



Lincolnshire Safeguarding Children Board

CONSTITUTION 2011 - 2012

'Together Safeguarding Children's Welfare'

Lincolnshire Safeguarding Children Board (LSCB) role

To drive the work of all agencies in Lincolnshire to ensure that children and young people are kept safe and their welfare remains paramount.

Objectives of the LSCB

The functions of the LSCB are set out in primary legislation (Sections 14 and 14a of The Children Act 2004) and regulations (Local Safeguarding Board Regulations 2006). The core objectives of the Lincolnshire Safeguarding Children Board are:

- a.** 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;
and
- b.** To ensure the effectiveness of what is done by each such person or body for that purpose.

Safeguarding and promoting the welfare of children is defined as:

- Protecting children from maltreatment,
- Preventing impairment of children's health or development,
- Ensuring that children are growing up in circumstances consistent with the provision of safe effective care;

and undertaking that role as to enable those children to have optimum life chances and enter adulthood successfully.

The LSCB will therefore ensure that the duty to safeguard and promote the welfare of children is carried out in such a way as to contribute to improving all five *Every Child Matters* outcomes.

Safeguarding and promoting the welfare of children includes protecting children from harm. Ensuring that work to protect children is properly co-ordinated and effective remains a primary goal of the LSCB. However, the LSCB will go beyond this core business to work to the wider remit, which includes preventative work to avoid harm being suffered. This will ensure a long-term impact on the safety of children.

Scope and functions of the LSCB

The specific responsibilities of the Lincolnshire Safeguarding Children Board are:

- To hold agencies to account for the effectiveness of their work in safeguarding children.
- To develop and agree inter-agency policies, procedures and protocols which focus on safeguarding children, including thresholds for intervention.
- To monitor and evaluate the effectiveness of what is done by the local authority and Board partners individually and collectively to safeguard and promote the welfare of children and advise them on ways to improve
- To promote the safest possible practices in relation to the recruitment and selection of all those who work with children in a statutory and voluntary capacity.
- To ensure that allegations concerning persons working with children are dealt with properly and quickly.
- To develop policies and procedures which focus on the need for adult services to recognise the impact of adult problems on children's welfare and to ensure training programmes enable services that work primarily with adults respond appropriately to the needs of adults as parents.
- To undertake reviews of cases where a child has died or has been seriously harmed in circumstances where abuse or neglect is known or suspected and advising on lessons which can be learned.
- To promote the safety of children in Lincolnshire, including collating and analysing information about the deaths of all children in the area.
- To promote, encourage and sustain a community involvement in safeguarding children, and improving levels of safety for children.
- To ensure the co-ordination and effective implementation of measures to strengthen private fostering notification arrangements and to receive an annual private fostering report submitted by the local authority.
- To ensure that single agency and inter-agency training on safeguarding and promoting welfare is provided in order to meet local needs.
- To ensure the Board is adequately resourced and supported to carry out its function as defined by statutory guidance.

- To receive reports on matters of local and national relevance relating to the objectives of the Board.
- To publicise materials which highlight issues relating to the protection and safety of children, ensuring that the views and opinions of young people are taken into account.
- To participate in the local planning and commissioning of children's services to ensure that they take safeguarding and promoting the welfare of children into account.
- To ensure appropriate links with the Lincolnshire Secure Unit and report annually to the Youth Justice Board on how effectively the establishment is managing the use of restraint.
- To publish an Annual Report in line with the requirements of The Apprenticeship, Skills, Children and Learning Act 2009.
- To act as the 'responsible' authority for 'matters relating to the protection of children from harm' under the licensing Act 2003.
- In agreement with the Children's Trust Board to lead on other activity that facilitates, or is conducive to the achievement of the objectives of the LSCB.

Accountability for operational work

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

Members of the LSCB will be held to account for challenge within their own organisations.

Agencies working under the auspices of the LSCB

Section 11(4) of The Children Act 2004 identifies which agencies have a duty to have regard to guidance given to them by the Secretary of State including any safeguarding guidance. A list of these agencies will be collated and maintained. In addition, where private, community or voluntary organisations are commissioned to provide services on behalf of one of the above agencies, the arrangements under which the arrangements are made should require that the private/voluntary organisation takes this guidance into account in the provision of services.

A list of agencies commissioned to deliver services on behalf of a statutory body will also be collated.

