul Gibson, for and on behalf of The Chief
Constable**

Arrangements for the safeguarding partners to work together to identify and respond to the needs of children in Derby and Derbyshire

The purpose of local arrangements is to support and enable organisations and agencies across Derby and Derbyshire to work together so that:

- children are safeguarded and their welfare promoted;
- partner organisations and agencies collaborate, share and co-own the vision for how to achieve improved outcomes for vulnerable children;
- organisations and agencies challenge appropriately and hold one another to account effectively;
- there is early identification and analysis of new safeguarding issues and emerging threats;
- learning is promoted and embedded in a way that local services can become more reflective and implement changes to practice identified as positive for children and families; information is shared effectively to facilitate more accurate and timely decision making for children and families.

This plan sets out how the new arrangements will operate. The plan will be implemented on the 29th September 2019; at this point the Derby and Derbyshire Safeguarding Children Partnership will take responsibility for the implementation of the new arrangements as set out below.

Strong leadership will be critical for the new arrangements to be effective in bringing together the range of organisations and agencies within the partnership. The statutory safeguarding partners across Derby and Derbyshire have equal and joint responsibility for local safeguarding arrangements.

In order to ensure that the responsibilities of the partnership are being effectively discharged, a Chief Officer Group will lead the Derby and Derbyshire Safeguarding Children Partnership and includes representation from the following:

- Derby City Council: Chief Executive
- Derby City Council: Cabinet member for Children and Young People
- Derby City Council: Director of Children's Services (statutory role)
- Derbyshire County Council: Executive Director
- Derbyshire County Council: Cabinet member for Children and Young People
- Derbyshire County Council: Director of Children's Services (statutory role)
- Derby and Derbyshire Clinical Commissioning Group: Chief Executive
- Tameside and Glossop Clinical Commissioning Group: Chief Executive
- Derbyshire Constabulary: Chief Constable
- Derbyshire Police and Crime Commissioner

The Chief Officer Group will:

- speak with authority for the safeguarding partner they represent;
- take decisions on behalf of their organisation or agency and be empowered to commit them on policy, resourcing and practice matters;
- hold their own organisation or agency to account on how effectively they participate in and implement the local arrangements;

- hold the Executive Board to account on how effectively it delivers the business plan of the partnership and implements the local arrangements;
- play an active role in facilitating and driving action beyond institutional constraints and boundaries.

