

**JOINT PROTOCOL**

**BETWEEN**

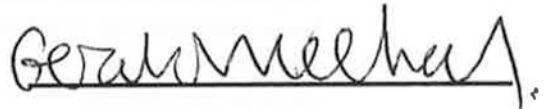
**Cheshire West and Chester Local Safeguarding Children Board**

**Cheshire West and Chester Health and Wellbeing Board**

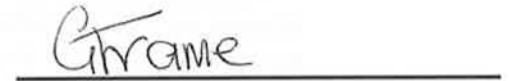
**Cheshire West and Chester Children's Trust**

**Cheshire West and Chester Community Safety Partnership**

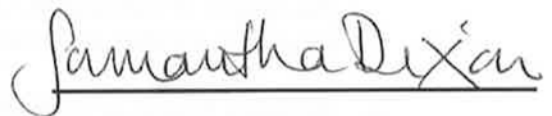
**Signed:** Chair of Children's Trust (Gerald Meehan)  
**Date:** 22nd July 2015

  
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**Signed:** Chair of Local Safeguarding Children Board  
(Gill Frame)  
**Date:** 11th August 2015.

  
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**Signed:** Chair of Health & Wellbeing Board  
(Councillor Sam Dixon)  
**Date:** 23rd July 2015

  
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**Signed:** Chair of Cheshire West and Chester  
Community Safety Partnership (Mark Palethorpe)  
**Date:** 23rd July 2015

  
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## **Introduction**

1. This document sets out the expectations of the relationship and working arrangements between Cheshire West and Chester Council, Children's Trust Local Safeguarding Children Board (LSCB) the Health and Wellbeing Board and the Community Safety Partnership Board. It covers their respective roles and functions, membership of the Boards, arrangements for challenge, oversight and scrutiny, and performance management.
2. The Chairs of the respective Boards have formally agreed to the arrangements set out in this document, which will be subject to review annually (from the date of initial agreement) or immediately following legislative change.

## **Background**

3. The statutory duty to have a Children's Trust and for Local Authorities to develop and produce a Children and Young People's Plan has been removed from statute. Partners in Cheshire West and Chester have agreed to continue with a streamlined Children's Trust and associated arrangements from January 2014.
4. 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. The LSCB ensures that this duty is carried out.
5. The Health and Social Care Act 2012 establishes Health and Wellbeing Boards as a forum where key leaders from the health and care system work together to improve the health and wellbeing of their local population and reduce health inequalities. The new Working Together to Safeguard Children 2015, places a responsibility on the Director of Public Health to ensure that the needs of vulnerable children are a key part of the Joint Strategic Needs Assessment that is developed by the Health and Wellbeing Board.
6. Working Together to Safeguard Children 2015, provides guidance on inter-agency working to safeguard and promote the welfare of children.

## **Children's Trust Arrangements & Responsibilities**

7. Cheshire West and Chester Children's Trust has a clear and separate identity within the wider co-operation arrangements.
8. The purpose of the Children's Trust is to consult with and bring all partners with a role in improving outcomes for children together to agree a common strategy on how they will co-operate to improve children's wellbeing and to help embed partnership working in the partners' routine delivery of their own functions. It also provides a strategic framework within which partners can commission services together. Delivering the strategy, the Children & Young

People's Plan, is the responsibility of the partners, both individually and together. This means each partner's existing lines of accountability are unchanged, i.e. each partner of the Children's Trust retains its existing formal lines of accountability for delivering its own functions. This avoids any confusion or blurring of lines of accountability.