Other private/voluntary/community organisations that come into contact with or offer services to children in Lincolnshire will be asked as a matter of good practice to take account of this guidance.

LSCB governance and operational arrangements

The LSCB will function as an alliance of key agencies with duties and membership underpinned by legislation and statutory guidance. Within this arrangement the Board will have limited legal status. As a result of this limited legal status, the Board will need to identify a partner agency that will fulfil an administrative and financial role on behalf of the Board. This role is referred to as the Accountable Body

Lincolnshire County Council will act as the Accountable Body for the Board and will provide the following functions:

- Provide administrative, human resource management and financial support to the Board
- Ensure that funds are spent according to the plan agreed by the Board
- Ensure that systems for monitoring performance and audit are in place and are effectively maintained

The Accountable Body does not have decision making power other than as one member of the Board. The Accountable Body's functions including use of standing order and standing financial instructions should be determined by the Board. This means that decisions about management structures, allocation of funding, development priorities etc rest with the Board.

The Board will present its Annual Report to the Health and Well Being Board.

Chair

It is the responsibility of the local authority, after consultation with the LSCB partners, to appoint the LSCB chair. The chair, who must be of sufficient standing and expertise to command the respect and support of all partners, will be someone independent of the local agencies so that the LSCB can exercise its local challenge function effectively. The chair should act objectively and distinguish their role as LSCB chair from any day-to-day role.

The Vice Chair will be nominated from one of the partner organisations at the Annual General Meeting of the LSCB.

Membership

Members should be people with a strategic role in relation to safeguarding and promoting the welfare of children within their organisation. They should be able to:

- Speak for their organisation with authority;
- Commit their organisation on policy and practice matters; and
- Hold their organisation to account.

The Lead Member for Children's Services should be a 'participating observer' of the LSCB.

The Director of Children's Services will be held to account for the effective working of the LSCB by the Chief Executive and challenged where appropriate by the Lead Member.

Statutory Members ('Seats' refer to those on the Strategic Management Group)

- Local Authority Children's Services **2 seats** Adult Services **1 seat**
- District Councils; **1 seat**
- the Chief Officer of Police; **1 seat**
- the Local Probation Trust; **1 seat**
- the Youth Offending Service; **1 seat**
- Strategic Health Authorities (SHAs) and Primary Care Trusts (PCTs); **2 seats***
- NHS Trusts and NHS Foundation Trusts **1 seat***
- Cafcass (Children and Family Courts Advisory and Support Service); **1 seat**
- the Governor or Director of any Secure Training Centre in the area of the local authority; **(seats not applicable)** and
- the Governor or Director of any prison in the local authority area which ordinarily detains children. **(seats not applicable)**

*** 1 seat for SHA, 1 for Commissioners and 1 for Providers**

Note: The LSCB Operational Delivery Group and Sub-Groups will comprise representatives from agencies outlined above and below. The Chair of the Child Death Overview Panel will be a member of the Operational Delivery Group. Those holding Senior Liaison Officer (SLO) roles will be members of the Operational Delivery Group

Officers attending and supporting the LSCB (non voting members):

- Business Manager
- Legal Adviser

- Training Officers
- Administrators

The local authority should ensure that those responsible for adult social services functions are represented on the LSCB, given the importance of adult social care in the context of safeguarding and promoting the welfare of children. Similarly health organisations should ensure that adult health services and in particular adult mental health, adult drug and alcohol services and adult disability services are represented on the LSCB.

The LSCB should ensure that it has access to appropriate expertise and advice from all the relevant sectors, including a designated doctor and nurse who will be members of the Operational Delivery Group.

The Children Act 2004 sets out that the local authority and its partners must cooperate in the establishment and operation of the LSCB. This places an obligation on the local authority and its statutory LSCB partners to support the operation of the LSCB.

Lay Members

The LSCB will include two lay members from the local community. The role for lay members will relate to:

- supporting stronger public engagement in local child safety issues and contributing to an improved understanding of the LSCB's child protection work in the wider community;
- challenging the LSCB on the accessibility by the public and children and young people of its plans and procedures; and
- helping to make links between the LSCB and community groups

Lay members will operate as full members of the LSCB, participating on the Board itself and on relevant committees.

Representation from schools

The LSCB will establish with Lincolnshire schools a system to ensure that the diverse range of schools is represented on the Board appropriately. The LSCB will build on existing arrangements to avoid duplication whilst at the same time enabling an efficient and effective means to communicate with all schools both to seek their views on issues and to feed information back.