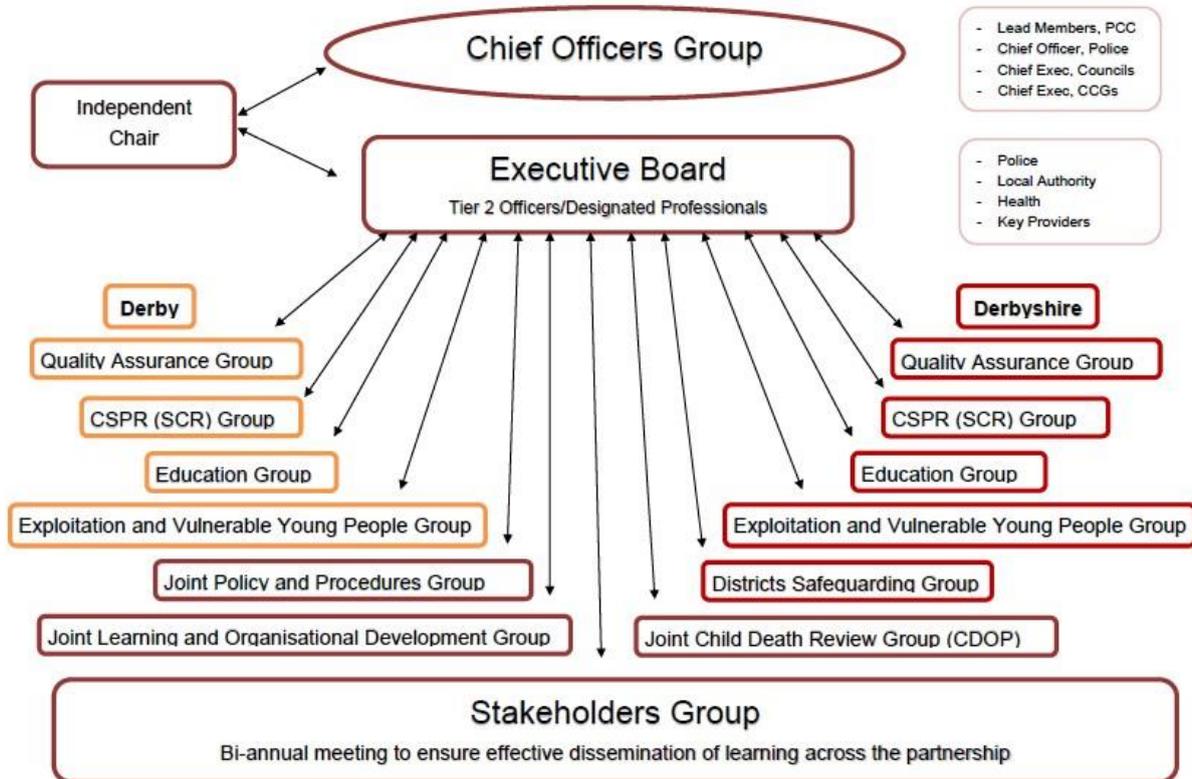


Image 1: Flow diagram depicting the proposed governance arrangements for the Derby and Derbyshire Safeguarding Children Partnership.

Detailed governance arrangements will set out how statutory partners will work together and work with other agencies to ensure that the responsibilities of the partnership will be carried out, mindful of the ongoing responsibilities for each Director of Children’s Services for the safety of children in their area (as set out in section 18 of the Children Act 2004).



The Chief Officer Group will:

- publish a strategy outlining its priority areas of work and a business plan to monitor the effectiveness and drive forward improvements in local safeguarding arrangements across Derby and Derbyshire;
- review and report on the effectiveness of the implementation of the new arrangements, including the effectiveness of the Executive Board, the partnership working groups and stakeholders group;
- ensure the local safeguarding arrangements drive forward improvement in conjunction with other relevant public boards including Health and Wellbeing Boards, Safeguarding Adult Boards, Channel Panels, Improvement Boards, Community Safety Partnerships, the Local Family Justice Board and Multi-Agency Public Protection Arrangements (MAPPAs);
- publish an annual report;
- respond to recommendations from local and/or national child safeguarding practice reviews;
- respond to issues arising from the review of child deaths across Derby and Derbyshire;
- drive forward learning and organisational development to improve safeguarding arrangements.

The Executive Board is responsible for delivering strategic influence through the business plan and the work of the partnership groups to improve safeguarding arrangements. The Executive Board will be responsible for obtaining assurance of the effectiveness of safeguarding arrangements and emerging concerns across Derby and Derbyshire. The Executive Board is accountable to the Chief Officer Group.

The Executive Board will articulate and communicate a clear vision across the local partnership. This will include the fundamental message that safeguarding children is everybody's responsibility. The Executive Board will hold to account the work of the partnership groups through a programme of formal reporting delivered by the Chairs of each group. The frequency of reporting will be determined by the function and role of each group and is illustrated in Appendix 1. The Executive Board, through the work of the partnership groups will ensure that there is a coordinated approach to improving the multi-agency responses to vulnerable children.

The Executive Board will drive the agenda for the bi-annual stakeholder events and ensure that partner agencies and members of the community are active participants contributing to the evaluation of safeguarding arrangements across Derby and Derbyshire and driving forward improvement.

In order to achieve effective multi-agency engagement, scrutiny and challenge across the partnership with suitable seniority, the Executive Board will comprise of core representation at each quarterly meeting from:

- Derby City Council
- Derbyshire County Council
- Derby and Derbyshire Clinical Commissioning Group
- Tameside and Glossop Clinical Commissioning Group
- Derbyshire Constabulary

- Derbyshire Community Health Services NHS Foundation Trust
- University Hospitals of Derby and Burton NHS Foundation Trust
- Derbyshire Healthcare NHS Foundation Trust
- Chesterfield Royal Hospital NHS Foundation Trust
- The Chair of the Derby Education Group
- The Chair of the Derbyshire Education Group
- East Midlands Ambulance Service (EMAS)
- DHU Healthcare / NHS 111

