

# Oldham --- **Local Safeguarding Children Board**

## OLDHAM LOCAL SAFEGUARDING CHILDREN BOARD

### TERMS OF REFERENCE

#### 1 Overall Vision

1.1 We have a particular responsibility to ensure that the well being of our children and young people is safeguarded. In order to do this agencies are committed to support families in bringing up children.

1.2 To achieve this, in Oldham we will need to:

- Develop a clear analysis of need across the borough
- Listen to and involve all in planning and improving services
- Provide high quality services that are responsive to need, inclusive and accessible to all
- Ensure that all children and young people receive their entitlement of services

#### 2 Safeguarding Vision

**‘Everyone to work together to ensure that all children and young people are safe and feel safe within their homes, schools and communities.’**

#### 3 Overall Aims

3.1 Safeguarding and promoting the welfare of children requires effective co-ordination in every local area. For this reason, the Children Act 2004 requires each Local Authority to establish a Local Safeguarding Children Board (LSCB).

3.2 As part of the Oldham Children & Young People’s Strategic Planning arrangements and the Oldham Children & Young Peoples Plan, the Oldham LSCB has responsibility to ensure coherence and co-ordination between plans and service delivery to children and young people in order to fulfil the duty upon all agencies and providers to safeguard and promote children’s welfare (CA 2004) and to help them to achieve the 5 outcomes defined in the Children Act 2004:

- Be healthy
- **Stay safe**
- Enjoy and achieve
- Make a positive contribution
- Achieve economic well-being.

## **4 Core Objectives**

- 4.1 The central objectives of a Local Safeguarding Children Board established under section 13 of the Children Act 2004 are: -
- To co-ordinate what is done by each person or body represented on the Board for the purposes of safeguarding and promoting the welfare of children in the area of the authority by which it is established;
  - To ensure the effectiveness of what is done by each such person or body for those purposes

## **5 Definitions**

### **5.1 Safeguarding and promoting the welfare of children**

- 5.2 The process of protecting children from abuse or neglect, preventing impairment of their health and development, and ensuring they are growing up in circumstances consistent with the provision of safe and effective care which is undertaken so as to enable children to have optimum life chances and enter adulthood successfully.

## **6 Roles and Responsibilities**

- 6.1 The LSCB is the key statutory mechanism for agreeing how the relevant organisations in each local area will co-operate to safeguard and promote the welfare of children in that locality, and for ensuring the effectiveness of what they do.
- 6.2 The work of LSCB's is part of the wider context of children's trust arrangements that aim to improve the overall well-being (i.e. the five Every Child Matters outcomes) of all children in the local area.
- 6.3 Whilst the work of LSCB's contributes to the wider goals of improving the well-being of all children, it has a particular focus on aspects of the 'staying safe' outcome.
- 6.4 The LSCB's work to ensure the effectiveness of work to safeguard and promote the welfare of children by member organisations will be a peer review process based on self-evaluation, performance indicators, and joint audit. Its aim is to promote high standards of safeguarding work and to foster a culture of continuous improvement. It will also identify and act on identified weaknesses in services and to avoid unnecessary duplication of work the LSCB should ensure that its monitoring role complements and contributes to the work of both the children's trust and the inspectorates.
- 6.5 Where it is found that a Board partner is not performing effectively in safeguarding and promoting the welfare of children, and the LSCB is not convinced that any planned action to improve performance will be adequate, the LSCB chair or a member or employee designated by the chair should explain these concerns to those individuals and organisations that need to be aware of the failing and may be able to

take action. For example, to the most senior individual(s) in the partner organisation, to the relevant inspectorate, and, if necessary, to the relevant Government Department.

**6.6 The roles and responsibilities of the board in light of the above are to:**

- To undertake strategic planning of services relevant to the children's safeguarding agenda.
- To hold all partner agencies to account for their safeguarding practice
- To ensure services are co-ordinated.
- To consider national objectives and Government targets.
- To gather, update and report information regarding unmet need in order to inform the Joint Commissioning Strategy for Children and Young People in Oldham.
- To monitor and contribute to the work of the sub-groups, including receiving reports on the progress against strategies and work plans
- To participate with other groups within the children and young people's strategic planning structure to ensure the needs and views of children and young people and their families are taken into account in the planning process.
- To make regular reports to the Children's Trust, which will include performance information.
- To produce an Annual Business Plan, with clear indication of tasks, leads, timescales and performance measures incorporating the 5 outcomes

**7 Key areas of activity**

7.1 The scope of LSCB role includes safeguarding and promoting the welfare of children in 3 broad areas of activity:

7.1.1 **Identify and prevent** maltreatment, or impairment of health or development, and ensure children are growing up in circumstances consistent with safe and effective care. For example:

- Mechanisms to identify abuse and neglect wherever they may occur;
- Work to increase understanding of safeguarding children issues in the professional and wider community, promoting the message that safeguarding is everybody's responsibility
- Work to ensure that organisations working, or in contact with children, operate recruitment and HR practices that take account of the need to safeguard and promote the welfare of children;

- Monitoring the effectiveness of organisations' implementation of their duties under section 11 of the Children Act 2004;
- Ensuring children know who they can contact when they have concerns about their own or others' safety and welfare;
- Ensuring that adults (including those who are harming children) know who they can contact if they have a concern about a child or young person.