Other members

The LSCB will secure the involvement of the NSPCC and other relevant national and local organisations. Local organisations can include faith groups, children's centres, GPs, independent healthcare organisations and voluntary and community sector organisations including bodies providing specialist care to children with severe disabilities and complex health needs. The armed forces should also be included.

Where the number or size of similar organisation precludes individual representation the LSCB should seek to involve them through existing networks or forums.

Involvement of other agencies and groups

The LSCB should make appropriate arrangements at a strategic management level to involve others in its work as necessary. For example:

- the coronial service;
- dental health services;
- domestic violence forums;
- drug and alcohol misuse services;
- Drug Action and Alcohol Teams;
- housing, culture and leisure services;
- housing providers;
- local authority legal services;
- local Multi-Agency Public Protection Arrangements (MAPPA);
- local sports bodies and services;
- local Family Justice Council;
- Local Criminal Justice Board;
- other health providers such as pharmacists;
- representatives of service users;
- sexual health services;
- the Crown Prosecution Service;
- witness support services;
- Family Intervention Projects; and
- Multi Agency Risk Assessment Conferences (MARACs).

The LSCB will draw on the work of key national organisations and liaise with them when necessary.

The role of members

The individual members of the LSCB have a duty to contribute to the effective work of the LSCB. This should take precedence, if necessary, over their role as a representative of their organisation (Appendix 1).

Meeting arrangements

The LSCB has established a framework that separates the strategic business from operational issues. The Operational Delivery Group is charged with carrying out the day-to-day business whilst the Strategic Management Group will deal with strategic matters. (Appendix 2)

The Strategic Management Group will meet quarterly and the Operational Delivery Group will meet bi-monthly. Meetings will be considered quorate when comprising at least representation from the Local Authority plus

representatives from 3 other agencies. Members are expected to attend LSCB meetings on a regular basis, ensuring that any unavoidable absences are covered by an appropriate substitute. Agencies must be represented at 75% of meetings as a minimum.

The Independent Chair of the LSCB will chair both the Strategic Management Group and the Operational Delivery Group.

Sub-Groups

Some aspects of the LSCB's work will be conducted through a number of permanent or temporarily convened sub-groups (Appendix 3).

- The Operational Delivery Group will appoint Chairs and members of all sub-groups.
- All sub-groups will report to the Operational Delivery Group at each meeting with exceptional issues highlighted. A written report will be provided at business planning meetings and at the Annual General Meeting.
- The Operational Delivery Group may co-opt members to assist sub-groups and will decide on whether or not the co-opted members have voting rights.
- Sub-groups will have the power to invite people to attend meetings to help and advise them, but these visitors will not have a vote.
- All groups will fulfil responsibilities identified in the LSCB Business Plan

Conflicts of interest

Conflicts of interest may arise where an individual's personal, professional or family interests conflict with those of the LSCB. At the commencement of meetings members will be asked to declare potential conflicts of interest in any aspect of the agenda. The Chair, at his/her discretion, may ask the individual to leave the meeting for the whole or part of the relevant agenda matter.

The LSCB operates a conflict of interest policy to avoid:

- Free discussion being inhibited
- Decisions being taken that are not in the best interests of the Board
- Any impression that the LSCB has acted improperly

The aim of the policy is to protect both the LSCB and the individual partner organisations involved from any appearance of impropriety.

Decision Making

In matters relating to policy, procedure and practices of the LSCB, where consensus cannot be achieved, it will be the responsibility of the Chair to make a decision. In this event the Chair will take reasonable steps to consult with Board members. The Accountable Body does not have decision making power other than as one member of the Board.

The LSCB will make clear recommendations with the purpose of providing leadership and guidance to participating agencies. The Board cannot compel a participating individual agency to implement any decision.

In matters relating to financial contributions of individual agencies decisions must be reached by consensus.

Sub Groups will seek to make decisions by consensus, where consensus cannot be achieved, the issue must be brought to the Operational Delivery Group for a decision.

Relationship between the LSCB and the Children and Young People's Strategic Partnership (CYPSP) (Appendix 4)

The responsibilities of the LSCB are complementary to those of the CYPSP. Whilst the work of the LSCB contributes to the wider goals of improving the wellbeing of children, it has a narrower focus on safeguarding and promoting welfare.