In addition to the core representation, the Chairs of the following Derby and Derbyshire groups will report *at each quarterly meeting*:

- Quality Assurance Groups
- Child Safeguarding Practice Review Groups (previously known as Serious Case Review Panels)

In addition to the core representation, the Chairs of t

- Education Groups
- Exploitation and Vulnerable Young People Groups
- Joint Policies and Procedures Group

In addition to the core representation, the Chairs of the following Derby and Derbyshire groups will report *on an annual basis*:

- Joint Learning and Organisational Development Group
- Districts Safeguarding Group
- Child Death Review Group (previously known as Child Death Overview Panel)

In addition to the planned reporting cycle, partnership groups will be expected to report by exception to the Executive Board at either the request of Executive Board or Chief Officer Group.

The Executive Board is responsible for the effective work of the partnership groups and will approve the appointment of the chair for each group against agreed and robust criteria and hold them to account for the work carried out as part of the partnership business plan.

The Executive Board will:

- ensure that the priorities and business plan set out by the Chief Officer Group are effectively delivered;
- monitor and challenge the effectiveness of work between the partnership groups, so that the business plan across Derby and Derbyshire is joined up and makes an observable and proven difference;
- ensure that young people and members of the community are active participants in the work of the relevant partnership groups;
- ensure the work of the partnership is aligned with other strategic groups so that safeguarding priorities and learning are embedded and inform development;
- ensure that there is consistency in the terms of reference and work plans for



the partnership groups;

- respond to recommendations from local and national child safeguarding practice reviews;
- ensure that there are effective interim governance arrangements for the Child Death Overview Panel during the transition to new arrangements and implementation of the Child Death Review Group.

Arrangements for commissioning and publishing local child safeguarding practice reviews

Local child safeguarding practice reviews will be commissioned by the Derby and Derbyshire Safeguarding Children Partnership following the completion of rapid reviews of Serious Child Safeguarding Incidents in accordance with national guidance.

A partnership group will be maintained for the Derby area and one for the Derbyshire area with specific responsibilities for:

- commissioning and completing rapid reviews on cases where notifications are made by local authorities in response to Serious Child Safeguarding Incidents (as defined by Working Together 2018);
- commissioning, facilitating and publishing local child safeguarding practice reviews;
- communicating a decision to the (national) Child Safeguarding Practice Review Panel ('the Panel') about whether a local or national child safeguarding practice review is appropriate for cases considered locally;
- completing serious case reviews and local learning reviews which started prior to 29 September 2019;
- cooperating and supporting the work of the Panel to complete national child safeguarding practice reviews;
- publishing, promoting and embedding learning from local child safeguarding practice reviews in a way that local services for children and families can become more reflective and implement changes to practice.

The two Local Safeguarding Children Boards in Derby and Derbyshire will continue to carry out all of their statutory functions, including commissioning serious case reviews where the criteria are met, until the point at which safeguarding partner arrangements begin to operate on 29 September 2019 and adhere to the statutory transitional arrangements and timescales.

The process for undertaking local child safeguarding practice reviews, setting out the arrangements for embedding learning across organisations and agencies

The process for undertaking local child safeguarding practice reviews will be managed by two partnership groups in Derby and Derbyshire areas and comply with national guidance.

Learning from local and national child safeguarding practice reviews will be used to improve safeguarding practice across Derby and Derbyshire. This learning will inform:

- revisions to policies and guidance for practitioners from all agencies and the commissioning of new policies and guidance where needed;
- revisions to training and development resources for practitioners from all agencies and the commissioning of resources where needed;
- audit activity to obtain assurance that improvements identified by local child safeguarding practice reviews are having a positive impact on practice;
- learning activity to be shared at the twice yearly stakeholder events so that learning is broadly promoted across all partners and the community.

Arrangements for independent scrutiny of the effectiveness of the arrangements

The Derby and Derbyshire Safeguarding Children Partnership is committed to ensuring that effective independent scrutiny of the arrangements is in place to provide assurance of the effectiveness of multi-agency arrangements that safeguard and promote the welfare of all children, including arrangements to identify and review serious child safeguarding incidents and conduct child safeguarding practice reviews.

