

**Meeting of the Cabinet – 27<sup>th</sup> June 2019**

**Report of the Strategic Director People**

**Proposed Future Safeguarding Arrangements**

**Purpose**

1. To propose the adoption of a new model for overseeing and assuring the safeguarding functions of the three statutory partners in Dudley Borough (Council, Police, NHS) in the light of national guidance, moving to an integrated all-age approach, designed to improve safeguarding outcomes, enhance partnership and connections across the system and life course, and provide better value for money.

**Recommendations**

2. It is recommended that Cabinet:
  - Note the national requirement for all local areas to submit their plans for new safeguarding arrangements by 29 June, and to have these in place by 29 September 2019;
  - Note the significant work to develop new arrangements that has been undertaken across the system, through joint working between Council Officers and colleagues representing West Midlands Police and Dudley Clinical Commissioning Group (CCG), and the engagement of wider partners, including schools and the voluntary sector, from across Dudley Borough;
  - Approve the all-age approach adopted, bringing the safeguarding arrangements for adults and children more closely together, on the basis that this offers scope for improving outcomes for Dudley residents, enhanced partnership across the safeguarding system, and better use of resources;
  - Approve the joint report on Dudley Safeguarding People Partnership Arrangements which has been developed through extensive partnership working;
  - Approve the establishment of the proposed new Dudley Safeguarding People Partnership Board, including the appointment of an independent Chair to proactively engage with and lead strategic partners;
  - Approve the proposed approach for transitional arrangements from the Children's Services Improvement Board into the new integrated safeguarding arrangements and for the scope for closer alignment with the Dudley Community Safety Partnership ('Safe and Sound') to be explored in due course; and
  - Authorise the Strategic Director People, following consultation with the Cabinet Members for Health and Adult Social Care and Children and Young People, to make such practical steps as shall be required to establish the new arrangements.

- Approve the new Black Country Child Death Overview Process arrangements which have been developed and agreed by Black Country CCG Chief Nurses and Directors of Public Health.

## **Background**

3. Councils, the Police and CCGs have long been required to work closely together to ensure the delivery of effective safeguarding arrangements at local level. For children's safeguarding, these have been enshrined in legislation since the Children Act 1989 and the Children Act 2004. For adults, although the functions have been undertaken for a similar period, they were only put onto a statutory footing through the Care Act 2014. Although based on different legislation and sponsored by different parts of Government (the Department for Education (DfE) and Department for Health and Social Care (DHSC) respectively), the approaches for both areas have been broadly similar.
4. In 2016, Sir Alan Wood, a former President of the Association of Directors of Children's Services, presented a report commissioned by DfE, which proposed major changes in the approach that should be adopted locally. DfE accepted his recommendations, which were enshrined in the Children and Social Work Act 2017 and in two pieces of guidance: Working Together 2016 and Working Together 2018. The essence of these changes is that:
  - Safeguarding arrangements under the remit of Local Safeguarding Children Boards are no longer set out in statute;
  - All of the functions of Local Safeguarding Children Boards are being replaced with new safeguarding arrangements, including Serious Case Reviews and Child Death Reviews;
  - The responsibility for children's safeguarding is now explicitly shared equally between local authorities, the police and the NHS, rather than being led by local authorities and supported by the police and NHS, with other partners, such as schools, continuing to be co-opted into the arrangements;
  - Child Death Overview Processes will be separated from safeguarding arrangements, and will become the responsibility of Local Authority Directors of Public Health and CCG leads for Children and Young People;
  - Local areas are required to inform DfE of their proposed new arrangements by 29 June, and to have these in place by 29 September 2019.
5. Although the requirements set out in Working Together 2018 apply only to children's safeguarding, with the existing requirements for adult safeguarding continuing to be regulated through the Care Act 2014, many parts of the country have sought to use the opportunity to review safeguarding arrangements across the board.
6. Following National Consultation events and a review of Early Adopters' findings, Dudley established a steering group of the three strategic partners, the Council, Police and the CCG. This met weekly to produce a recommended approach: Dudley Safeguarding People Partnership Arrangements. As part of this process, a number of consultation events with the wider professional community were held and their views incorporated in developing the strategy. At key checkpoints, the lay member

of the existing two Dudley Safeguarding Boards was invited to attend meetings and express views from a community perspective.