The LSCB is not subordinate to the CYPSP and will not be subsumed within CYPSP structures in a way that might compromise its separate identity and independent voice. The LSCB must be able to challenge and scrutinise effectively the work of the CYPSP and partners.

The LSCB is a formal consultee during the development of the Children and Young People's Plan and the CYPSP should show in the Plan how they intend to respond to issues raised by the LSCB.

The LSCB as a body should be represented on the CYPSP so that the CYPSP can call the LSCB to account for the extent to which it has acted in accordance with the Children and Young People's Plan.

The local authority Chief Executive and Council Leaders will satisfy themselves that the Director of Children's Services is ensuring that the relationship between the CYPSP and the LSCB is working effectively.

Scrutiny arrangements

Scrutiny arrangements are essential due to the unique independent role of the LSCB. The LSCB Scrutiny Sub-Group meets bi-monthly to scrutinise the work of the LSCB. The Scrutiny Sub-Group supports the Lead Member for Children's Services to fulfil the statutory requirement of the role in relation to safeguarding.

The Scrutiny Sub-Group will provide an annual report to the Council's Executive and the LSCB Annual Report will contain a statement from the Scrutiny Sub-Group. (Appendix 5)

Financing and Staffing

The LSCB's work is funded by key partner agencies on a joint basis, with the Local Authority, Health Community and the Police as key funders. The budget will be agreed annually in October.

The total budget for 2011/12 agencies' contributions is **£275,600**. Contributions from agencies are outlined below:

2011/12

AGENCY	CONTRIBUTION
Children's Services	84,250
Health	38,331
Police	38,331
Total for Core agencies	160,912
Probation	7,590
West Lindsey DC	2,656
East Lindsey DC	2,656
Boston Borough Council	2,656
South Kesteven DC	2,656
North Kesteven DC	2,656
Lincoln City Council	2,656
South Holland DC	2,656
Lincolnshire Fire & Rescue	2,656
Strategic Health Authority	1,000
Total for other agencies	29,838
Grand Total for Core Budget	190,750

AGENCY	CONTRIBUTION
Children's Services	61,723
Health	9,705
Police	9,729
Total for Core agencies	80,707
Probation	3,811
CAFCASS	332
Total for other agencies	4,143
Grand Total for Training Budget	84,850
Grand Total for all Budgets	275,600

Financial Accountability

The role of the Accountable Body is to ensure that financial probity is established and maintained. Lincolnshire County Council (LCC) will be accountable for all funding received from statutory partners as part of the core budget of the LSCB. This includes receipt of the funding, and for setting up and monitoring the financial monitoring systems. The Accountable Body is not by itself responsible for managing the financial operations of the Board or for taking decisions regarding allocation of funding. This means that if there is concern about whether funding is being used properly and for the purpose for which it was given, the Accountable Body will have the final decision on a course of action. However questions about value for money and allocation of resources will be made by the Board.

LCC as the Accountable Body will put in place effective arrangements for safeguarding public money, including establishing a clear line of responsibility and accountability and for the production of a finance report at every meeting and an annual audit report certified by the District Auditor.

Lines of accountability are as follows:

Core Budget

Contributions by partner agencies towards core costs will be proposed and agreed by the Strategic Management Group annually in October.

The LSCB Business Manager will take responsibility for the effective management of the budget for core services.

Training Budget

Contributions towards the training budget will be based on a training needs analysis to be agreed through negotiation between agencies and the Training Sub-Group.

Smaller voluntary sector agencies will not be charged for training places for staff working through non commissioned services. The Training Sub Group will explore options for charging voluntary sector agencies when working as commissioned services and for staff funded through partnership initiatives e.g. Sure Start/Children's Fund/Youth Crime Prevention Team etc.

The LSCB Business Manager will take responsibility for the effective management of the budget for training.

Grant Funding

LSCB will seek to add value to its core work through supplementary funding including grant applications. LSCB will work with voluntary sector partners to jointly explore funding opportunities to enable its wider objectives agreed through the business planning process to be delivered.

Financial accountability for supplementary funding will be the responsibility of the partner agency formally applying for funding. The Partner agency will be responsible for ensuring that financial probity is established and maintained. The Accountable Body will need to have authority to seek independently audited statements from partner agencies functioning in this capacity at the end of any financial year in order to be able to certify the eligibility of payments.