9. The Children's Trust will take forward the priorities for children and young people within the Health and Wellbeing Strategy (priorities agreed following the Integrated Strategic Needs Assessment). The Health and Wellbeing Board will provide constructive challenge and support to the Children's Trust.
10. The LSCB Chair as a member of the Children's Trust will formally comment and advise on the development of the Children and Young People's Plan in relation to safeguarding children. The Children & Young People's Plan will draw on the support and challenge from the LSCB.
11. The Children's Trust will consult with the LSCB and other relevant partners regarding any proposed commissioning arrangements which are linked to the factors which impact on safeguarding children. These will include issues concerning compromised care, including domestic abuse, parental mental health, alcohol and substance misuse and adult criminality.
12. The Children's Trust monitors performance information concerning commissioning arrangements for early help and vulnerable groups. This information will be shared with LSCB and Health and Wellbeing Board as appropriate and when requested.

### **Local Safeguarding Children Board Arrangements & Responsibilities**

13. The role of Cheshire West and Chester Local Safeguarding Children Board (LSCB) as set out in Section 14 of the Children Act 2004 is to:
  - *co-ordinate what is done by each agency/partner to safeguard and promote the welfare of children and young people in the area; and*
  - *ensure the effectiveness of that work.*
14. The LSCB is the decision making body for multi-agency safeguarding issues within Cheshire West and Chester. It is a statutory partnership and its work is directed by statutory guidance. This guidance dictates the functions to be undertaken by Local Safeguarding Children Boards and the criteria/functions against which they are inspected.
15. The Director of Children's Services (DCS) has a statutory responsibility for ensuring that an effective LSCB is in place. It is the responsibility of the Chief Executive (Head of Paid Service) to appoint or remove the LSCB Chair with the agreement of a panel including LSCB partners and lay members. The Chief Executive, drawing on other LSCB partners and, where appropriate, the Lead Member for Children's Services will hold the Chair to account for the effective working of the LSCB

16. The LSCB has an Independent Chair. The Board is supported in discharging its functions through its governance arrangements.
17. The LSCB will inform and, when necessary, challenge commissioning arrangements where issues are identified through the various quality assurance processes such as learning from Serious Case Reviews, the Child Death Overview Panel and multi-agency auditing of practice.
18. The LSCB will publish an Annual Report on the effectiveness of safeguarding locally. This will include as a minimum:
- *an analysis of the activities of the Board in keeping children safe and evidence of the impact of the Board's work*
  - *the learning from the previous year drawn from Serious Case Reviews, practice reviews not meeting the criteria to initiate a Serious Case Review, practice audits and Board engagement with the workforce*
  - *priorities for the forthcoming year in line with learning gained*
19. The LSCB has responsibility for overseeing safeguarding performance information and challenging partners when required. The LSCB will also provide challenge to the Children's Trust as necessary when scrutinising its performance information.

### **Health & Wellbeing Board Arrangements & Responsibilities**

20. The Health and Wellbeing Board will take fully into account safeguarding issues that arise from the Integrated Strategic Needs Assessment (ISNA) in the development of its Health and Wellbeing Strategy.
21. The LSCB, as a wholly independent, multi-agency body will challenge and support the Health and Wellbeing Board in the way it interprets the ISNA in informing its safeguarding priorities within the Health and Wellbeing Strategy.
22. The Health and Wellbeing Board will oversee the work of the West Cheshire Children's Trust and particularly in the development of the Children and Young People's Plan priority areas. There will be a particular emphasis on prevention to ensure that children in the Borough have the best opportunity we can give them to have a good start in life. This will be measured against the Public Health Outcome Framework indicators.
23. The Health and Wellbeing Board will ensure that it actively reflects safeguarding of children and prevention in all its commissioning recommendations.
24. The Health and wellbeing Board will receive both the Children and Young People's Plan and the Local Safeguarding Children Board Annual Report. The Health and Wellbeing Board will endorse or challenge those plans and reports as appropriate. The Chair of the LSCB and the Children's trust will attend the Health and Wellbeing Board as part of this process.

## **Community Safety Partnership Board Arrangements & Responsibilities**

25. The Community Safety Partnership Board is made up of a number of key agencies including the Cheshire Constabulary, Cheshire Fire and Rescue Service, Purple Futures Community Rehabilitation Company, The National Probation Service, Cheshire West and Chester Council, local health providers and other affiliated groups.
26. The group works together to protect the local community from crime and to ensure people feel safer. They work out how to deal with local issues like antisocial behavior, drug and alcohol misuse and to reduce reoffending. They annually assess local crime patterns and set priorities to address these.

