

NON-KEY DECISION TAKEN BY THE DIRECTOR OF CHILDREN'S SERVICES

Decision title: Publication of new children's safeguarding arrangements in Somerset by the Director of Children's Services

Officer making decision: Julian Wooster, Director of Children's Services

Author Contact Details: Caroline Dowson, Somerset safeguarding Children Board Manager, CDowson@somerset.gov.uk, 07970108212

Date of Decision: 17 June 2019

Details of the decision:

That the Director of Children's Services approves the publication of the new safeguarding arrangements in June 2019 on behalf of the County Council by 29 June, as delegated to the Director of Children's Services by Cabinet in March 2019. This is one third of tripartite arrangements as set out in the Children and Social Work Act (2017) and the statutory guidance Working Together to Safeguard Children (2018).

Reasons for the decision:

The three Somerset Safeguarding Partners (Avon and Somerset Constabulary, Clinical Commissioning Group and County Council) are required to publish new safeguarding children arrangements by 29 June 2019 that become operational by 30 September 2019, replacing the Somerset Safeguarding Children Board with a Somerset Safeguarding Children Partnership.

Cabinet agreed delegation of authority for the local safeguarding children arrangements as they relate to the County Council to the Director of Children's Services in March 2019.

County Vision and Business Plan

The new safeguarding arrangements include the merger of the Children's Trust Board Executive and Board with the current Somerset Safeguarding Board governance group. The wider Partnership Forum, consisting of partners with responsibilities under Section 11 of The Children Act (2004) is a strategic partnership development which builds on Somerset Children's Trust arrangements as well as partnership safeguarding arrangements. It links them to the County Vision of partnership working for the benefit of children and families, with a focus on those most in need of safeguarding to promote the best possible outcomes for children. The amalgamated Executive also holds responsibility for oversight of the Somerset Plan for Children, Young People and Families (2019-2022).

The new arrangements support better integration with health partners in line with the Somerset Four Year Efficiency Plan (Partnership and Integration) and promotes stronger communities by taking an overarching strategic approach to working with children and families (Think Family).

Background to the decision:

The Children and Social Work Act (2017) and the statutory guidance Working Together to Safeguard Children (2018) remove the requirement for a Local Children's Safeguarding

Board. Instead of the local authority being the lead agency, the new Act apportions equal responsibility for making multi-agency safeguarding arrangements between three 'Safeguarding Partners' who have a shared and equal duty to make arrangements to work together to safeguard and promote the welfare of all children in a local area.

Cabinet agreed delegation of authority for the publication of the local safeguarding children arrangements as they relate to the County Council to the Director of Children's Services in March 2019. There is a statutory requirement to publish the new arrangements by 29 June 2019 and therefore no further options were considered.

In March 2019, Cabinet agreed that the County Council would retain the existing level of financial contribution to the children's safeguarding arrangements for the year 2019-2020. Avon and Somerset Constabulary and the Clinical Commissioning Group have also agreed to retain the current budget for this first year. Relevant agencies who have made smaller contributions have also been requested to maintain their levels of contribution, and to date there has been no dissent. Together, the three Safeguarding Partners will identify efficiencies for 2020/21 to allow a reduced budget to be set for this area, based on 'proportionate and equitable' principles, as set out in Working Together to Safeguard Children (2018). Expectations of agencies are also being set out regarding 'in kind' contributions.

There are some of risks associated with the new partnership safeguarding arrangements for children in Somerset:

The statutorily prescribed timescales will be met, as agreement has been reached amongst the Safeguarding Partners for publication of new safeguarding arrangements by 29 June 2019 and implementation from 30 September 2019.

Progress has been monitored nationally through the Department for Education which completed a compliance check on the new arrangements in June 2019.

There is a risk that other partners with Section 11 responsibilities under The Children Act (2004), known as 'relevant agencies', may not commit resources to the partnership.

Discussions are ongoing to avoid this outcome from 2020-2021 and beyond.

There is a risk that integrating Children's Trust and safeguarding functions may dilute the focus on core child protection responsibilities. Increased scrutiny of front-line safeguarding practice is a key feature of the new arrangements. All three partners have committed to developing a framework which strengthens accountability, improved scrutiny and independent challenge to mitigate this risk.

Background papers:

Background papers were tabled and published with the decision to delegate the Chief Executive's authority for the new safeguarding children arrangements to the Director of Children's Services and can be found under cabinet decisions (March 2019).

Compliance section:

Members consulted; members informed:	Yes
Officer consultations completed:	Yes
Senior (including statutory) officer sign off completed	Yes
Public / other consultations undertaken	Yes
Do you have sufficient budget or additional funding available and approval to commit this budget or funding and has this been confirmed with the appropriate Finance Service or Strategic Manager?	Yes

Has the proposal passed through the relevant Commissioning Gateway? Yes, considered by Gateway	
Are there any legal considerations to be made?	No
Has Legal Services been consulted?	Yes
Are there any TUPE implications arising?	No
Has HR/OD been consulted?	Not considered necessary at this point
Is the decision likely to lead to a procurement exercise?	No
Has the Commercial and Procurement Team been consulted?	Not considered necessary
Are there any risks arising?	Yes but managed
Have mitigating actions already been taken?	Yes
Have all Due Regard implications been considered?	Yes
If ticked 'No' or 'not considered necessary' for any of the above, please provide your justification below:	
<ul style="list-style-type: none"> Financial contributions from safeguarding partners detailed previously. There are no procurement implications. There are no known HR/TUPE implications for the first year. Business Unit staff hold contracts of employment with the Local Authority. Any future reduction in funding from the three partners could have implications for these staff in later years. 	

Corporate Affairs Director Approval: (please note all procurement or contract decisions must be approved by the Corporate Affairs Director (Simon Clifford) before the decision can be taken).

Sign-off date: N/A

Director of Finance: (please note any decisions involving spend greater than £25k, applying for or accepting grants or external monies and any decisions involving changes to allocated budgets must be approved by the Director of Finance (Peter Lewis) before the decision can be taken).

Sign-off date: N/A

Director of Commissioning and Lead Commissioner for ECI: (please note any decisions involving the disposal or acquisition of property or works to any SCC property must be approved by the Director of Commissioning and Lead Commissioner for ECI (Paula Hewitt) before the decision can be taken).

Sign-off date: N/A

Member consultation completed:	Name(s)	Date

Relevant local County Councillors consulted where decision directly affects their Division		
Relevant Cabinet Member(s) consulted (if applicable)	Cllr Frances Nicholson, Cabinet Member for Children and Families	March 2019
Opposition Spokesperson informed (if applicable)	Cllr Jane Lock	May and June 2019
Chairman of relevant Scrutiny informed (if applicable)	Cllr Leigh Redman for Scrutiny Children & Families,	May and June 2019

Decision Maker

I am aware of the details of this decision, have considered the reasons, options, representations and consultation responses (where applicable) and give my approval / agreement to its implementation.

Signed by relevant SLT Director:



Name: Julian Wooster
Post: Director of Children's Services
Date: 17 June 2019

Equalities Impact Assessment:

An Equalities Impact Assessment is not required as there are no service implications to the publication of the new arrangements for safeguarding children by the Director of Children's Services through delegated authority.

However, due regard will be given to the following:

- The use of plain English
- Any need for translation or interpretation services
- Accessibility
- Vulnerable Groups