All financial transactions will be undertaken with due regard to LCC Financial Regulations and Standing Financial Instruction which will in turn be the responsibility of the LSCB Business Manager as designated officer.

Child Death Review Functions

There is no longer an Area Based Grant to support the Child Death Function. LSCB will agree a strategy to support this function from existing resources.

Performance Management and Base Line Date

LSCB will use a number of interagency performance indicators to measure the effectiveness of its work to safeguard and promote the welfare of children in Lincolnshire. Wherever possible agencies will be asked to share data that is already collected rather than collect any new data set. This is due to the fact that data collection is time consuming and expensive.

To start with, data will be described for the whole county. Wherever possible, over time, data will be broken down into district council boundaries.

Review

The Constitution will be reviewed on an annual basis.

Constitution agreed on 10th June 2011

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**Mr Chris Cook
Chair Lincolnshire Safeguarding Children Board**



APPENDIX 1 INDIVIDUAL MEMBERS' RESPONSIBILITIES

1.0 Purpose of being a Board member of LSCB

- 1.1 To co-operate fully and effectively with other members to drive the work of the LSCB and ensure that it achieves the objectives set out in the Annual Business Plan.

2.0 Each Board member will:

- 2.1 Develop and maintain strong and effective inter-agency safeguarding/child protection procedures and protocols.
 2.2 Ensure that individual agencies/organisations/partnerships provide adequate resourcing for local safeguarding/child protection purposes.
 2.3 Provide to the LSCB performance management data as required in order that safeguarding scrutiny processes can be rigorous.
 2.4 Abide by the Constitution of the LSCB.

3.0 Responsibilities of being a Board member

- 3.1 Individual members have a duty to contribute to the effective work of the LSCB. This should take precedence, if necessary, over their role as a representative of their agency/organisation/partnership.
 3.2 To ensure decisions with regard to safeguarding made by the Board are implemented within own agency/organisation/partnership, as appropriate.
 3.3 To ensure agency/organisation/partnership resources and financial contribution is adequate and appropriate.
 3.4 To ensure strategic agency/organisation/partnership issues relating to safeguarding are brought to the attention of the Board.
 3.5 To provide agency/organisation/partnership representatives to work on LSCB Executive and Sub-Groups, as appropriate.
 3.6 To maintain a clear focus on the safeguarding needs of children and young people.
 3.7 To understand the roles and responsibilities of member agencies/organisations/partnerships in protecting children and young people.
 3.8 To maintain proactive engagement in the work of the LSCB.
 3.9 To recognise the implications of and key issues involved in multi-disciplinary working.
 3.10 To have an up to date enhanced CRB disclosure certificate/appropriate vetting.
 3.11 To have an up to date knowledge of safeguarding legislation and guidance.
 3.12 To use the Escalation process as appropriate to resolve conflict within or between agencies/organisations/partnerships.
 3.13 To represent own agency/organisation/partnership from a strategic perspective and to attend meetings of the LSCB on a regular basis, ensuring that any unavoidable absences are covered by an appropriate substitute.

4.0 Main Functions

- 4.1 To attend meetings as arranged.
 4.2 To prepare for meetings by reading minutes and associated papers.
 4.3 If it is necessary to send a substitute, to ensure that the substitute is adequately briefed.
 4.4 To have actioned any areas agreed at the previous meeting.
 4.5 To discuss issues relevant to LSCB business within own agency/organisation/partnership and be prepared to contribute from that perspective.

