

Briefing on recent events; Children's Trusts, Local Safeguarding Children Boards, child protection and Baby P; serious case review

1. Introduction

1.1 This briefing note covers the following issues, directly relevant to the Children and Young People's Partnership Board:-

- Arrangements for and representation on Children's Trusts – proposals for the legislative programme 2008-09
- Governance and review of Local Safeguarding Children Boards
- Child protection arrangements in the light of Baby P.
- Serious case review

2. Children's Trusts

2.1 In 2007, the Government's Children's Plan was published, and a commitment was made to strengthening Children's Trusts so that they continue to improve their performance. In the last few weeks, guidance on Children's Trusts and the roles and responsibilities of the Lead Member for Children's Services and the Director of Children's Services has been published. In addition, a support programme for Children's Commissioning has been established. This is timely as there has been an Audit Commission report, 'Are we there yet?' on the progress made by Children's Trusts published in the summer, and the death of baby P.

2.2 In addition, legislative changes are proposed in the new Parliamentary session. The proposals are:-

- the statutory 'relevant partners' will be extended to include maintained schools, and Academies, sixth form and further education colleges and Job Centre Plus. We have already incorporated schools into the Children and Young People's Partnership Board, but will now have to consider how to involve Burlington Danes, William Morris School and Ealing, Hammersmith and West London FE College and Job Centre Plus. It is also expected that the PCT will assist the Director of Children's Services in securing a lead GP on the Children's Trust Board.
- The board will be placed on a statutory footing.
- It will be responsible for developing the Children and Young People's Plan. This is clearly a responsibility already being fulfilled locally, although the aspiration is that it is a joint document, rather than one which is the responsibility of the local authority. We considered a draft of the plan at the last meeting and the priorities were agreed and set out in the newly published Children and Young People's Plan, 2008-2011. It is in two formats, one for children and young people and the plan itself. (Delivered with the papers)
- The CYPP Board will be held responsible for the fulfilment of the LAA targets. We have already taken this responsibility and in future, this will be assessed during the Comprehensive Area Assessment.

Other issues identified by the Guidance

2.3 Other representation or involvement – staff, the community

In addition, the guidance says that Trusts should be structured to secure effective representation from local communities, front line staff and clusters of schools and colleges. Although we have some of this in place, there will be a need to develop the arrangements to take full account of this. However, the changes to establish by election the Third Sector Forum put the board in a strong position to take account of community and voluntary views.

2.4 Children and parents

There is a requirement to ensure consultation with parents. We have worked to establish a Parents Forum, but it has been difficult to achieve regular attendance at meetings. There is a review of what had been put in place and we will bring forward proposals on this. Groups of parents were involved in the consultations on the CYPP, as were children and young people. A summary of the consultation is available.

2.5 The guidance also refers to the duty of corporate parenting, and for this perspective to be taken into account. Corporate Parenting covers all those children in the care of the local authority. There are a number of features to this, including the work of the Children's Rights service, the Independent visitor scheme, the production of a magazine for Looked after children by children in care and a regular meeting with members. The format for this is currently being reviewed, and we will need to link this to the CYPP Board in an explicit way.

2.6 Needs analysis and commissioning plans

The guidance says that the Joint Strategic Needs Assessment should be a 'full reflection of children and young people's needs in the area and takes account of partners' views'. A paper about this is on the Board agenda.

The CYPP sign off should be underpinned by the relevant PCT and LA commissioning plans. We have had agenda items for the Children's Commissioning Strategy and the PCT's Children and Maternity Services strategy at the board and the development of the Children and Young People's Plan took account of those in formulating its priorities and actions. At the next Board, we will provide a first review on progress on these priorities.

2.7 Budget transparency, joint commissioning

The government sees the commissioning as a key driver in the work to develop closer integration. They are funding a Commissioning Support Programme and each authority is asked to nominate a champion. In the case of Hammersmith & Fulham, this will be Carole Bell. The aim is to provide tailored support to individual local areas and to bring them together in learning sets, etc.

Good joint commissioning arrangements are already in place locally, and this has led to a number of successful and innovative service developments; Speech and Language services, Child and Adolescent Mental Health, the work on the Common Assessment Framework and new models for the school health service and youth health. In addition, there are currently, discussions to further develop the strong arrangements already in place.

2.8 Role and responsibilities of the Lead Member and the Director of Children's Services

Guidance on each of these roles has been updated and has been issued for consultation. It has reinforced existing best practice and highlights the importance of the lead member and the Director of Children's Services as leaders and champions for children, young people and their families. It explains how the roles are distinct and complementary.

2.9 The Audit Commission report – Are we there yet?

The Audit Commission has carried out a review of Children's Trusts across the country. Whilst they report that progress has been made, they state that the progress is patchy and the partnership working to deliver integrated working has yet to be fulfilled effectively and comprehensively. They have produced a tool to help Trust Boards determine how to understand what needs to be done locally. It may be that the Board needs to consider all the changes at a workshop where papers do not need to be considered.