## **Shared Responsibilities**

27. The LSCB will provide constructive challenge to the Health and Wellbeing Board and Children's Trust to ensure that the commissioning of services is in line with safeguarding practices and is reflected in service level agreements with providers. The Health and Wellbeing Board and Children's Trust will work together to develop effective commissioning and will provide constructive challenge.
28. The LSCB, and Health and Wellbeing Board must have separate identities to ensure there is clarity and transparency within the child protection system. In order to provide effective scrutiny, the LSCB should be independent. It should not be subordinate to, nor subsumed within, other local structures.
29. At the same time, the LSCB must be held accountable for its work, and be subject to effective scrutiny. This need to balance the responsibility of the LSCB to challenge the Children's Trust and Health and Wellbeing Board and its duty to speak independently, with the need for appropriate scrutiny and accountability, is addressed in this Protocol.
30. In order to achieve a co-ordinated and coherent planning and performance management process, the LSCB will receive and consider relevant data quarterly and be involved and consulted in relation to the development and maintenance of the Integrated Strategic Needs Assessment. The Health and Wellbeing Board will ensure that the Integrated Strategic Needs Assessment takes account of children's safeguarding issues, including the priorities set out in the LSCB Business Plan.
31. The Health and Wellbeing Board may request the Children's Trust and/or the LSCB to consider issues for development, action or scrutiny.
32. The LSCB will present its Annual Report and Business Plan to Health and Wellbeing Board, Community Safety Partnership and the Children's Trust Board on an annual basis. The purpose of the report is to provide a rigorous and transparent assessment of the performance and effectiveness of local

services. The Business Plan will set out the priorities and objectives of the LSCB and both reports will contribute to the development and annual review of both the Children & Young People's Plan and Joint Health and Wellbeing Strategy. The Health and Wellbeing Board will review the LSCB Business Plan and receive key reports on aspects of safeguarding when it requires. In return the Health and Wellbeing Board and Children's Trust will report on the implementation of the priorities contained within the Integrated Strategic Needs Assessment, relating to the safeguarding and welfare of children and young people as and when required by the LSCB.

**Relationship between the chairs of the LSCB, Health and Wellbeing Board, Community Safety Partnerships and with the Director of Children's Services (DCS), the Lead Member for Children and the Chief Executive**

33. In Working Together to Safeguard Children 2015 there is a clear role for the Chief Executive and Lead Member (as identified in the Children Act 2004), in satisfying themselves that the DCS is fulfilling their managerial responsibility for safeguarding and promoting the welfare of children. This relationship and working arrangements are governed by agreements and processes within the local authority and among partners for improving services and outcomes; and that targets for improving safeguarding and progress against them are reported to the Children's Trust and Health and Wellbeing Board. Every year, as part of the LSCB Annual Report and reporting against the Integrated Strategic Needs Assessment, the Chief Executive and the Leader of the Council should make an assessment of the effectiveness of local governance and partnership arrangements for improving outcomes for children and supporting the best possible standards for safeguarding children.

34. In Cheshire West and Chester the Chair of the Health and Wellbeing Board will receive the annual report of the LSCB. This will set out the achievements of the LSCB against its agreed business plan and work programme priorities and targets, highlighting particular areas of improvement, and particular areas of concern and challenge. This report will be presented to the Chief Executive of the Council who will hold the Independent Chair to account.

35. In addition, meetings between the Chief Executive, the DCS, Chair of the Children's Trust and the Independent Chair of the LSCB will take place not less than on a 6 monthly basis to ensure co-ordination of work and priorities. There will be an expectation of mutual challenge and accountability. The agenda will cover:

- Progress against priorities;
- Any issues of concern in relation to the LSCB, including attendance of members, contribution to work plan and priorities;
- Any issues of concern about safeguarding arrangements which should be reported to the Health and Wellbeing Board and/or Children's Trust, including the contribution of individual agencies;

- LSCB chair accountabilities for the effectiveness of the LSCB and its delivery of the work programme.