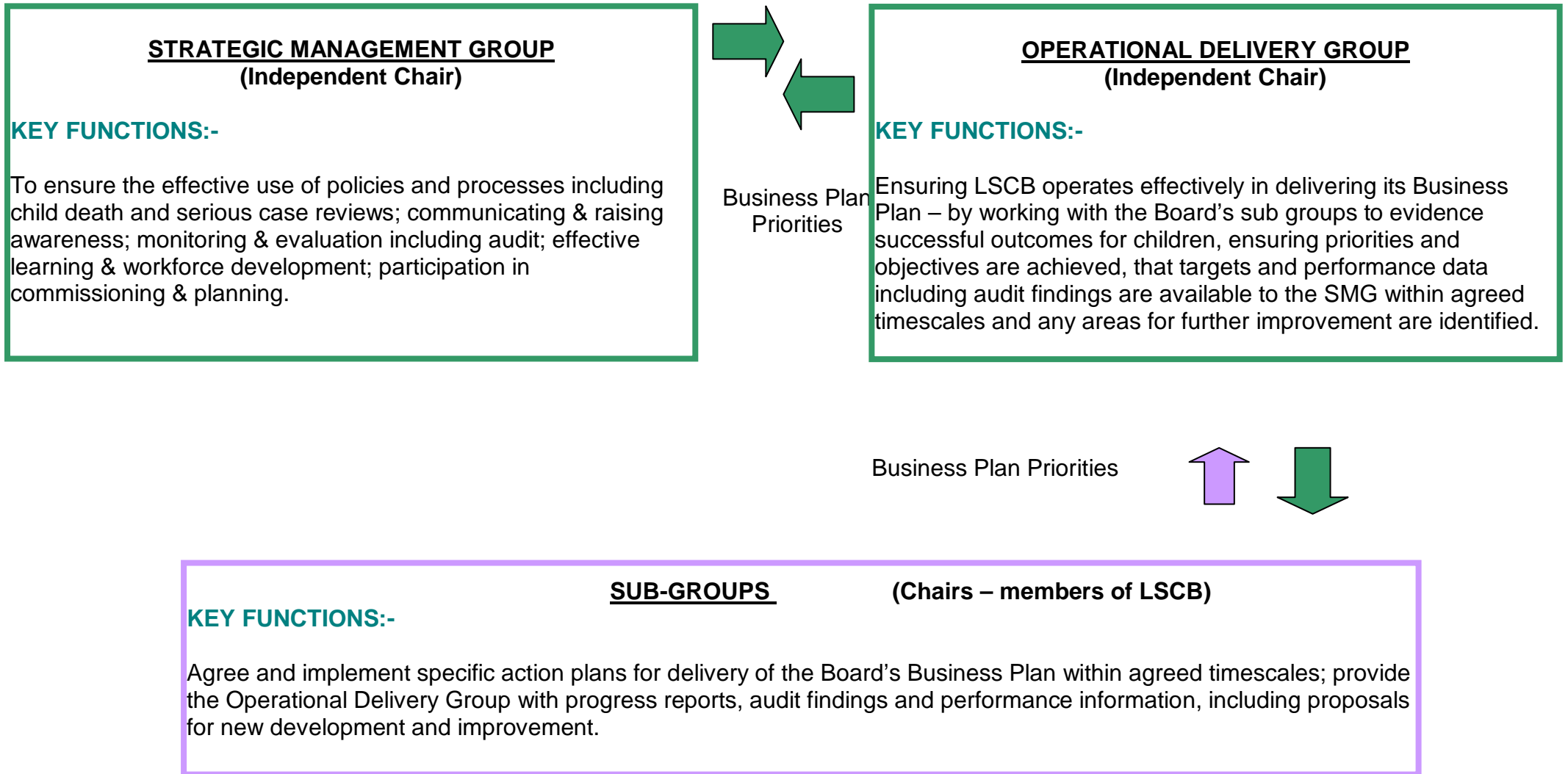
- 4.6 To be willing to offer a representative view from own area of work and/or organisation to discussions.
- 4.7 To establish a process for the way decisions taken at LSCB are fed in to own agency/organisation/partnership ensuring that processes are in place for implementation.
- 4.8 To provide information within own agency/organisation/partnership, increase awareness of the role and responsibilities of the LSCB and ensure the organisation adheres to these.
- 4.9 To provide agency/organisation/partnership specific information to LSCB, as required, by producing or ensuring the production of reports to/from agency/organisation/partnership as appropriate (e.g. report of safeguarding arrangements within organisation).
- 4.10 To meet deadlines as agreed by LSCB
- 4.11 To accept shared responsibility for the satisfactory completion of the LSCB work programme, by undertaking tasks as appropriate, including participation in The Operational Delivery Group and Sub-Groups (or fielding of staff to participate in these Groups where relevant).
- 4.12 To ensure agency/organisation/partnership resources are made available for Serious Case Reviews, as required, including the Individual Management Reports being completed to national standards.
- 4.13 To take back into own agency/organisation/partnership policy issues and developments ensuring that processes are in place for implementation.
- 4.14 To contribute to the development of policy, on behalf of own agency/organisation/partnership (therefore members are required to be familiar with the "position" the agency/organisation/partnership holds on issues).
- 4.15 To establish an effective system(s) for being briefed by own agency/organisation/partnership or liaison within own profession about views on safeguarding/child protection matters.
- 4.16 To contribute to the delivery of the Annual Business Plan.
- 4.17 To assist in the annual budget setting process.
- 4.18 To assist in the development and publication of an Annual Report.
- 4.19 To review the membership of the LSCB and ensure that it is both representative and effective.
- 4.20 To respect confidentiality of sensitive information provided by the constituent agencies/organisations/partnerships of the LSCB.
- 4.21 To participate in consultation and decision making on individual case issues as set out in the LSCB procedures.

