



DARLINGTON

Safeguarding Children Board

Constitution



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1. INTRODUCTION

1.1 Statutory Basis

The Board shall be known as the Darlington Safeguarding Children Board and referred to in this Constitution as “DSCB” or “the Board”. The community served by the Board is the same as that covered by Darlington Borough Council.

1.2 Purpose

- The DSCB is the key statutory mechanism for agreeing how relevant agencies will cooperate to safeguard and promote the welfare of children in its locality and for ensuring the effectiveness of agencies’ safeguarding activity.
- Darlington Borough Council (DBC) and statutory DSCB partners have a statutory obligation to establish and support the operation of the DSCB.
- The Board has a particular focus on child protection and seeks to ensure all children and young people in Darlington are protected from physical injury, emotional abuse, neglect, sexual abuse or exploitation or harm caused by witnessing violence or abuse.

1.3 Objectives of the DSCB

The core objectives of the DSCB are set out in **Section 14 (1) of the Children Act 2004** as follows:

1. to coordinate, monitor and support 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
2. to ensure the effectiveness of what is done by each such person or body for those purposes

The focus of the DSCB is:

1. Children at risk of or who have suffered significant harm as defined in **Section 31(9)1 and 31(10)2 Children Act 1989**
2. “Children in need” who require multi disciplinary assessment, planning, services and review as defined in **Section 17 of the Children Act 1989; Carers and Disabled Children Act 2002; and Criminal Justice Act 2004.**

Regulation 5 of the Local Safeguarding Children Boards Regulations 2006 sets out that the functions of the LSCB, in relation to the above objectives under section 14 of the Children Act 2004, are as follows:

1(a) developing policies and procedures for safeguarding and promoting the welfare of children in the area of the authority, including policies and procedures in relation to:

(i) the action to be taken where there are concerns about a child's safety or welfare, including thresholds for intervention;

(ii) training of persons who work with children or in services affecting the safety and welfare of children;

(iii) recruitment and supervision of persons who work with children;

(iv) investigation of allegations concerning persons who work with children;

(v) safety and welfare of children who are privately fostered;

(vi) cooperation with neighbouring children's services authorities and their Board partners;

(b) 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;

(c) monitoring and evaluating the effectiveness of what is done by the authority and their Board partners individually and collectively to safeguard and promote the welfare of children and advising them on ways to improve;

(d) participating in the planning of services for children in the area of the authority; and

(e) undertaking reviews of serious cases and advising the authority and their Board partners on lessons to be learned.

1.4 Governance and Accountability

1.4.a Independence and impartiality

In carrying out its duties and responsibilities, including its decision making processes, the Board is independent of any partner agency and fulfils its responsibilities with complete impartiality. In doing so the Board's policies and procedures apply equally to all partner agencies and any other agency that the Board feels it necessary to engage with.

The Independent Chair is accountable to the Chief Executive of DBC in respect of its governance. However, the Board will act independently in respect of monitoring safeguarding arrangements and it is within its remit to scrutinise the safeguarding arrangements of all responsible organisations within the Darlington area.

1.4.b Relationship to Darlington Borough Council (DBC)

Section 13 of the Children Act 2004 requires each local authority to establish a Local Safeguarding Children Board (LSCB) for their area and specifies the organisations and individuals (other than the local authority) that should be represented on LSCBs.

The DSCB is established by and hosted by DBC as part of their current statutory obligation to do so. The Independent Chair is appointed by the DBC Chief Executive (alongside at least two Board members) and both s/he and the Director of Children and Adults Services are Board members. The Board has access to support from DBC Legal and Human Resources services and all Board financial matters are conducted within the DBC policy and procedures.

The Chair of the DSCB provides and presents reports as required of the Board's business, along with a copy of the DSCB Annual Report, to the DBC Children and Young People Scrutiny Committee, Children's Trust, and the Health and Wellbeing Board.

While DBC clearly has a legally defined role in supporting and establishing DSCB, the Board, when established, operates independently of DBC. DBC's role and status as a Board member is no different to that of any other Board member.

1.4.c Partner Agencies

Section 13 of the Children Act 2004, as amended, sets out that DSCB must include at least one representative from DBC and each of the other Board partners set out below (although two or more Board partners may be represented by the same person). In respect of the area covered by DSCB Board partners who must be included are:

- the Chief Officer of Police;
- the National Probation Service and Community Rehabilitation Companies;
- the Youth Offending Team;
- NHS England and Clinical Commissioning Group;
- NHS Trusts and NHS Foundation Trusts all or most of whose hospitals, establishments and facilities are situated in the local authority area;
- Cafcass;

The Apprenticeships, Skills, Children and Learning Act 2009 amended sections 13 and 14 of the Children Act 2004 and provided that DBC must take reasonable steps to ensure that the DSCB includes two lay members representing the local community.

Section 13(4) of the Children Act 2004, as amended, provides that DBC must take reasonable steps to ensure the DSCB includes representatives of relevant persons and bodies of such descriptions as may be prescribed. Regulation 3A of the LSCB Regulations prescribes the following persons and bodies:

- the governing body of a maintained school;
- the proprietor of a non-maintained special school;
- the proprietor of a city technology college, a city college for the technology of the arts or an academy; and
- the governing body of a further education institution

All schools (including independent schools, academies and free schools) have duties in relation to safeguarding children and promoting their welfare. DBC should take reasonable steps to ensure that the DSCB includes representatives from all types of school in their area. A system of representation should be identified to enable all schools to receive information and feed back comments to their representatives on the DSCB.