36. The Director of Children's Services (DCS) has the responsibility within the local authority, under section 18 of the Children Act 2004, for improving outcomes for children, local authority children's social care functions and local co-operation arrangements for children's services.

37. The Department for Education Statutory Guidance on the Roles and Responsibilities of the DCS and the Lead Member for Children's Services states that the DCS will make a key contribution to ensuring effective working relationships between the Health and Wellbeing Board and the LSCB. The DCS is a member of both the LSCB and the Health and Wellbeing Board.

38. The independent Chair of the LSCB is responsible for the effective delivery of specific priorities as agreed within the Business Plan, as well as challenging the Health and Wellbeing Board if agencies are not delivering on their safeguarding responsibilities.

#### **Membership of the LSCB, Children's Trust, Health and Wellbeing Board and Community Safety Partnership**

39. Many organisations will be members of more than one of the above Boards. However, representation will not necessarily be by the same person. In order to ensure good communication and co-ordinated development, some individual members of the LSCB will also be members of the Health and Wellbeing Board.

40. These include:

- The Director of Children's Services attends each as representative of children and young people services and also due to their overall responsibility for ensuring the efficient and effective operation of children and young people partnership working; the Director of Children's Services will be responsible for raising specific issues from the LSCB to the Health and Wellbeing Board and vice versa.
- The Chair of the LSCB will also be a member of the Children's Trust and will receive regular minutes of meetings and pertinent papers from the Health and Wellbeing Board for comment. They are responsible for attending Children's Trust and Health and Wellbeing Board meetings to report on key issues arising from LSCB business, presenting the Annual Report of the LSCB and providing progress reports on key aspects of safeguarding as they arise. They will also be responsible for challenging the Children's Trust and Health and Wellbeing Board on issues of safeguarding, as set out in Working Together to Safeguard Children 2015.

- The Chair of the LSCB will meet 6 monthly with the Chair of the Health and Wellbeing Board.
- A member of the LSCB will be a member of the Community Safety Partnership Board to ensure that any issues from the LSCB to the Community Safety Partnership and vice versa.
- The Chair of the LSCB and the CSP will meet biannually.

41. Each will ensure clear lines of communication and will represent the interests of each board at all meetings.

42. Other individual members will take part in working groups across the Boards as required and will ensure safeguarding is securely embedded in all developments, as well as other priority issues such as commissioning and early help as appropriate.

43. Working Together to Safeguard Children 2015 states that: members (of Local Safeguarding Children Boards) need to be people with a strategic role in relation to safeguarding and promoting the welfare of children within their organisation. For each board, all representatives of organisations should be able to:

- ▶ speak for their organisation with authority;
- ▶ **commit their organisation to partnership policy and practice matters as appropriate;** and
- ▶ hold their own organisation to account and hold others to account.

### **Resolution Process**

44. Each Board will request evidence if any issues arise from any aspects of its work. For example, the LCSB will monitor the Children's Trust as to its rigour in commissioning or developing safeguarding services, and will call the Children's Trust to account should it have evidence that children are not being adequately safeguarded by local services. The resolution would require a formal response/action. Similarly, the Children's Trust will hold the LSCB to account if necessary over aspects of safeguarding if it feels that safeguarding children arrangements are not robust. This again would require a formal response from the LSCB in order to ensure a resolution.

45. Boards will be open to mutual challenge and will share any unresolved issues with the Director for Children's Services and ultimately with the Chief Executive if not resolved.



## **Glossary of Terms**

**LSCB – Local Safeguarding Children’s Board**  
**ISNA – Integrated Strategic Needs Assessment**  
**DCS – Director of Children’s Services**  
**NHS – National Health Service**  
**CCG – Clinical Commissioning Group**  
**CSP – Community Safety Partnership**