Signed:

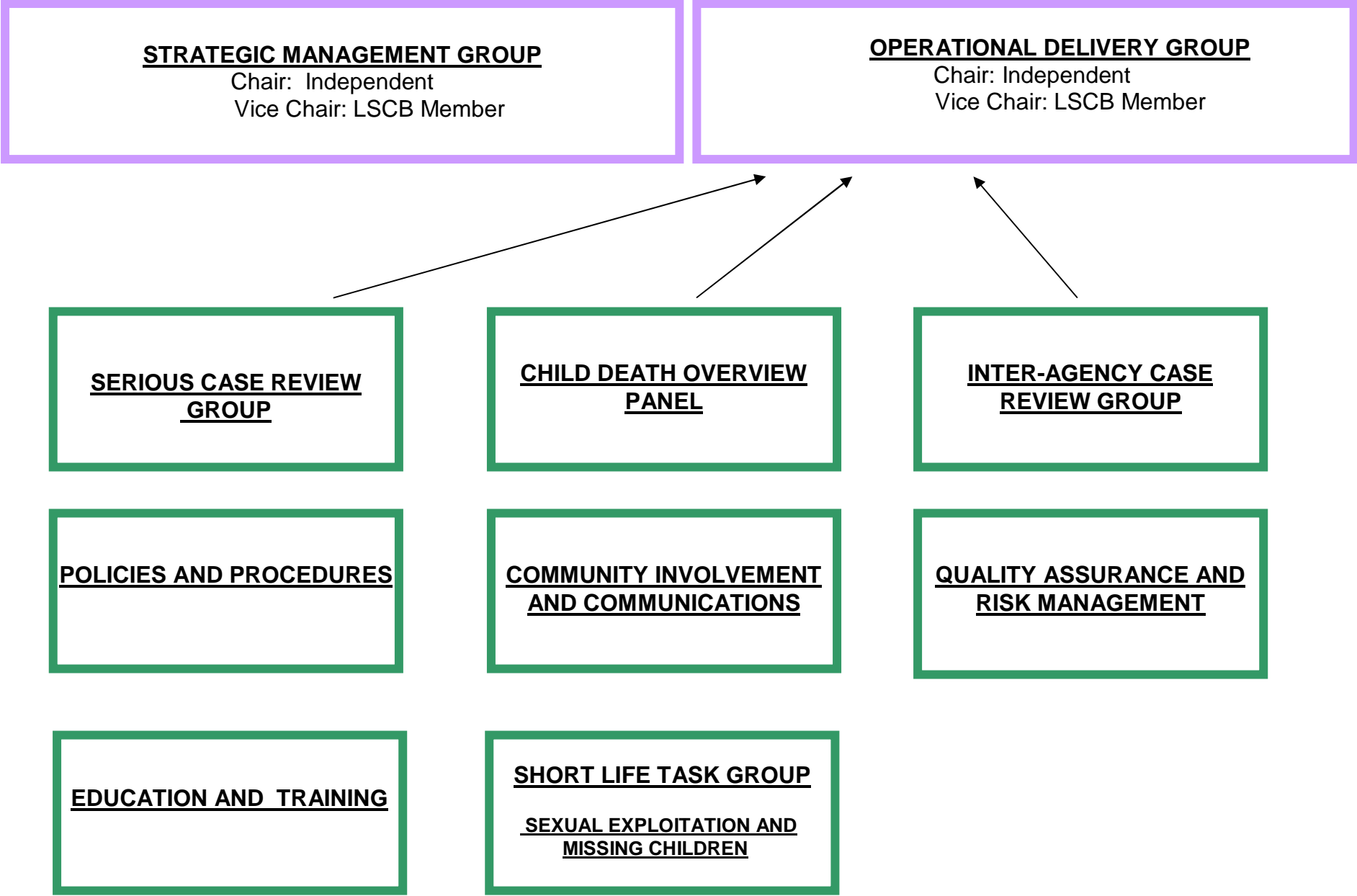
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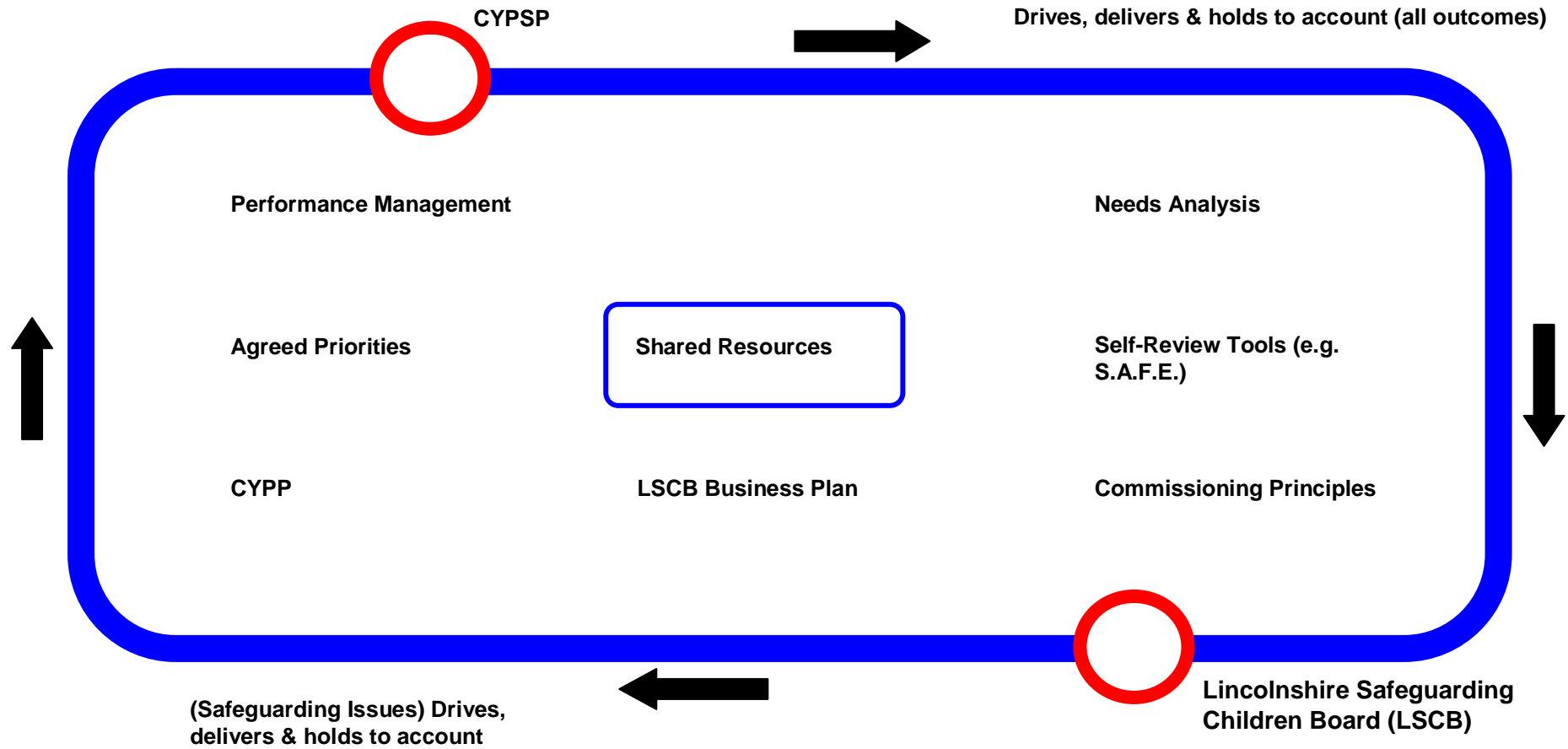
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LINCOLNSHIRE SAFEGUARDING CHILDREN BOARD (LSCB)



Relationship between the Children and Young People's Strategic Partnership (CYPSP) and the Safeguarding Children Board.



Appendix 5

Accountability and Scrutiny of Safeguarding in Lincolnshire