7. A “sign off” group was established, consisting of the strategic leads for the Local Authority (Strategic Director People), CCG (Director of Nursing) and West Midlands Police (Borough Commander), which met on several occasions to agree progress and direction. These meetings included the outgoing Independent Chair of the current Board arrangements.
8. In essence, the arrangements set out in the joint Safeguarding Arrangements document envisage establishment of a single, all-age Dudley Safeguarding People Partnership Board (DSPPB). This will bring together the statutory partners at senior level. It will report, through those senior officers, to the internal governance arrangements for each of the statutory partners (Cabinet for the Council, via the relevant Cabinet Members, as is already the case). The report is also subject to the Council’s overview and scrutiny arrangements. The new DSPPB will also connect to the Health and Wellbeing Board and to the Safe and Sound Board (Community Safety Partnership).
9. Beneath the DSPPB will sit two separate partnership forums, in order to ensure that both agendas are fully addressed. The Adult Partnership Forum will focus on the adults statutory duties as defined by the Care Act 2014 and will maintain the business activities of the Adults Safeguarding Board, which will be published as required on an annual basis. In a similar vein, the Children Partnership Forum will deliver the functions as legislated by the Children and Social Work Act 2017, Children Act 1989 and the Children Act 2004. These two partnership forums will be supported by a range of topic-based operational sub-groups, most of which will take an all-age approach and feed into both partnership forums, and through them into the DSPPB itself. Further sub-groups may be established where required, on a task and finish basis, and these may on occasion be specific to either adults or children.
10. The new arrangements have been designed with a view to streamlining and amalgamating processes and work groups to those in our community who experience vulnerability from whatever source. The proposed new arrangements, whilst maintaining the identity of Children and Adults as cohorts in their own right, provide for a family safeguarding approach in such areas as Domestic Abuse, County Lines, Criminal Exploitation, and Contextual Safeguarding.
11. In order to support this integrated approach, it is proposed to establish a single business support unit, building on the existing multi-agency arrangements established for children’s safeguarding. In this way, there will be commonality in design and implementation of the work of the operational sub-groups, focused on Workforce Development, Learning and Improvement, Policy and Procedures, and Community Engagement

12. The creation of the Dudley Safeguarding People Partnership Arrangements provides a stronger platform for decision making, challenge and scrutiny with the ultimate governance being with the Council's Cabinet, Dudley CCG and the West Midlands Police and Crime Commissioner's Office.
13. Working Together 2018 removes the requirement for an independent chair, but does include a requirement for an element of independent scrutiny. In Dudley, the partners have concluded that this function would be best served by continuing to have an independent chair for both the DSPPB and also for the two partnership forums beneath it, with a single individual undertaking these functions. Following the departure of the previous postholder, following the end of her contract, the newly appointed independent chair will play a major role in holding all agencies to account. In addition to this, it also recommended that an external "scrutiny review" takes place at least on an annual basis.
14. The proposed future safeguarding arrangement will ensure that individuals' Human Rights are at the forefront of interventions. Furthermore, the establishment of a fully integrated business unit will ensure that value from available resources is maximised. In addition, the inclusion at an early point of the roles currently undertaken by the Children's Services Improvement Board (these functions normally sit with safeguarding boards, but were set up separately in Dudley following the Inadequate rating of Children's Services by Ofsted in 2016), and the intended extension, at a later date, of the arrangements in order to establish stronger links with the Community Safety Partnership, will support greater awareness of any local, regional and/or national crime and disorder concerns. The proposed changes will facilitate the Board to move to a proactive preventative position. This will support individuals across the life course to live safe and healthy lives.
15. Directors of Public Health and Clinical Commissioning Group Chief Nurses in the Black Country have worked together to develop a new Child Death Overview Process (CDOP). A Black Country Strategic CDOP has been established which will ensure that a review is undertaken of all deaths of children resident in the Black Country. Terms of Reference and a Memorandum of Understanding have been developed to govern the joint working arrangements for the strategic CDOP and two operational CDOPs covering the north and south of the Black Country.

## **Finance**

16. There are no direct financial implications arising from the contents of this report but no financial information is currently confirmed. Initial assessments suggest that the changes may be cost neutral but the creation of a joint business unit will require some financial realignment.

## **Law**

17. Working Together (2018) requires the local authority:-
  - To review and publish its new arrangements by 29 June 2019
  - To fully implement arrangements by 29 September 2019
  - To comply with Child Safeguarding Practice Review Panel (April 2019).
18. The relevant legislation includes the Children Act 1989, the Children Act 2004, the Children and Social Work Act 2017 and the Care Act 2014.

## **Equality Impact**

19. It is not envisioned that there will be any negative impact on people with different protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation) where relevant.
20. By adhering to the National Referral Mechanism for Trafficking vulnerable individuals will receive targeting interventions and some protection from for certain criminal activity.

## **Human Resources/Transformation**

21. There will be some human resource implications arising from the contents of this report, as the creation of a Joint Business Unit will affect individuals, although it is not anticipated there will be any deletion of posts.
22. The process for appointing a new independent Chair is being pursued.

## **Commercial Implications**

23. There are no direct commercial implications arising from the contents of this report.

*Martin Samuels*

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**Strategic Director People**

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