Independent scrutiny will occur through ongoing and specific activity so that partners and communities across Derby and Derbyshire have robust assurance of local arrangements.

An independent chair will provide scrutiny and challenge to the Chief Officer Group and the Executive Board. The independent chair will act with demonstrable independence and a sufficient degree of authority to ensure that the agencies respond positively and work to address areas of practice requiring development across Derby and Derbyshire. The independent chair will have the authority to commission specific assurance activity to obtain the necessary confidence that local arrangements are effective.

Independent scrutiny of partnership arrangements will be carried out by external organisations. Independent scrutiny will routinely occur through inspection carried out by regulatory inspection of the services provided by individual safeguarding partners. There will also be multi-agency Joint Targeted Area Inspections of the local area. "Peer reviews" may also be commissioned drawing upon external agencies who are invited to review local arrangements, sometimes with particular themes.

Young people and members of the community will have an essential role in shaping service development across all agencies and contributing to the scrutiny processes that hold agencies to account. The voice and influence of the child will be heard through practice audit, in order to inform strategic developments.

Lay members representing local communities, including young people, will be actively involved within the work of the partnership subgroups so that their influence, challenge and contributions can impact directly on specific areas of work. This will provide an additional source of independent scrutiny of the arrangements delivered by the partnership.



Who the local safeguarding partners are

The safeguarding partners are defined under the Children Act 2004 (as amended by the Children and Social Work Act 2017). The safeguarding partners for the Derby and Derbyshire Safeguarding Children Partnership are as follows:

- a) the Local Authority: **Derby City Council** and **Derbyshire County Council**
- b) Clinical Commissioning Group's for an area any part of which falls within the Local Authority area: **Derby and Derbyshire Clinical Commissioning Group** and **Tameside and Glossop Clinical Commissioning Group**
- c) the Chief Officer of Police for an area any part of which falls within the local authority area: **Derbyshire Constabulary**

An inter-agency Governance and Accountability Framework will be in place which is an agreement that has been signed by each of the statutory partners to set out the legal arrangements to ensure there is effective governance and decision making. The agreement includes the role that each statutory partner has to carry out their responsibilities so that the Derby and Derbyshire Safeguarding Children Partnership is effective and works to keep children safe from harm.

Geographical boundaries

The Derby and Derbyshire Safeguarding Children Partnership will coordinate safeguarding services and act as a strategic leadership group across the Derby city and Derbyshire county areas. Activity by the partnership will incorporate identifying the needs of children and young people living in diverse urban and rural areas and ensuring that effective action is taken to safeguard them.

Driving forward effective local arrangements requires attention to the detail of what works and where improvement is needed. In order to achieve this level of detail across the diverse areas of need, the new arrangements will include reporting and scrutiny of identified functions in each geographical area. The activity carried out by each of the groups will need to ensure that there is sufficient detail so that the partnership can be assured that arrangements are robust.

The arrangements will be subject to review and this will include analysis of future opportunities to bring together any of the groups to establish a joint group where the effectiveness of the coordination and scrutiny of arrangements across the two geographical areas can be sustained and improved.

The District Councils have and will retain essential safeguarding responsibilities. In order to uphold their responsibilities, the District Councils will continue to actively participate in their existing joint arrangements to coordinate their safeguarding duties. The effectiveness of their arrangements will be reported to the Derby and Derbyshire Safeguarding Children Partnership and they will be supported as active stakeholders in their roles to keep children safe in their local areas.

The relevant agencies with whom the safeguarding partners will work; why these organisations and agencies have been chosen; and how they will collaborate and work together to improve outcomes for children and families

Stakeholders from both local safeguarding children boards were consulted in the drawing up of the new arrangements across the two areas. In June 2019 agencies across Derby and Derbyshire were consulted on their role as relevant agencies who safeguard children and young people and have a key role collaborating and working as members of the Derby and Derbyshire Safeguarding Children Partnership.

A full list of relevant agencies will be maintained and publicly available on the Derby and Derbyshire Safeguarding Children Partnership website.

Relevant agencies will be involved in the work of partnership groups directly depending on their role and invited to participate in twice yearly stakeholder events to drive forward improvement to safeguarding arrangements across Derby and Derbyshire.