DSCB should either include on its Board, or be able to draw on appropriate expertise and advice from, frontline professionals from all the relevant sectors. This includes a designated doctor and nurse, the Director of Public Health, Principal Child and Family Social Worker and the voluntary and community sector, and any to whom the local authority has delegated children's social care functions. Where applicable, DSCBs should also be able to draw on advice from those appointed to support local authorities that are subject to intervention or need to make significant improvement following inspection or other scrutiny.

Lay members will operate as full members of the DSCB, participating as appropriate on the Board itself and on its sub-groups. Lay members should help to make links between the DSCB and community groups, support stronger public engagement in local child safety issues and an improved public understanding of the DSCB's child protection work. The Business Unit holds an occasional Lay Members Network meeting and also provides pre-Board meeting briefings on agenda items to ensure access to and understanding of key information.

The Lead Member for Children’s Services should be a participating observer of the DSCB. In practice this means routinely attending meetings as an observer and receiving all its written reports. The Lead Member for Children has delegated responsibility from the Council for children, young people and families and is politically accountable for ensuring that DBC fulfils its legal responsibilities for safeguarding and promoting the welfare of children and young people. The Lead Member also must be satisfied that effective quality assurance systems for safeguarding are in place and functioning effectively.

Whilst the DSCB has a role in co-ordinating and ensuring the effectiveness of local agencies/partners and their workforce in relation to safeguarding and promoting the welfare of children, it is not accountable for their operational work. Each Board partner retains existing lines of accountability within their individual organisation. The DSCB does not have the power to direct other organisations in carrying out their designated functions. However DCSB has a responsibility to satisfy itself that partners and other organisations have effective policies and procedures for safeguarding children and young people in line with statutory requirements.

DSCB has produced “**Professional Challenge Procedure and Practice Guidance**” to provide a route map for dealing with disputes between its partners over operational issues and providing challenge for outcomes that do not meet required standards. The guidance provides a process for resolving practitioner disagreements and ensuring there is effective challenge in the system. Key features of the guidance are:

- The provision of advice and support to practitioners to enable them to escalate concerns where disagreements are not resolved at a practitioner level
- A professional challenge flow chart
- Advice on thresholds for reporting the use of professional challenge to the DSCB

2. STRUCTURE OF THE BOARD

2.1 Meetings / Quoracy / Frequency

Meetings of the DSCB Board take place every two months. The DCSB Annual Diary (see Appendix 1) contains the dates for the current year.

To be quorate meetings should be attended by at least 3 of the partner agency representatives and in addition when matters are voted upon the decision must be based on at least 50% +1 of those present. In the event of a tied vote the chairperson will have a casting vote.

From time to time it might be necessary to hold an extraordinary meeting outside of the above arrangement. The above quoracy rules will apply and any decisions taken will be communicated to the whole membership by the Business Unit within 5 working days.

Any Board member can raise a request for an extraordinary Board meeting outside of the above arrangements. This request should be directed to the Independent Chair who will decide if an extraordinary meeting is necessary and s/he will instruct the business unit to arrange one if necessary.

2.2 Independent Chair / Vice Chair

The Board Chairperson is independent of all partners and is appointed by the Chief Executive of DBC along with at least two full members of the Board. The term of office for the appointed chairperson is three years. The Chief Executive, drawing on other DSCB partners and, where appropriate, the Lead Member will hold the Chair to account for the effective working of the DSCB.

The Chair must publish an annual report on the effectiveness of child safeguarding and promoting the welfare of children in the local area. The annual report should be published in relation to the preceding financial year and should fit with local agencies' planning, commissioning and budget cycles. The report should be submitted to the Chief Executive, Leader of the Council, the local Police and Crime Commissioner, the Chair of the Health and Well-being Board and the Darlington Clinical Commissioning Group.

The Chair should have access to training and development opportunities, including peer networking. In addition, the Chair has an annual appraisal which is conducted in line with

DBC Human Resources policy and is carried out by or on behalf of the Chief Executive Officer of the council.

The Vice Chair is nominated and appointed by the Board from within its membership. The appointment is confirmed by a vote of at least 50% of the attending quorate membership + one. In the absence of the Chair the Vice-Chair assumes the authority and responsibilities of the Chair role in all respects. Any actions undertaken by the Vice-Chair must be reported to the Chair as soon as possible. The period of office for the Vice-Chair is one year.

2.3 Membership

The Board expects that partner agencies will nominate members (attached as appendix 2) to represent them who are senior colleagues with a strategic role in relation to safeguarding and promoting the welfare of children and must be able to speak for their organisation with authority, commit their organisation on policy and practice matters and hold their organisation to account.

If an agency is not represented on two consecutive Board meetings, a formal letter will be sent to the Lead Officer of the agency, via the Chair of the Board to alert them and ask if current representation arrangements are appropriate. All Board and sub-group agendas and minutes contain a running record of attendance enabling trends to be made clear and also to facilitate collation of annual performance data more efficient.