7.1.2 **Proactive work** that aims to target particular groups. For example:

- Developing / evaluating thresholds and procedures for work with children and families where a child has been identified as 'in need' under the Children Act 1989, but where the child is not suffering or at risk of suffering significant harm.
- Work to safeguard and promote the welfare of groups of children who are potentially more vulnerable than the general population, for example children living away from home, children who have run away from home, children in custody or disabled children.

7.1.3 **Responsive work** to protect children who are suffering, or at risk of suffering harm, including children abused and neglected within families, including those harmed:

- In the context of domestic Violence
- As a consequence of the impact of substance misuse;
- Children abused outside families by adults known to them;
- Children abused and neglected by professional carers, within institutional settings, or anywhere else where children are cared for away from home;
- Children abused by strangers;
- Children abused by other young people;
- Young perpetrators of abuse;
- Children abused through prostitution.

7.2 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 a power to direct other organisations.

## **8 Other Functions:**

### **8.1 Policies and procedures function**

- 8.1.1 Developing policies and procedures for safeguarding and promoting the welfare of children in the area of the authority, including policies and procedures outlined in Working Together to Safeguard Children 2006 page 50-52 paragraph 3.18 - 3.29

## **9 Communicating and raising awareness function**

- 9.1 Communicating to persons and bodies in the area of the authority the need to safeguard and promote the welfare of children, raising their awareness of how this can best be done, and encouraging them to do so. (Refer to Working Together to Safeguard Children 2006 p.53 paragraph 3.30.)

## **10 Monitoring and evaluation function**

- 10.1 Monitor and evaluate the effectiveness of what is done by the Local Authority and board partners individually collectively to safeguard and promote the welfare of children and advise them on ways to improve. (Refer to Working Together to Safeguard Children 2006 p.53 paragraph 3.31.)

## **11 Function of participating in planning and commissioning**

- 11.1 Participating in the local planning and commissioning of children's services to ensure that they take safeguarding and promoting the welfare of children into account. (Refer to Working Together to Safeguard Children 2006 p.54 paragraph 3.36.)

## **12 Function in relation to Child Deaths**

- 12.1 Collecting and analysing information about the deaths of all children their area with a view to identifying:
- Any matters of concern affecting the safety and welfare of children in the area of the authority including any case giving rise to the need for a serious case review;
  - Any general public health or safety concerns arising from deaths of children
  - Putting in place procedures for ensuring that there is a co-ordinated response by the authority, their Board partners and other relevant persons to an unexpected death of a child.
  - Undertaking reviews of cases where a child has died or has been seriously harmed where abuse or neglect is known or suspected and advising on lessons that can be learned

### **13 Agency Membership**

Chair – Independent  
Children’s Social Care  
Education  
Police  
Probation  
Youth Offending Team  
Oldham Primary Care Trust  
Pennine Acute Hospital NHS Trust  
Pennine Care NHS Trust  
Connexions  
CAFCASS  
Schools  
Colleges  
Voluntary Sector  
GP  
Legal Representative  
Courts Representative  
NSPCC

13.1 There will be an agreed deputy representative from each organisation, who will be kept informed about developments and can attend meetings in place of the main representative where necessary.

13.2 Members can be co-opted to the sub group on a time-limited, task-centred basis. Any temporary or permanent changes in the membership or structure of the sub group to be agreed by the Board.

### **14 Governance Principles**

- **Focusing on the organisation’s purpose and on outcomes for citizens and service users**

14.1 The Local Safeguarding Children Board Business Plans, associated Strategies and the Oldham Performance Management Framework (once developed) will fulfil this requirement.

14.2 The LSCB will ratify all significant safeguarding service developments, strategies and plans. The outcomes to be achieved for children and families will be the foundation of all agreed service developments, strategies and plans.