3. Safeguarding

3.1 The Local Safeguarding Children Board

The safeguarding of children and young people is the responsibility of all agencies who come into contact with them. The Children Act 2004 replaced the previous arrangement for the Area Child Protection Committee with a requirement to establish the Local Safeguarding Children Board. The Local Safeguarding Children Board has two key functions –

- To co-ordinate local work to safeguard and promote the welfare of children
- To ensure the effectiveness of that work.

3.2 The diagram at **Appendix A** shows the organisational structure for a high level LSCB, chaired by Andrew Christie and reporting to the Children and Young People's Partnership Board. This high level group of senior managers from the PCT, NHS providers, including mental health, the Learning and Skills Council, police, the probation service and head teachers oversees the work of the operational group, reviews the work on serious case reviews and deals with issues of child protection and the promotion of welfare as set out in legislation and guidance. There is an operational group made up of representatives from all commissioners and providers who come into contact with children and young people. The LSCB reports to the CYPP Board and at the last meeting the Board reviewed the Annual Report for 2007-08 and business plan for 2008-09.

3.3 A stocktake of Local Safeguarding Children Boards was produced in the summer about work which had taken place over the preceding 18 months. This said that while progress was being made, but they were relatively new bodies and still developing their role within the wider local architecture of children's services and the governance arrangements for Children's Services. In the light of Baby P, the Secretary of State for Children, Schools and Families, has asked Lord Laming to review the safeguarding arrangements put in place through Local Safeguarding Children Boards, and to review the conduct of Serious Case Reviews.

3.4 We will be reviewing our own arrangements at the LSCB executive Board and operational group. A workshop has been arranged for members to examine the strengths, weaknesses and areas for development and change in February 2009. The key points to consider are:-

- Governance and accountability, including the role of chair and who should fill it. Many LSCBs are considering having an independent chair.
- Raising the profile of safeguarding within the Children's Services agenda, including the prioritising of it within the CYPP
- Taking the views of children and young people on board
- Managing the balance of the agenda between the wider safeguarding responsibilities and child protection
- Effective engagement of partners
- Resourcing the work of the LSCB effectively
- The introduction of child death reviews
- Fulfilling the need for challenge and monitoring of progress

4. Child protection arrangements

4.1 Each agency will be responding to the appropriate issues for their services, in the light of Baby P. Children's Services will be reporting to Cabinet and to Education and Children's Services Scrutiny Panel on the current local arrangements for child protection and issues arising from this. Children's Services is also, in co-operation with the PCT is carrying out an audit of children aged under two brought to the attention of children's social care.

4.2 The audit, which will be carried out by external consultants, will examine social work records of children within four separate cohorts

- children currently subject to a child protection plan of which there are currently 42 cases
- children who are no longer the subject of a child protection plan of which there are currently 24 cases
- children who have been subject to a Section 47 enquiry which did not result in a child protection plan of which there are currently 11 cases

- children referred to Contact & Assessment (the Council's 'front door' for child protection enquiries), for a sample period.

In addition to the social work cohorts, consultants will carry out an audit of Health files of a sample of cases within the following cohort

- children up to 2 years of age were referred to Social Work services but where the referral did not result in a Section 47 enquiry.

This work will be carried out by external consultants and report their full finding in early February, headline findings in the 3rd week of January.

4.3 A review of the Lord Laming recommendations, set out in his report into the death of Victoria Climbié is also being prepared. The Department is also mindful that in the current review of safeguarding to be carried out by Lord Laming, he will be looking at:-

- The effective implementation of safeguarding systems and procedures
- Interagency working
- The development and deployment of professional workforce capacity
- Effective systems of public accountability

5. Serious Care Review

5.1 Where there has been a serious injury to a child, or a death, agencies are required to carry out a review of what happened and identify areas of practice to be improved or changed. If several agencies have been working with the child, the LSCB, through its audit sub group, makes a decision about whether to have a serious case review. This will look at the evidence from all agencies and produce a report setting out an analysis and recommendations for action. The review is normally carried out by an independent person. The report is brought to the LSCB and an action plan produced, which is then monitored.

5.2 Currently, there has been a serious case review on the death of a baby (AM), the death of whom occurred in 2007. A report has been produced by the Independent investigator and agreed by the LSCB. Ofsted produced an evaluation regime for serious case reviews in April 2008 (after the AM review was considered) and they have used this to evaluate the review and those from other authorities. Out of a total of 50 reviews, they have evaluated 20 of them as inadequate. We are currently in discussion with Ofsted about their evaluation of the Review of the death of baby AM, which they have initially considered to be 'inadequate'. We will be meeting with Ofsted on 17 December to discuss their evaluation.