

Report to: Health and Wellbeing Board

Date: 21 October 2015

Report of: Mike Tarver, Independent Chair of Bolton Safeguarding Children Board and Councillor Linda Thomas, Chair of Health and Wellbeing Board.

Report No:

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Report Title: **Protocol between Bolton Safeguarding Children Board and Health and Wellbeing Board**

Non Confidential: This report does **not** contain information which warrants its consideration in the absence of the press or members of the public

Recommendations: The Health and Wellbeing Board is requested to:

- Comment on the content of the protocol
- Approve and implement the protocol

Background Doc(s):

1 Purpose

The purpose of this protocol is to promote effective working relationships between Bolton Safeguarding Children Board (BSCB) and Bolton Health and Wellbeing Board (BHWB) to promote the health, safety and welfare of children¹ in Bolton.

This protocol will:-

- Confirm the respective functions and responsibilities of each Board
- Promote collaboration and avoid duplication in working together to safeguard and promote the welfare of children
- Support challenge and scrutiny between the Boards to achieve the best services and outcomes for children living in Bolton

2 Bolton Safeguarding Children Board

2.1 Safeguarding and promoting the welfare of children is defined as²:-

- Protecting children from maltreatment; child abuse and neglect
- Preventing impairment of children's health or development
- Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care
- Taking action to enable all children to have the best life chances

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

Safeguarding and promoting the welfare of children requires³ that:-

- Local agencies have early help responses in place that meet children's needs at the earliest opportunities and are compliant with Section A of Bolton's Framework for Action (2014)
- Local agencies are able to recognise and identify when a case should be referred to Bolton Children's Social Care for assessment, including when they suspect or identify that a child is suffering or at risk of suffering significant harm and these should be compliant with Section A of Bolton's Framework for Action (2014)

2.3 In accordance with the functions set out in the Children Act 2004, Local Safeguarding Children Board Regulations 2005 and Working Together to Safeguard Children 2015, BSCB has a statutory duty 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 Bolton
- Ensure the effectiveness of what is done by each such person or body for those purposes

¹ For the purposes of this document a child is defined as anyone who has not yet reached their 18th birthday. 'Children' therefore means children and young people throughout.

² Working Together to Safeguard Children 2015, p92

³ These requirements are outlined in Working Together to Safeguard Children 2015 Chapter 1 Para 1-4 and Para 17

2.4 BSCB fulfills its statutory duties as follows:-

- Seek assurance from members representing statutory bodies identified in Section 11 of the Children Act 2004 and Working Together 2015 that they are fulfilling their statutory obligations to safeguard children
- Support organisations to discharge their statutory duties and responsibilities in respect of safeguarding children
- Support and challenge relevant organisation and partnerships to promote effective safeguarding practice in accordance with the Boards priorities
- Offer scrutiny and challenge to front-line practice across organisations in relation to safeguarding children
- Contribute to safeguarding inspections and peer reviews; taking appropriate action to address any areas of concern
- Learn from audits and review processes, identifying actions to improve and develop services to children in Bolton
- Support strong partnership working between all stakeholders involved in safeguarding children, including the involvement of children and their parents in the work of the Board
- Ensure that there is a comprehensive range of accessible multi-agency policies and practice guides to safeguard children
- Undertake Learning Reviews, including Serious Case Reviews ensuring that lessons are learned and safeguarding practice is further developed
- Undertake reviews of all child deaths via the Child Death Overview Panel, identifying learning from these deaths to inform local planning/needs assessment etc. to further safeguard and promote the welfare of children
- Promote co-operation in safeguarding and promoting the welfare of children and young people who are privately fostered
- Raise awareness with the wider community of the need to safeguard children and young people and promote their welfare and support their contribution to the development of Bolton Safeguarding Children Board

3 Bolton Health and Wellbeing Board

3.1 The Health and Wellbeing Board brings together commissioners and decision makers from across the Bolton Family to develop a shared approach to improving health and quality of life for the people of Bolton. This brings a unique opportunity for us to address challenges by:

- Keeping a firm focus on achieving positive health outcomes
- Addressing inequalities
- Focusing on prevention
- Developing, redesigning and integrating services around the needs of people
- Ensuring we use the resources available efficiently
- Promoting the corporate citizen role of the health and social care system

3.2 The purpose of the Board

The legislation that established the board also gave the board some specific functions:

- To prepare a Joint Strategic Needs Assessment (JSNA) of the health needs of the people of Bolton
- A responsibility and duty to encourage integrated working between organisations that plan and deliver health and social care services for local people
- A power to encourage close working relations between all partners that plan and provide services that can improve the health and wellbeing of local people.

3.3 Delivering in Partnership

Bolton's community strategy sets out the commitment to securing economic prosperity and narrowing the gap, with priority themes providing a key focus on health and wellbeing and children and young people. The Health and Wellbeing Board is one of a number of partnerships that delivers the work of the Bolton Vision Partnership and continues to develop close working relationships with other partnerships and boards, including Children's Trust, Be Safe Partnership, Economic Partnership and Skills Board and Bolton Safeguarding Children Board.

Working as a partnership allows the Board to reduce health inequalities by:

- Jointly understanding the health needs of Bolton people
- Agreeing shared priorities
- Identifying opportunities to join up services to achieve better outcomes

The membership of the board reflects the requirements of the Health and Social Care legislation and the range of organisations that have the biggest impact on health and wellbeing of local people.