- **Performing effectively in clearly defined functions and roles**

- 14.3 In Oldham the Executive Director of Children's Services has the lead role in establishing and maintaining inter-agency governance arrangements; the Lead Member for Children's Services has responsibility for ensuring that sound governance arrangements and a clear framework of accountability are in place, and has a leadership role in engaging local communities within the local authority and across partner agencies.
- 14.4 In respect of Safeguarding, the Local Safeguarding Children's Board will be chaired by an Independent Chair who will have lead responsibility for ensuring that a clear framework of accountability for agencies is in place and that there are clear reporting arrangements for ensuring compliance with agency responsibilities.
- 14.5 If agencies are perceived as failing in their duty to deliver services appropriately, or not evidencing their co-operation to improve the well-being of children and young people, the chair of the Local Safeguarding Children Board will seek to agree appropriate levels of practice and engagement with the agency.
- 14.6 Examples of situations where agencies will be seen as failing in their duties include:
- Consistent non-attendance at meetings. All members of the Board and Sub-groups should have 80% attendance.
  - Evidence that the agency is practicing outside of agreed processes.
  - Spending outside of agreed boundaries.
  - Strategies being developed outside of agreed processes (e.g. not being taken to LSCB for agreement)
  - Failure to contribute to the arrangements for improving well-being and safeguarding arrangements by the provision of resources.
  - **Promoting values for the whole organisation and demonstrating the values of good governance through behaviour**
- 14.7 Members of the Local Safeguarding Children Board have collective responsibility and accountability for its decisions. Members should strive to make decisions that further the aims of the Board in safeguarding and promoting the welfare of children in Oldham rather than the interests of their own agency.
- 14.8 The Local Safeguarding Children Board will be the forum within which decisions in respect of safeguarding are taken. These decisions will be recorded and the minutes available for professional scrutiny. The Board will be supported by professional officers and will receive regular performance management and professional information, which will indicate whether any of the Boards strategies, policies or performance areas are at risk.
- **Developing the capacity and capability of the governing**

### **body to be effective**

14.9 Agencies will be represented on the Local Safeguarding Children Board by a senior manager with the necessary skills, knowledge, and experience to undertake the functions of a Board member. Each member of the Board will have the ability to speak on behalf of their organisation and commit resources the Local Safeguarding Children Board Business Plan will be developed jointly by agency Board members and will be reviewed annually at a Board business planning day which will evaluate the performance of individual agency Board members and the Board as a whole. The dynamic nature of children's services assures a regular turnover in persons undertaking Board membership functions.

- **Engaging stakeholders and making accountability real**

The Local Safeguarding Children Board is the forum within which agencies are engaged with the safeguarding process. The new integrated inspection framework, led by Ofsted, will inspect how Children's Services work together and the development and outcomes delivered by Children's Trust arrangements in each area and will be significant in assessing the engagement of all stakeholders.

The range of public information leaflets on safeguarding processes also increases the accountability of agency members to the public in the execution of their professional responsibilities.

## **15 Information Sharing**

15.1 The Monitoring and Evaluation Sub-group receive information from all partner agencies. The information is then incorporated into a report which will assist multi agency assessment performance information on which is reported to the Local Safeguarding Children Board

### **15.2 The Oldham Performance Management Framework**

15.2.1 To measure how well the outcomes for children and young people in Oldham are being achieved, all partners will have adopted a unified Performance Management Framework.

15.2.2 The Framework will need to embraces all existing performance measures for improving outcomes for children and young people in Oldham.

## **16 Structure**

## **17 Meetings**

### **17.1 Frequency**

17.1.1 The LSCB will meet monthly, and at other times as may be required.

## **17.2 Notice/agendas**

17.2.1 Meeting dates to be agreed in advance. Agenda items and supporting documents to be forwarded to chair and the Development Officer for LSCB at least 10 working days before the meeting. Agendas to be circulated 7 working days before the meeting.

## **17.3 Attendance/ substitutes**

17.3.1 All members will endeavour to attend all meetings, or to send an agreed substitute with delegated responsibilities to participate in the decision making process. Where neither the member nor substitute member are able to attend, apologies to be sent to the Chair in advance of the meeting. All members to prepare for meetings by reading through agenda and papers and preparing written reports as appropriate.

## **17.4 Administration responsibilities**

17.4.1 LSCB

17.4.2 Sub-Groups

## **17.5 Decision making**

17.5.1 Decisions will be reached by consensus. If this is not possible there will be a vote. The Chair will have the casting vote in the case of a tie. The minutes of meetings will clearly record decisions made and responsibilities for undertaking agreed tasks.

## **17.6 Accountability**

17.6.1 The Safeguarding Board will make quarterly written reports to the Oldham Local Strategic Partnership.

## **17.7 Conduct**

17.7.1 Members of the Safeguarding Board are required to conduct themselves in a proper and professional manner during meetings and carrying out the work of the group. Where any conflict of interest arises, the affected member should declare the same to the Chair of the meeting.

## **17.8 Changes to Terms of Reference**

17.8.1 Any changes to the Terms of Reference will be agreed by the LSCB.