


Date:	21 st June 2018
Meeting:	Governing Body
Item Number:	Item 9.1
Public/Private:	Public <input checked="" type="checkbox"/> Private <input type="checkbox"/>

Author: <i>(Name, Title)</i>	Edwina Harrison Chair of the Safeguarding Children's Board for North Lincolnshire
GB Lead: <i>(Name, Title)</i>	Catherine Wylie Director of Quality & Nursing
Director approval	Catherine Wylie
Director Signature	

Report Title:
Children and Social Care Work Act 2017 and changes to Statutory Guidance
Decisions to be made:
To Note

Continue to improve the quality of services	<input type="checkbox"/>	Improve patient experience	<input type="checkbox"/>
Reduced unwarranted variations in services	<input type="checkbox"/>	Reduce the inequalities gap in North Lincolnshire	<input type="checkbox"/>
Deliver the best outcomes for every patient	<input type="checkbox"/>	Statutory/Regulatory	<input type="checkbox"/>
Purpose (tick one only)	Approval <input type="checkbox"/>	Information <input type="checkbox"/>	To note <input checked="" type="checkbox"/> Decision <input type="checkbox"/>

Executive Summary (Question, Options, Recommendations):
<p>Working Together to Safeguard Children 2018</p> <p>HM Government held a consultation on the changes to statutory guidance Working Together to Safeguard Children and new regulations stemming from the Act between October and December 2017. The Government's response to the consultation was released in February 2018.</p> <p>This paper outlines the broad principles and changes that are required following the consultation.</p> <p>It is proposed that each statutory partner at Executive Director/Chief Constable/Chief Officer level will determine who they will appoint as the senior officer who can enact the responsibilities set out in Working Together 2018 and ensure full collaboration with the arrangements.</p> <p>Initial proposals include:</p> <ul style="list-style-type: none"> local arrangements will be through a Multi-Agency Safeguarding Arrangements (MASA) Executive Board delegation of attendance at the MASA Executive Board will be at Director/Chief Superintendent/Chief Officer (tier 2) level and would be representative of the three statutory safeguarding partners relating to safeguarding children and any relevant agencies whose

involvement they consider may be required

- functions of the MASA Executive Board would be assessment of need, strategy, budget setting, planning and delivery, establishing performance targets, quality and performance monitoring, compliance and oversight of child safeguarding practice reviews. These arrangements would supersede the current LSCB Executive Board.

A proposed structure and further commentary is available.

This is subject to change pending formal approval through the appropriate governance arrangements.

Recommendations	1 2 3	
Report history		
Equality Impact	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Sustainability	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Risk	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Legal	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Finance	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Patient, Public, Clinical and Stakeholder Engagement to date

	<i>N/A</i>	<i>Y</i>	<i>N</i>	<i>Date</i>		<i>N/A</i>	<i>Y</i>	<i>N</i>	<i>Date</i>
Patient:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Clinical:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Public:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

BRIEFING PAPER

CHILDREN AND SOCIAL WORK ACT 2017 AND CHANGES TO STATUTORY GUIDANCE

Children and Social Work Act 2017

The Children and Social Work Act 2017 received Royal Assent on 27 April 2017.

The Act sets out provisions which:

- replace Local Safeguarding Children Boards (LSCB) with new local flexible multi-agency safeguarding arrangements led by three safeguarding partners (local authorities, clinical commissioning groups and chief officers of police). The Act places a duty on those partners to make arrangements to work together and with any relevant agencies for the purpose of safeguarding and promoting the welfare of children in their area
- require safeguarding partners to identify and arrange for the review of serious child safeguarding cases which they think raise issues of importance in relation to their area
- provide for the establishment of a national Child Safeguarding Practice Review Panel. The Panel will commission and publish reviews of serious child safeguarding cases which it thinks raise issues that are complex or of national importance
- give local authorities and clinical commissioning groups joint responsibility for child death reviews, and enable a wider geographical footprint for these partnerships in order for them to gain a better understanding of the causes of child deaths in a local area.

Working Together to Safeguard Children 2018

HM Government held a consultation on the changes to statutory guidance Working Together to Safeguard Children and new regulations stemming from the Act between October and December 2017. The Government's response to the consultation was released in February 2018.

Based on the assumption that Parliament will approve the Regulations by May 2018, safeguarding partners should work to the following implementation timetable:

From now	Safeguarding partners should plan the new arrangements and any transitional arrangements required, including in respect of live serious case reviews.
By June 2018	Parliamentary approval of commencement and all relevant supporting Regulations that will allow safeguarding partners to set-up their new arrangements. <i>Working Together to Safeguard children 2018</i> published
By June 2018	The new national Child Safeguarding Practice Review Panel will become operational
By June 2019	All areas should have published their plans and notified government they have done so
By September 2019	All areas should have implemented their plans

Early Adopters Programme

The Government's Early Adopters programme aims to support local areas develop and test innovative approaches to implementing the new safeguarding reforms, reflecting local circumstances where lessons might be applicable to other areas. Seed-funding will be made available to 10 local areas who can demonstrate that they have a viable plan to implement the multi-agency reforms. Early adopters must be prepared to work with a government appointed facilitator to draw together their approaches and share the lessons learnt.