The Board expects that members will attend all Board Meetings and sub-group meetings where they are a member. In addition, the Board holds up to two development days each year to which members are expected to contribute. Each Board member should have a nominated deputy to attend Board meetings in his/her absence. The Board expects that deputies will carry out the roles and responsibilities in the same way as the member they substitute for. Deputies should have the necessary expertise to both represent their agency as outlined above and to understand the DSCB's priorities. The Board's aim is consistency and continuity and substitution should only be used in response to exceptional circumstances. Agency attendance will be monitored and reported in the DSCB Annual Report. In addition, an attendance report will be produced by the Quality Assurance and Performance Management sub-group, and presented to the DSCB on a six monthly cycle. This will include attendance across all DSCB sub-groups.

The Business Manager will arrange an induction programme tailored to their individual needs and experience and in negotiation with them. An Induction Pack will be provided to inform and guide their membership of the Board and they will be welcomed by the Chair who will explain their role and answer any questions they might have.

The DSCB expects that all partner organisations follow best practice, e.g **Working Together Ch 2 Section 11 of the Children Act 2004**, in their recruitment and human resource management in relation to ensuring that all staff have appropriate Disclosure and Baring Service (DBS) clearance appropriate to their role. DBS clearance for DCSB Business Unit staff, Independent Chair and Lay Members of the Board are conducted in accordance with the DBC “Disclosure Guidance” (November 2015).

2.4 Decision making procedure

The Board is the central decision making body of the DSCB and its primary aim is to try to achieve consensus between partners in carrying out this function. When this is not possible decisions are carried when supported by a vote of 50% of the attending membership plus one, with at least 4 partner agencies attending the meeting. In the event of a tied result the Chair has a casting vote.

Effective planning, particularly by the Chair and the Business Unit, reduces the need to take decisions between Board meetings. However, when decisions have to be taken between meetings this is done by the Chair, or in their absence the Vice Chair, and in all cases every attempt will be made to involve Board members who are available to participate and advise. The decision will be reported to the Board at the earliest opportunity and, depending on the urgency and relevance of the decision, Board members can be informed by e-mail if necessary.

The Board’s sub-groups are able to take decisions within their individual remit but these must be reported to the Chair and ratified by the Board at the earliest opportunity. Depending on the urgency and relevance of the decision Board members can be informed by e-mail if necessary. Decisions are carried when supported by a vote of half of the attending quorate membership plus one. In the event of a tied result the sub-group Chair has a casting vote.

Task and finish groups always include a main sponsor from the Board or sub-group that provided their clearly defined remit and time-scale. They must have any decisions they take ratified by the sub-group that set them up or the main Board before being implemented.

2.5 Business Unit

Working Together 2015 states that the Chair should also have the support of “an LSCB business manager and other discrete support as is necessary for them, and the LSCB, to perform effectively”.

The Board will employ sufficient staff within its available resources to discharge its functions. The Business Manager will be accountable to the Board and will be managed by DBC Director of Children and Adult Services whilst remaining independent from the Local Authority. The Business Manager will in turn be responsible for the management of any other staff employed for the purposes of the Board. Darlington Borough Council will act as the employer of staff who work for the Board. They will be subject to the Council’s terms and conditions of employment unless they are seconded by another agency, in which case they will be subject to the terms and conditions set by the seconding agency.

The Business Unit services both the DSCB and also the Darlington Safeguarding Adults Partnership Board (DSAPB). The proportion of time and resources allocated to each of these fluctuates according to the current needs of the two Boards. The Business Unit team currently consists of:

- Business Manager (shared between Boards)
- Business Administrator (shred between Boards)
- Multi-agency Training Officer (shared between Boards)
- Safeguarding Boards’ Development Officer/LADO (Local Authority Designated Officer) (DSCB)
- Safeguarding Boards’ Development Officer/LADO (Local Authority Designated Officer) (DSAPB)

2.6 Sub-groups

To support the strategic work of the Board a Business Sub-group has been established. The membership is composed of the chairs of each sub-group, the Business Manager, who chairs the group, and one Lay Member. The Business Group meets at least once between the main Board meetings. The objectives of the group are:

- To review the Business and Improvement Plan and provide updates to the Board on progress
- To monitor and agree the Risk Register
- To review all policies and procedures that the Practice Development and Procedures Group Chair has passed for Board approval
- To provide peer support and problem solving where issues have been raised by a sub-group that need to be escalated to Board for direction
- To inform development work that will improve the DSCB, including strategies

The responsibilities of the sub-group members reflect those outlined in the section above for main Board members.

In addition to the Business Group the Board has established the following sub-groups:

- Training, Communications and Voice of the User (shared with DSAPB)
- Quality Assurance and Performance Management
- Case Review and Learning from Practice
- Child Death Overview Panel (shared with Durham LSCB)
- Practice Development and Procedures
- Missing, Exploited and Sexual Abuse (strategic)
- Missing and Exploited (Operational)

Each sub-group has its own terms of reference based on shared common elements and those specific to the sub-group function. Along with the main Board, each sub-group is able to set up time limited “task and finish” groups to address particular issues within its remit. Sub-groups meet at least once between main Board meetings and provide an update report on their work at each main Board meeting. Sub-group meetings are quorate when attended by the chair or vice-chair and at least 3 members from 3 different agencies.