4 Operational Arrangements between the Boards

In order to promote effective working relationships between the Boards and fulfil the objectives of this protocol the arrangements are as follows:-

REQUIREMENT	METHOD
Each Board will share learning and responses from internal or external inspections, peer reviews, audit processes or any other scrutiny process related to the safety and welfare of children	<ul style="list-style-type: none"> • The chair of BHWB will receive BSCB's performance report on an annual basis • The chair of BHWB will provide BSCB with an annual summary of the health and well-being of children and their parents • BSCB's annual assessment and report on the effectiveness of local safeguarding arrangements will be presented to BHWB in September each year; this will include:- <ul style="list-style-type: none"> – Learning from Bolton Child Death Overview Panel and Case Reviews – A position statement on the Boards' performance in the current financial year • BSCB will present the learning from any Serious Case Reviews to BHWB at the next available BHWB meeting, following endorsement of the Overview Report by BSCB
BHWB will consult and seek contributions from BSCB about the development, review or commissioning of any Children and Young Peoples service which is	<ul style="list-style-type: none"> • BSCB will be involved in the development of the Health and Well-being strategy • BSCB will be consulted annually about the Joint Strategic Needs Assessment and contribute to identifying priorities • BSCB will take responsibility for the oversight and evaluation of

likely to have implications on ensuring the safety and welfare of children	<p>the multi-agency safeguarding elements of the strategy</p> <ul style="list-style-type: none"> • At each review of the Health and Wellbeing strategy, both Boards will receive a formal report of progress against targets • BHWB will encourage the partners sitting on the Board to formally consult with BSCB during the commissioning process and ensure that relevant and proportionate requirements for keeping children safe are included in all tenders • BSCB will provide BHWB with a copy of their Business Plan by June each year • Quarterly meetings will be held between respective Board officers to ensure on-going communication, avoid duplication of work and address gaps
BHWB will embed safeguarding children within the partnership and give due consideration to this when commissioning new projects or services to ensure compliance with Bolton's Framework for Action	<ul style="list-style-type: none"> • BHWB and BSCB will share their Board Minutes with the respective Chair and lead officer after every meeting; where relevant issues arise from either meeting this will be considered within the respective agenda-setting process • Each Board will have a clear statement of their roles and responsibilities in respect of safeguarding children within their terms of reference • The chair of BHWB and BSCB or their representative will attend respective Board meetings as necessary and engage in discussions but they will not be part of the decision making process • BHWB will provide a formal response to the themes and issues identified within BSCB's annual assessment and report on the effectiveness of local safeguarding arrangements

5 The Roles of Post and Position Holders

BSCB is the decision making body for multi-agency arrangements to safeguard and promote the welfare of children within Bolton.

The Chief Executive of the Council has the statutory responsibility to appoint or remove the Independent Chair of BSCB, in agreement with a panel of BSCB members. The Chief Executive will hold the BSCB chair to account for the effective working of BSCB.

The BSCB Chair should work closely with all partners and particularly with the Director of Children's Services. The BSCB chair should publish an annual report on the effectiveness of safeguarding arrangements for children in Bolton. The report should be submitted to Bolton's Chief Executive, Leader of the Council, Police and Crime Commissioner and Chair of Bolton's Health and Well-Being Board.

The Director of Children's Services has the lead responsibility for improving outcomes for children/young people in Bolton.

The Lead Member for Children's Services is politically accountable for ensuring that the Local Authority fulfils its legal responsibilities for safeguarding and promoting the welfare of children. They will provide the political leadership needed for the effective co-ordination of work with other relevant agencies with safeguarding responsibilities. They will also take steps to assure themselves through scrutiny and challenge that an effective quality

assurance system for safeguarding children is in place and function effectively across service areas and levels of need.

The Director of Public Health is a statutory chief officer of the Council and the principal adviser on all health matters to elected members and officers, with a leadership role spanning all three domains of public health: health improvement, health protection and healthcare public health. The DPH is required to play a full part in the Council's action to meet the needs of vulnerable children, including through contribution to BSCB.

In addition to matters relating to the health and well-being of adults, the Lead Member for Health and Wellbeing is also responsible for health improvement, performance and inequalities issues and their impact on children.

The CEO is responsible for satisfying him/herself that the DCS is fulfilling their managerial responsibilities for safeguarding and promoting the welfare of children and young people and in particular, by ensuring that the relationship between the LSCB, CYPTB and HWBB is working effectively.

The Chief Executive of the Council and Leader of the Council should make an annual assessment of the effectiveness of local governance and partnership arrangements for improving outcomes for children and young people and supporting the best possible standards for safeguarding children and young people.

6 Resolution Process

Where either Board is concerned that this protocol is not effective in ensuring strong partnership working to keep children safe and healthy; resolution should be sought through communication between the Chairs of the Boards.

In addition the following options may be initiated when required:-

- Either Chair making a formal written request of the other for information or consideration of an area of concern
- Either Chair making a request of the other for an item to be placed on either Board meeting agenda to address a particular area of concern
- Either Chair requesting of the other a meeting between Board Chairs (and other relevant representatives) to consider and agree a way forward regarding issues that have not been resolved by the above
- Where an area of concern cannot be resolved within the above framework, a resolution meeting will be held between Board Chairs, the Director of Children's Services and Bolton Council's Chief Executive.

7 Recommendations

The Health and Wellbeing Board is requested to:

- Comment on the content of the protocol
- Approve and implement the protocol