By becoming an early adopter, local areas will:

- be eligible for government seed-funding, available for activities undertaken during the 2018/19 financial year to help facilitate, test and disseminate new ways of working;
- have access to a facilitator who government will appoint, to help set up communication and networking between areas and a system of peer review and quality assurance. The facilitator will also be responsible for coordinating the publication and dissemination of the emerging findings;
- play a key role in developing a national system that supports children through identifying and spreading excellent practice and innovation
- bring about improvements in local children's safeguarding and child death review arrangements at the earliest opportunity in their local area;
- lead other safeguarding professionals towards service improvements including innovative and effective working with relevant agencies;
- be linked in to wider initiatives to promote improvements in children's services, including the national What Works Centre, Partners in Practice initiative and the Innovation Programme.

By June 2018 the Government will have established a network of areas which have chosen to become early adopters of the new arrangements, and the new national Child Safeguarding Practice Review Panel will become operational.

Between July - October 2018 early adopters will share their learning with other areas. There will continue to be updates after that period yet early adopters will need to share their learning early enough in the timetable so it can inform the plans and action taken by other areas.

Specific key revisions in the draft Working Together 2018 are:

Revisions to chapter three: Multi-agency safeguarding arrangements; and new regulations on relevant agencies

Safeguarding partners will have the flexibility to determine:

- leadership which should be a senior officer in each of their agencies to have responsibility and authority for ensuring full collaboration with the arrangements. It will be the responsibility of these representatives to determine how they will work together to make the arrangements and to review them on an ongoing basis. All three partners have equal and joint responsibility for local safeguarding arrangements
- the geographical boundaries for the arrangements in their area (which may include two or more local authority areas)
- which relevant agencies they should work with and how safeguarding arrangements should work in their area – they must publish their arrangements
- what arrangements to establish to provide for independent scrutiny of their work

- the best way to secure appropriate and sustainable funding for their arrangements - safeguarding partners should agree the level of funding secured from each partner, which should be equitable and proportionate, and with each relevant agency, to support the local arrangements
- safeguarding partners must publish a report at least once in every twelve month period which details what they have done as a result of their published arrangements, and how effective those arrangements have been in responding to the needs of children in their area.

Revisions to chapter four: Learning from serious cases; and new regulations on local and national reviews

Together, the provisions of the Act, the National and Local Child Safeguarding Practice Review (England) Regulations (the Regulations), and the revised Chapter 4 of the draft Working Together 2018 guidance set out arrangements for a new system of local and national child safeguarding practice reviews, which will replace serious case reviews.

The Regulations and Working Together set out how the new arrangements will work in practice. In particular they seek to set out the relationship between the new Panel and the safeguarding partners, and how this works practically.

The changes are also intended to improve the quality of reviewers. It will be for the Panel to appoint reviewers for national reviews, and for the safeguarding partners to appoint reviewers for local reviews - taking account of the factors set out in Working Together.

The Panel and the safeguarding partners are responsible under the Act for the progress and quality of reviews and the provision of reports. The Secretary of State will be formally responsible for contracts with reviewers.

Revisions to chapter five - Child death reviews

With evidence suggesting that over 80% of child deaths have medical or public health causation (and only around 4% occurring in relation to safeguarding issues), the Government accepted Alan Wood's recommendation that child death analysis, and policy, should be overseen from primarily a clinical perspective.

The Act establishes the role of child death review partners. Within the parameters set by the Act, partners will have the flexibility to combine the geographical footprint of their arrangements; which will accommodate the need for child deaths to be reviewed over a population size of a sufficient number to allow for analysis of patterns, themes and trends of death.

At a national level, the ownership of government policy for child death and related issues will be transferred from the Department for Education to the Department of Health.

Working Together to Safeguard Children 2018 will set out high-level principles and requirements for child death reviews. It will also direct readers to a separate set of comprehensive guidance, (the Child Death Review Statutory Guidance) which will set out the detailed processes to be followed when responding to, investigating, and reviewing a child's death.

Transitional Arrangements

In the period following the commencement of the provisions in the Act, safeguarding partners will have **up to 12 months** to agree the arrangements for themselves, and any relevant agencies they consider appropriate, to work together to safeguard and promote the welfare of children in their area. The arrangements must be subject to independent scrutiny.

Safeguarding partners must publish their arrangements, and should notify the Secretary of State for Education when they have done so. They must have published their arrangements by the end of the 12 month period, but may do so at any time before the end of that period.

Following publication of their arrangements, safeguarding partners will have **up to three months** to implement the arrangements.

There is additional guidance for transition arrangements from serious case reviews to national and local reviews also for child death review partners.

Local Proposed Multi-Agency Safeguarding Arrangements to Safeguard and Promote the Welfare of Children

It is proposed that each statutory partner at Executive Director/Chief Constable/Chief Officer level will determine who they will appoint as the senior officer who can enact the responsibilities set out in Working Together 2018 and ensure full collaboration with the arrangements.

Initial proposals include:

- local arrangements will be through a Multi-Agency Safeguarding Arrangements (MASA) Executive Board
- delegation of attendance at the MASA Executive Board will be at Director/Chief Superintendent/Chief Officer (tier 2) level and would be representative of the three statutory safeguarding partners relating to safeguarding children and any relevant agencies whose involvement they consider may be required
- functions of the MASA Executive Board would be assessment of need, strategy, budget setting, planning and delivery, establishing performance targets, quality and performance monitoring, compliance and oversight of child safeguarding practice reviews. These arrangements would supersede the current LSCB Executive Board.

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