3. **DSCB RELATIONSHIP WITH OTHER STATUTORY BOARDS AND STRATEGIC PARTNERS**

DSCB recognises that there are other strategic public groups operating within the Darlington context which have a significant role to play in safeguarding children and young adults and improving their daily lives and wider life chances. Examples of these are:

- Darlington Safeguarding Adults Partnership Board (DSAPB)
- Community Safety Partnership
- Children’s Trust
- Health and Well-being Board

Coordinating the work of these groups plays an important part in avoiding overlap and duplication and also identifying gaps in our collective safeguarding provision. In addition, working together has the potential to enhance capacity and develop a wider understanding of the local context. To guide this process DBC has produced a protocol outlining the relationship between “Strategic Public Partnerships” and DSCB fully participates in this. In addition, the chairs of the local strategic public partnerships meet to agree joint practice and shared communication of plans and outcomes.

4. **LEARNING AND IMPROVEMENT FRAMEWORK**

DSCB expects that local professionals and organisations protecting children will reflect on the quality of their services and learn from their own practice and that of others and that good practice will be shared so that there is a growing understanding of what works well. Conversely, when things go wrong there will be a rigorous, objective analysis of what happened and why, so that important lessons can be learnt and services improved to reduce the risk of future harm to children. These processes will be transparent, with findings of reviews shared publicly.

DSCB maintains a “**Local Learning and Improvement Framework**” which is shared across local organisations who work with children and families. This framework enables organisations to be clear about their responsibilities, to learn from experience and improve services as a result. In line with **Working Together (2015) Ch 4: Learning and Improvement Framework** the local framework follows the principles set out for learning and improvement. In addition, it sets out clearly the way in which Serious case Reviews (SCRs) and other case reviews will be conducted.

The local framework supports the work of DSCB and its partners so reviews:

- Are conducted regularly, not only on cases which meet statutory criteria, but also on other cases which can provide useful insights into the way organisations are working together to safeguard and protect the welfare of children and that this learning is actively shared with relevant agencies;
- Look at what happened in a case, and why, and what action will be taken to learn from the review findings;
- Action results in lasting improvements to services which safeguard and promote the welfare of children and help protect them from harm; and
- Ensure there is transparency about the issues arising from individual cases and the actions which organisations are taking in response to them, including sharing the final reports of Serious Case Reviews (SCRs) with the public.

The local framework covers the full range of reviews and audits, including those required under legislation (i.e. SCR/child death reviews) which are aimed at driving improvements to safeguard and promote the welfare of children. The local framework clearly sets out the criteria for determining whether a statutory review is required.

DSCB also conducts Learning Reviews of cases which do not meet the criteria for an SCR, but which can provide valuable lessons about how organisations are working together to safeguard and promote the welfare of children. Although not required by statute these reviews are important for highlighting good practice as well as identifying improvements which need to be made to local services. Such reviews may be conducted either by a single organisation or by a number of organisations working together. DSCB follows the principles in this guidance when conducting these reviews.

The purpose of these reviews is to identify improvements which are needed to identify and consolidate good practice. DSCB and its partners will translate the findings from reviews into programmes of action which lead to sustainable improvements and the prevention of death, serious injury or harm to children.

The different types of review, as indicated in Working Together 2015, include:

- Serious Case Review for every case where abuse or neglect is known or suspected and **either:**
 - a child dies; or

- a child is seriously harmed and there are concerns about how organisations or professionals worked together to safeguard the child;
- Child death review: Review of all child deaths;
- Review of a child protection incident which falls below the threshold for an SCR;
- Review or audit of practice in one or more agencies

4.1 Notifiable Incidents

A notifiable incident is an incident involving the care of a child which meets any of the following criteria:

- a child has died (including cases of suspected suicide), and abuse or neglect is known or suspected;
- a child has been seriously harmed and abuse or neglect is known or suspected
- a looked after child has died (including cases where abuse or neglect is **not** known or suspected); or
- a child in a regulated setting or service has died (including cases where abuse or neglect is **not** known or suspected).

The local authority should report any incident that meets the above criteria to Ofsted and the DSCB within five working days of becoming aware that the incident has occurred. If an incident meets the criteria for a Serious Case Review (see below) then it will also meet the criteria for a notifiable incident (above). There will, however, be notifiable incidents that do not proceed through to Serious Case Review.

4.2 Serious Case Reviews

Regulation 5 of the Local Safeguarding Children Boards Regulations 2006 sets out the requirement for LSCBs to undertake reviews of serious cases in specified circumstances. Regulation 5(1)(e) and (2) set out an LSCB's function in relation to serious case reviews, namely:

5(1)(e) undertaking reviews of serious cases and advising the authority and their Board partners on lessons to be learned

(2) For the purposes of paragraph (1) (e) a serious case is one where: (a) abuse or neglect of a child is known or suspected; and

(b) either — (i) the child has died; or (ii) the child has been seriously harmed and there is cause for concern as to the way in which the authority, their Board partners or other relevant persons have worked together to safeguard the child.