The stakeholder group events will ensure that:

- Ongoing learning and improvement is shared across the partnership from the work of the sub groups;

- Partners and stakeholders have the opportunity to shape ongoing development and business plans for the partnership;
- Partners and stakeholders are able to identify emerging thematic safeguarding concerns for children both from within and from outside their families.

This approach will enable joint identification of, and response to, existing and emerging needs and agreement on priorities to improve outcomes for children.

How all early years settings, schools (including independent schools, academies and free schools) and other educational establishments will be included in the safeguarding arrangements

The Derby and Derbyshire Safeguarding Children Partnership recognises that early years settings, schools (including independent schools, academies and free schools) and other educational establishments have an essential role identifying and supporting vulnerable children and young people.

The role of early years settings, schools (including independent schools, academies and free schools) and other educational establishments will be represented in a partnership group in each area with specific responsibilities for:

- collaboration across the education sector and the wider children's safeguarding arena to share and co-own the vision for how to achieve improved outcomes for school-aged children;
- strengthening the safeguarding measures across the education sector so that each setting has effective assurance of its own arrangements;
- promoting and embedding learning in a way that education services for children and families can become more reflective and implement changes to practice;
- ensuring the education sector identifies concerns and shares information effectively to facilitate more accurate and timely decision making for children and families.



How any youth custody and residential homes for children will be included in the safeguarding arrangements

There is no youth custodial establishment within Derby or Derbyshire. The Derby and Derbyshire Safeguarding Children Partnership will ensure therefore that there is active monitoring of the effectiveness of arrangements for local children placed in custody through the work of the Youth Offending Services. This will include monitoring of children within the secure estate on a longer term basis and monitoring of children kept overnight in police custody in Derby and Derbyshire.

There are a range of residential homes for children within Derby and Derbyshire provided by the two local authorities and independent sector organisations. The Derby and Derbyshire Safeguarding Children Partnership will ensure therefore that there is active monitoring of the effectiveness of these arrangements through a range of sources including: reporting by the Independent Reviewing Officer services, inspection reports and direct engagement with service providers through stakeholder events and training.

How the safeguarding partners will use data and intelligence to assess the effectiveness of the help being provided to children and families, including early help

The Derby and Derbyshire Safeguarding Children Partnership will actively monitor the effectiveness of services being provided to children and families, including early help through a range of data and qualitative audit reports.

Timely and accurate information from across different agencies, including from multi-agency audits, will inform analysis to:

- understand current and projected local need overall and against specific demand areas;
- build an understanding of frontline practice;
- develop well-informed priorities;
- decide what action to take to improve frontline services.

A partnership group will be maintained in each area with specific responsibilities for:

- obtaining and evaluating performance data using an agreed set of performance measures which support the Partnership's strategic aims and priorities
- obtaining and evaluating evidence from single and multi-agency audit and feedback from children and young people;
- ensuring that the voice of the child is heard through practice audit and this informs strategic development;
- providing analysis about the effectiveness of local safeguarding arrangements and areas for improvement;
- early identification and analysis of new safeguarding issues and emerging trends and threats;
- promoting and embedding learning in a way that local services for children

and families can become more reflective and implement changes to practice;

- evaluating the impact of the work of the partnership to demonstrate improvement arising from audit and assurance activity.

The learning about performance and areas for development will inform reporting on effectiveness to the Executive Board and Chief Officer Groups and be summarised in the published Annual Report of the Derby and Derbyshire Safeguarding Children Partnership.

How inter-agency training will be commissioned, delivered and monitored for impact and how the partnership will undertake multiagency and inter-agency audits

Good quality and innovative learning opportunities including training, along with effective supervision, need to be in place for the whole multi-agency partnership to create an environment in which practice can flourish. A culture of continuous development and improvement will draw from the learning arising from the other partnership groups to improve safeguarding practice.