An SCR will always be required by DSCB when one of the above criteria is met. In addition, DSCB will always require a SCR to be conducted when a child dies in custody, in police custody, on remand, in a Young Offender Institution, a secure training centre or a secure children's home. This also applies when a child dies who was detained under the **Mental Health Act 1983** or where a child aged 16 or 17 was the subject of a Deprivation of Liberty Order under the **Mental Capacity Act 2005**.

The local framework notes that the final decision on whether to conduct a SCR rests with the DSCB Chair, however DSCB and the Chair must have regard to the National Panel of Independent Experts advice when deciding whether or not to initiate an SCR. The Chair will want to be confident that reviews are thoroughly, independently and openly investigated. In addition, the local framework sets out how good practice is reviewed, shared and embedded within the partner agency group and beyond.

DSCB will oversee the implementation of actions resulting from reviews through the Business Unit and reporting to the main Board. In addition, learning and progress on actions will be included in the Chair's Annual Report.

5. PERFORMANCE MANAGEMENT AND QUALITY ASSURANCE FRAMEWORK (PMQA)

Section 11 of the Children Act 2004 places duties on a range of organisations and individuals to ensure their functions, and any services that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children.

Various other statutory duties apply to other specific organisations working with children and families.

DSCBs must put in place procedures and policies that allow them to be satisfied that designated agencies and others providing services to children and families are effectively fulfilling their Section 11 responsibilities.

Organisations on which Section 11 places these duties are:

- local authorities and district councils that provide children’s and other types of services, including children’s and adult social care services, public health, housing, sport, culture and leisure services, licensing authorities and youth services;
- NHS organisations, including the NHS England and clinical commissioning groups, NHS Trusts and NHS Foundation Trusts;
- the police, including police and crime commissioners and the chief officer
- the British Transport Police;
- the National Probation Service and Community Rehabilitation Companies
- *Governors/Directors of Prisons and Young Offender Institutions*¹
- *Secure Training Centres*;
- *Principals of Secure Colleges*; and
- Youth Offending Teams/Services.

In addition further safeguarding duties are placed on the following organisations by other statutes:

- Schools and Colleges
- Early Years and Childcare
- Health Services
- The Police
- Adult Care Services
- Housing Services
- British Transport Police
- Youth Offending Teams
- UK Visas and Immigration Enforcement and the Border Force
- Children and Family Court Advisory Service (CAFCASS)
- Armed Services
- Voluntary and private sectors
- Faith Organisations

DSCB sees the section 11 annual self-assessment as key to helping all those who work with children and young people in Darlington demonstrate how they meet core safeguarding standards on an ongoing and an improving basis. DSCB maintains a **Section 11 Audit and Self-Assessment Strategy** which sets out how it will conduct its duty to be satisfied that partner agencies and other organisations providing services to children and young people

¹ Organisations in italics do not operate within the area covered by DSCB

are effectively fulfilling their **Section 11** responsibilities. This includes the use of performance data and information, how we will conduct case file audits and single agency audits and also the roles of the various sub-groups in the procedures.

DSCB commissions, supports and analyses returns on an annual basis and this forms a key part of the Annual Report and the judgement Board members have to make in regard to the overall sufficiency and standard of joint working arrangements to safeguard children and young people. The Board holds a range of **Challenge and Quality Clinics** to test the thoroughness of the self-assessment, promote learning and share good practice.

6. DATA MANAGEMENT

In order to fulfil its statutory functions under **regulation 5 of the Local Safeguarding Children Boards Regulations 2006** DSCB will use data and, as a minimum, will:

- assess the effectiveness of the help being provided to children and families, including early help;
- assess whether DSCB partners are fulfilling their statutory obligations;
- quality assure practice, including through joint audits of case files involving practitioners and identifying lessons to be learned; and
- monitor and evaluate the effectiveness of training, including multi-agency training, to safeguard and promote the safety of children

The Board expects that all partners will provide it with appropriate and timely data to enable it to fulfil its statutory functions effectively. To achieve this DSCB has developed a multi-agency data set that follows the “journey of the child” through the safeguarding pathway in all partner agencies.

Chapter 1 of Working Together 2015 sets out how effective sharing of information between professionals and local agencies is essential for effective service provision. DSCB plays a strong role in supporting information sharing between and within organisations and addressing any barriers to information sharing. This includes ensuring that a culture of information sharing is developed and supported as necessary by multi-agency training.

In addition, the DSCB can require a person or body to comply with a request for information. This can only take place where the information is essential to carrying out LSCB statutory functions. Any request for information about individuals must be 'necessary' and

'proportionate' to the reasons for the request. DSCB is mindful of the burden of requests and will always explain why the information is needed.

In accessing, storing and using data DSCB observes the principles and requirements of the **Data Protection Act 1998** and has developed an **Information Sharing Protocol**. DSCB expects that all partner agencies have their own data management policies and procedures which also observe the principles and requirements of the **Data Protection Act 1998**.

DSCB observes the principles and requirements of the **Freedom of Information Act 2000** and in doing so has adopted the **FOI and Environmental Request Procedure** set out in the **DBC Publications Scheme**. In most cases DSCB claims exemption from the provisions of the **FOI Act 2000** as it applies to the core functions of bodies that perform public regulatory functions concerned with:

- protecting members of the public from dishonesty, malpractice, incompetence or seriously improper conduct, or in connection with health and safety;
- personal data relating to an individual's physical or mental health. This applies only in certain circumstances;
- personal data that consists of educational records or relates to social work;

7. COMMUNICATION AND ENGAGEMENT

DSCB recognises that information sharing is key to successful joint working and has developed a "**Communications and Engagement Strategy**" which ensures that:

- protocols are in place, up to date and tested
- members of the Board are clear about how we communicate, why and with whom
- communications are effective

7.1 Training and Development

High quality training and development ensures that key information on safeguarding children and young people and learning from reviews and case studies etc. is shared, embedded and acted upon. This includes by Board partners, other organisations providing services to children and young people and their respective leadership and operational staff.

DSCB maintains an up to date **Training and Development Strategy** which ensures that safeguarding and promoting the welfare of children and young people at risk remains the

focus of its learning and development activities. This outlines the provision of training and development opportunities available to the local workforce in relation to safeguarding children, young people. The strategy takes an overview of single and multi-agency training and development on the safeguarding of children and co-ordinates planning and delivery across the DSCB partnership and beyond.

The DSCB **Training and Development Strategy** ensures the quality and consistency of training, analyses training needs and includes a process for monitoring and evaluating the effectiveness and impact of training provided by the Board and other partners. The strategy also indicates a clear expectation that key staff in all organisations providing services to children and young people will receive up to date training commensurate with their role and responsibilities at least once every three years.

The Training and Development Strategy and training programme is overseen and in part delivered by the Multi-agency Training Officer role which is shared between DSCB and DSAPB.

7.2 Publicity, including website, newsletters and bulletins

DSCB, jointly with the DSAPB, maintains a stand-alone website which can also be accessed via a link from the DBC website. This contains all of the Board's policies and procedure documents and also minutes and agendas of meetings that have been approved by the Board for publication. The DSCB training programme is communicated to partner agencies and others via the website along with the Board's monthly bulletin and other newsletters and information.

The Board wishes to maintain and demonstrate transparency in carrying out its functions. Its policies and procedures documentation can also be made available in hard copy to the public on reasonable request. Minutes of meetings are posted on the website within 14 days of Board meetings along with all papers approved by the Board for publication.

The Board's newsletters and bulletins contain relevant safeguarding related information from partner agencies and other organisations and in addition to inclusion on the website they are sent by e-mail to Board partners and other organisations for further dissemination.

The website also contains guidance for organisations on safeguarding policy and practice and also has clear advice on handling disclosures and making referrals through the DBC and

partners' protocols and procedures. The DSCB **Disclosures Policy** can also be found on the site.

7.3 Sharing learning from case studies and reviews etc.

Key learning from SCRs, other reviews, case studies, audits and self-assessments is initially distilled from information gathered and reviewed by the relevant sub-groups. This is then reported to the main Board and, in liaison with the Training, Communications and Voice of the User sub-group, appropriate programmes are developed for dissemination, shared learning and improvement.

7.4 Lead Council member as a Board observer

The Lead Council member is also a ward councilor who is an elected representative of his/her ward. As such the Lead Member can provide an invaluable link for communication and engagement with a significant sector of the community. In addition, the Lead Member provides political leadership for the effective coordination of work with other relevant agencies with safeguarding responsibilities.

7.5 Lay members

Lay members help to make links between the DSCB, community groups and the general public. In particular, they support stronger public engagement in local child safety issues and an improved public understanding of the DSCB's remit. In addition, they can bring a "non-specialist" perspective to the work of the Board.

7.6 Voice of the child

DSCB considers it the responsibility of all partner agencies and other service providers to take account of the "voice of the service user" and within the context of services to children the "voice of the child". DSCB expects that all partner agencies will share their "voice of the child" feedback and this will be collated by the Business Unit and presented to the Board to inform its operation and decision making processes.

In addition to "voice of the child" data from partner agencies the following are examples of other sources that Business Unit can access to provide the Board with information on the views of children and young people about their experiences of service provision:

- Children in Care Council
- Youth Councils
- Young Mayor/Youth Parliament

- Children and Young People Collective
- Youth Watch
- Mental Health network for Young People
- BME Project

8. **EQUALITY, DIVERSITY AND DISCRIMINATION STATEMENT**

The DSCB expects that all partner agencies have up to date Equality, Diversity and Anti – Discrimination policies that are upheld at all times by all staff. In discharging its functions, DSCB will at all times promote equality and strive to meet the diverse needs of children and families.

The DSCB recognises the value and contribution of diversity in the population in general and in Darlington Borough in particular. Discrimination will always be challenged wherever it is perceived.

The Equality Act 2010 has specific legal definitions of the people who it protects. In general terms, it prevents a protected individual or group being treated less favourably than others of a different group. It is generally unlawful to discriminate against someone because of a 'protected characteristic'. The protected characteristics are:

- age
- disability
- gender reassignment
- marriage and civil partnership (in the area of employment only)
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation.

Not all of the protected characteristics are covered in all the areas of protection.

The main types of discrimination include the following:

- **direct discrimination** occurs when someone treats another person less favourably because of a protected characteristic than s/he treats or would treat others.