A joint partnership group will be maintained for both areas with specific responsibilities for:

- conducting analysis of safeguarding training needs across the workforce and taking account of learning from Case Reviews and Quality Assurance activity;
- producing an annual training programme which takes account of the identified training needs of the workforce, practice findings from the annual audit cycle and the priorities of the Partnership;
- reviewing and updating the training programme and commissioning training as required;
- promoting and embedding learning in a way that local services for children and families can become more reflective and implement changes to practice;
- innovating to ensure that learning and improvement is delivered effectively;
- assuring the quality of single and multi-agency training and securing evidence of the ongoing impact it has on practice and the wellbeing of children.

The Derby and Derbyshire Safeguarding Children Partnership will carry out multi-agency and inter-agency audit through the work of the quality assurance groups. Strong effective links will be in place to make sure that learning from audit informs practice development through both multi-agency and single agency training and development activity.



How the arrangements will be funded

The Derby and Derbyshire Safeguarding Children Partnership has established a funding agreement in accordance with the guidance set out in Working Together 2018 and that includes the following principles:

- a) The Police, two Local Authorities and the CCG's (which includes Derby and Derbyshire Clinical Commissioning Group and Tameside and Glossop Clinical Commissioning Group) contribute 25% equally, after other partner contributions have been taken into account, to the funding arrangement;
- b) A review of the business support functions will be conducted using best value principles, ensuring that the new partnership is able to meet its statutory duties to a high standard in a cost effective manner.

The funding arrangements are addressed in detail as part of the inter-agency agreements signed off by the statutory members of the Derby and Derbyshire Safeguarding Children Partnership.

How the arrangements will include the voice of children and families

The voice of children and families will be explicitly embedded in the work of the partnership groups. The Derby and Derbyshire Safeguarding Children Partnership will be particularly focused on the voice of children and families informing:

- audit work leading to practice improvement and service development;
- participation in the work of the partnership led through activity facilitated by the vulnerable children and young people development officer;
- participation and representation in training, learning and organisational development activity.

The representation and impact of the voice of children and families will be summarised in the published Annual Report of the Derby and Derbyshire Safeguarding Children Partnership.

How the threshold document setting out the local criteria for action aligns with the arrangements

The Derby and Derbyshire Safeguarding Children Partnership thresholds document is embedded within the Derby and Derbyshire Safeguarding Children Procedures. The threshold document sets out the local criteria for action.

Driving forward high quality guidance for staff and ensuring that it is both being used and having a positive impact on outcomes for children is a key outcome of effective arrangements.

A joint partnership group will be maintained for both areas with specific responsibilities for:

- maintaining threshold guidance that clearly defines levels of needs and the responsibilities of agencies to take action;
- developing, reviewing and updating essential multi-agency safeguarding procedures and guidance that is consistent with national guidance and available for all staff;
- promoting and embedding the use of policies and procedures in a way that local practice improves services for young people and families;
- auditing the impact of the use of policies and procedures on practice and providing analysis about the effectiveness of local safeguarding arrangements and areas for improvement;
- analysing whether decision making about the threshold of need provides evidence for the partnership of the effectiveness of joint working and helps recognise whether there are areas of pressure upon resources within local safeguarding arrangements.



In summary

The Derby and Derbyshire Safeguarding Children Partnership is committed to providing effective leadership, to ensure a full range of organisations, agencies and members of the community are able to understand the effectiveness of local safeguarding arrangements and to enable all partners to work together to drive forward improvements in safeguarding children, young people and their families.

Review

An initial review of the implementation of this plan will be carried out in December 2019 to identify its effectiveness in improving safeguarding arrangements and identify any further developments required.

Publication

The Implementation Plan will be publicly available on the Derby Safeguarding Children Board [website](#) and the Derbyshire Safeguarding Children Board [website](#). It will be subsequently published on the Derbyshire Safeguarding Children Partnership website.



Appendix 1

Illustration of reporting cycle to the Executive Board

Quarter 1	Quarter 2	Quarter 3	Quarter 4
Quality Assurance	Quality Assurance	Quality Assurance	Quality Assurance
Child Safeguarding Practice Review	Child Safeguarding Practice Review	Child Safeguarding Practice Review	Child Safeguarding Practice Review
Exploitation and Vulnerable Young People	Education	Exploitation and Vulnerable Young People	Education
Policy and Procedures	Child Death Review Group	Policy and Procedures	Learning and Organisational Development
Business Plan		Districts Safeguarding Group	Annual Report