- **indirect discrimination** occurs when a provision, criterion or practice which applies in the same way to everyone puts a group with a particular protected characteristic at a disadvantage compared with a group who do not share that characteristic.
- **harassment**, which is unwanted conduct because of a protected characteristic which violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for her/him
- **victimisation**, which occurs when someone suffers a detriment because s/he has done something which is protected under the legislation.

In the case of disability discrimination, as well as the types of discrimination listed in the previous paragraph, discrimination also occurs when:-

- a person is treated unfavourably because of something connected with her/his disability.
- a person or organisation does not comply with the **duty to make reasonable adjustments**.

9. CONFIDENTIALITY STATEMENT

The confidentiality of children and young people and their families is of paramount importance and the Board, its Business Unit and its sub-groups will always avoid identifying individuals in all aspects of its work. For the majority of the work of the Board this is not necessary.

While it might be necessary at times within the Case Review and Learning from Practice sub-group and the Child Death Overview Panel for members to be aware of identities in all cases where information comes to the Board names will be redacted or substituted and other information that could lead to identification will be avoided. Members are expected to maintain the confidentiality of all children and young people and their families at all times in both written and spoken contexts both within their professional work and while working on DSCB business.

DSCB expects that partner organisations have confidentiality clauses embedded within their recruitment processes which apply to all of their employees in all aspects of their work. The

Board's Business Unit staff have been recruited via the DBC recruitment process which complies with this expectation. In addition, all lay members and the independent chair have signed confidentiality agreements upon taking up their respective roles.

10. CONDUCT, COMPLAINTS AND DISPUTES

10.1 Conduct of Board members

Each partner agency has its own staff conduct policy which covers all of its staff. DSCB expects that this also covers partner agency representatives while working on the Board's business or that of its sub-groups. DSCB staff are employed by DBC on behalf of the Board and therefore all DBC Human Resources policies, including on staff conduct matters, apply.

Notwithstanding the above the Chair reserves the right to challenge any member of the Board when it is considered that conduct has fallen below what can reasonable be expected. In addition, the Chair reserves the right to contact partner agencies when there are concerns about the conduct of their representative to ensure that appropriate action is being taken.

10.2 Complaints against DSCB

Where any partner agency, other organisation or member of the public wishes to raise a complaint about the Board, its sub-groups or the Business Unit this should be done in the first instance with the Chair. The chair will call together a Complaints Group made up of the Business Manager if they are not connected to the complaint and at least two members of the Board who are also not connected to the complaint in question. The Complaints Group will decide the appropriate action to resolve or answer the complaint and following this both the nature of the complaint and the Complaints Group decision will be reported to the full Board at the earliest opportunity.

If there is a dispute between a DSCB partner and the Chair the above procedure will be followed except that the convenor will be the Director of Children and Adult Services and the Chair will be one of the parties to the dispute.

10.3 Dispute resolution between Board partners

If there is a dispute between DSCB partners the Chair, in consultation with the Director of Children and Adult Services, will convene a meeting of the parties in dispute. The agenda will be agreed jointly between the Chair and the parties and the meeting will move to agree a formula for resolving the dispute or clarify the areas of dispute and possible ways forward.

Where there is no agreement the Chair will ask the parties to agree to the appointment of an independent mediator.

11. FINANCE AND BUDGETING

All member organisations have an obligation to provide DSCB with reliable resources (including finance) that enable it to be strong and effective. Members should share the financial responsibility for the DSCB in such a way that a disproportionate burden does not fall on a small number of partner agencies. **(Working Together 2015 Ch 3 Para 19)**

To ensure sound financial planning the Board will begin negotiations with partner agencies and other funders about their financial contribution at the end of the third quarter of the financial year (December). It is important that the Board is clear on its financial position to inform the annual plan preparation for the subsequent year which will take place over quarter 4.

The Annual Report includes a clear breakdown of the budget for the reported year, the total budget and the level of contribution from partner agencies. It also demonstrates how funds were used.

While not all partners make a financial contribution they all make a large commitment in terms of staff time and other resources. The Board actively sets and manages its resources to ensure partners' contributions are used effectively and efficiently and also so that demand and risk are managed.

12. RISK MANAGEMENT

The Board has adopted an appropriate Risk Management Procedure which will:

- Identify risks associated with the achievements of the Board's objectives
- Allocate responsibility for the management of the risk
- Report identified risks and how they are managed to the Board

Insurance for individual partners is covered by their own insurance arrangements. The Board and its sub-groups do not have insurance.

Key elements of the DSCB Risk Management Procedure are:

- Analysis of risk emanating from weak impact and unsatisfactory outcomes
- The High Level Risk Register will be a standing agenda item at every Board meeting.
- Sub-group reports to the Board always allow for the identification of risk factors that could potentially affect their remit
- The Business manager is charged with responsibility to inform the Director of Children and Adult Services of any risks emanating from DSCB that could affect the council

13. EXIT STRATEGY – TERMINIATION AND OWNERSHIP AND DISPOSAL OF ASSETS

The DSCB is a statutory function. Statutory partners may not terminate this agreement, and none of the Statutory Agencies may withdraw from this Agreement, except by a change in the law which changes the legal standing of the DSCB.

Where the legal status of the DSCB changes and LSCBs are no longer a statutory requirement, the Member Agencies of the DSCB must agree a detailed exit strategy which, so far as is possible, will protect the interests of all agencies, recognise the financial and other contributions of the respective Agencies in the past and any costs of termination, contain a timetable for action, and which will take account, so far as is reasonable and appropriate, of all relevant factors relating to the circumstances of and reasons for the termination.

The exit strategy will also include provisions whereby all assets which have been purchased from Joint or Pooled Funds or through Joint Spending pass to a successor organisation if there is one. Otherwise such assets will be shared according to the proportions in which financial contributions were made when they were acquired, and have subsequently been

incurred in relation to their maintenance and repair. The Agencies recognise that they are required under the Section 13 of the Children Act 2004 to be a party within the Board and therefore expressly agree that this Agreement will only be terminated on the strict understanding that a new governance agreement has been prepared which all parties required by law to participate in a DSCB are willing to sign with immediate effect.

If one of the Agencies ceases or is to cease to have legal powers enabling it to be involved in the governance arrangements to improve the well-being of children and young people in Darlington, then in such circumstances all of the Agencies will co-operate in agreeing an exit strategy for that Agency.

Upon an exit strategy being agreed between the Agencies, then all of the Agencies shall use their best endeavours to give effect to the exit strategy in accordance with the timetable contained in it.

The Board may agree to change these arrangements by a resolution. Notice of intention to move such a resolution must be placed on the agenda for the earliest possible meeting of the Board and sent to all of the Agencies at least 5 working days prior to the meeting in question. The resolution must be passed at that meeting by a majority of at least two thirds of the persons present and voting at that meeting.

14. END NOTE

The DSCB Constitution will be reviewed every three years or in line with the appointment term of the Independent Chair.

Ammendments can be made to this constitution as necessary by representation to the Board at the bi-monthly Board meetings.

Appendices:

Appendix One

DSCB Business Calendar

<u>Date</u>	<u>Time</u>	<u>Venue</u>
20th January 2016	9.00- 12.00	Town Hall, Committee Room 2
23rd March 2016	9.00- 12.00	Town Hall, Committee Room 2
18th May 2016	9.00- 12.00	Town Hall, Committee Room 1
20th July 2016	9.00- 12.00	Town Hall, Committee Room 2
21st September 2016	9.00- 12.00	Town Hall, Committee Room 2
23rd November 2016	9.00- 12.00	Town Hall, Committee Room 2
25th January 2017	9.00- 12.00	Town Hall, Committee Room 2
29th March 2017	9.00- 12.00	Town Hall, Committee Room 2

Board Membership as at July 2016

Name	Agency	Job Title	Membership
Amanda Hugill	Safeguarding Boards'	LADO/Development Officer	S
Emma Chawner	Safeguarding Boards'	Business Manager	S
Kevin Buckle	Safeguarding Boards'	Lay Member	M
Richard Burrows (Chair)	Safeguarding Boards'	Independent Chair	I
Ada Burns	DBC	Chief Executive	FI
Alison Murphy	DBC	Interim Director	M
Councillor Hughes	DBC	DBC Member	O
Hazel Neasham	DBC	Head of Housing	M
Joanna Conway	DBC	Education Safeguarding Officer	M
Jo Benson	DBC	Head of Youth Offending Service	M
Kevin Kelly	DBC	Acting Assistant Director, Adult Social Care	M
Nicola White	DBC	Principal Lawyer	M
Pixley Clarke	DBC	Head of Review and Development	M
Suzanne Joyner	DBC	Director of Children and Adults Services	M
Vicki Pattison	DBC	Head of Service, Adults	D
Yvonne Coates	DBC	Head of First Contact and Locality Services	M
Sharon Haggerty	NHS England	Deputy Director of Nursing	M
Janice Wade	CAFCASS	Service Manager	M
Carole Todd	Education- Darlington College	Deputy Principal	M
Claire Blackett	Education- Priory Education	Head Teacher	M
Clare Devine	Education- Education Village	Principal of Beaumont Hill Academy	M
Emma Hickerson	Education- DSMS	Senior Assistant Headteacher	M
Gemma Elysee	Education- Education Village	Assistant Headteacher Beaumont Hill Academy	M
Julie Davison	Education- Darlington College	Student Liaison Manager	M
Neil Parker	Education- BR and H Academy	Headteacher	M
Carl Moss	Police	Detective Inspector	D
Paul Goundry	Police	Detective Superintendent	M
Diane Murphy	CCG	Chief Nurse	M
Heather McFarlane	CCG	Designated Nurse	M
Jason Cram	CDDFT	Associate Director of Nursing for Patient Experience and Safeguarding	M
Lorraine Fox	HDFT	Head of Safeguarding Children	M
Stephen Cronin		Designated Doctor	M
VACANT	Probation - CRC		
Maureen Gavin	NPS	Head of Durham NPS	M

Claire Allen	TEWV	Named Nurse Safeguarding Children	D
Karen Agar	TEWV	Associate Director of Nursing	M
Miriam Davidson	Public Health	Director	M
Tracy Nicholson	Provider Forum	Home Manager Witherslack	M
	North East Ambulance Service		MOU
	British Transport Police		MOU

- I- Independent Chair
- O- Observer
- M- Member
- D- Deputy
- FI- For information
- S- Support
- MOU- Memorandum of Understanding