



Derby City Council

CORPORATE PARENTING SUB BOARD
14 April 2015

Report of the Strategic Director of Children and
Young People

ITEM 8

Safeguarding Children: Summary of Roles and Responsibilities

SUMMARY

- 1.1 In 2011, Cabinet approved a document summarising the roles and responsibilities in relation to safeguarding children across the whole Council.
- 1.2 The purpose of this report is to provide a further update of the summary of roles and responsibilities in respect of safeguarding children for all departments within the Council.
- 1.3 This update reflects the changes introduced in Working Together to Safeguard Children 2013 and is timely in light of the recent national high profile inquiries in relation to safeguarding, such as the review of Child Sexual Exploitation arrangements in Rotherham.
- 1.4 The overall aim is to ensure these roles and responsibilities are exercised with respective services, in order to ensure that, as a whole authority, we maintain an organisational culture and ethos that prioritises the importance of safeguarding and promoting the welfare of children and young people.

RECOMMENDATIONS

- 2.1 To approve the revised document summarising the roles and responsibilities in respect of safeguarding children – attached at Appendix 2.
- 2.2 To distribute the document to all elected members and senior officers.
- 2.3 To agree that all elected member should continue to undertake mandatory awareness training on safeguarding and corporate parenting, provided by senior officers from the Children and Young People Directorate.

REASONS FOR RECOMMENDATION

- 3.1 To ensure these roles and responsibilities are exercised within respective services, in order to ensure that, as a whole authority, we maintain an organisational culture and ethos that prioritises the importance of safeguarding and promoting the welfare of children.

SUPPORTING INFORMATION

- 4.1 In 2011, Derby City Council agreed that a Council wide document clarifying roles and responsibilities in relation to safeguarding children was beneficial. Changes made to Working Together to Safeguarding Children 2013, coupled with national high profile reports, such as the independent inquiry into Child Sexual Exploitation in Rotherham, has led to a revision of the safeguarding roles and responsibilities summary which is attached as Appendix 2 to this report. This document reflects the statutory guidance on the roles and responsibilities of the Director of Children's Services and the Cabinet Member with responsibility for Children's Services.
- 4.2 Section 11 of the Children Act 2004 places a duty on key persons and bodies to make arrangements to ensure that in discharging their functions, they have regard to the need to safeguard and promote the welfare of children. The government guidance sets out the key considerations for agencies to evaluate themselves against in order to ensure their arrangements are effective. The duty covers not only those functions / services provided directly, but also those services which are contracted out to others.
- 4.3 Key features of the arrangements which all agencies are required to have in place are:
- a) senior management commitment to the importance of safeguarding and promoting children's welfare;
 - b) a clear statement of the agency's responsibility towards children available for all staff – eg such as a statement about the importance of safeguarding children at the front of the City Council's Safer Recruitment Policy and Procedure;
 - c) a clear line of accountability within the organisation for work on safeguarding and promoting the welfare of children;
 - d) staff training on safeguarding and promoting the welfare of children for all staff working with or in contact with children and families;
 - e) safe recruitment procedures in place;
 - f) effective inter-agency working to safeguarding and promote the welfare of children;
 - g) effective information sharing.

4.4 The challenge for all Council departments is how the principle enshrined in the guidance – that **safeguarding is everyone's responsibility** – informs the work of the whole Council. The shift required is that implications for the wellbeing of children are always identified and taken into account, in all circumstances, including for example:

- where the services are set up for adults – who may also be parents or live in households where children also reside;
- where contact with children is co-incidental to the service being carried out.

4.5 The duty on the Council is to ensure that:

- all departments consider the impact on children of any service development, including Children in Care and Care Leavers;
- all departments ensure that services which involve contact with children, do promote their welfare, are provided safely – including policies to ensure a safe workforce;
- all departments ensure that their staff are equipped to respond appropriately if concerns about a child come to their attention, in whatever context this might be.

OTHER OPTIONS CONSIDERED

5.1 None.

This report has been approved by the following officers:

Legal officer Financial officer Human Resources officer Estates/Property officer Service Director(s) Other(s)	Janie Berry Andy Smith - Service Director, Early Intervention & Integrated Safeguarding Andrew Bunyan - Strategic Director for Children and Young People
For more information contact: Background papers: List of appendices:	Andy Smith – 01332 642668 – andy.smith@derby.gov.uk or Andrew Bunyan – 01332 643556 – Andrew.bunyan@derby.gov.uk None Appendix 1 – Implications Appendix 2 – Safeguarding Children: Summary of Roles and Responsibilities

IMPLICATIONS

Financial and Value for Money

- 1.1 There are no direct financial implications arising from this report.

Legal

- 2.1 By virtue of Section 11 (4) of the Children Act 2004, the Council must have regard to any guidance provided by the Secretary of State in respect of the discharge of its duty under Section 11 and must only depart from it with clear reasons.

Personnel

- 3.1 None.

IT

- 4.1 None.

Equalities Impact

- 5.1 Yes.

Health and Safety

- 6.1 None.

Environmental Sustainability

- 7.1 None.

Property and Asset Management

- 8.1 None.

Risk Management

- 9.1 None.

Corporate objectives and priorities for change

- 10.1 To fulfil statutory duties relating to safeguarding and Children in Care.

**DERBY CITY COUNCIL
SAFEGUARDING CHILDREN:
SUMMARY OF ROLES AND RESPONSIBILITIES WITHIN THE COUNCIL**

This summary outlines the roles and responsibilities. It does NOT replace any other procedures. For these purposes:

Roles in Section 1-7 have Framework Responsibilities; those in Sections 8-11 have Scrutiny Responsibilities; those in subsequent sections have Reporting or Operational Delivery Responsibilities.

The Leader of the Council

- 1.1 Ensure that the Council gives priority to safeguarding children coherently and consistently in service planning and resource allocation.
- 1.2 Ensure that a Lead Member for Children and Young People's Services is appointed to the Cabinet in line with the requirements of Children Act 2004.
- 1.3 Ensure the Council appoints a Strategic Director for Children and Young People's Services to carry out the full range of statutory requirements of the Director of Children's Services role and to ensure that the Cabinet receives advice from him/her on all relevant matters.¹
- 1.4 Ensure all communities are equally well served in this regard.

The Cabinet Member with statutory responsibility for Children and Young People's Services

- 2.1 Champion the interests of children and young people within the city by ensuring a clear focus on safeguarding and corporate parenting.
- 2.2 Promote the safety and welfare of children and young people across all agencies.
- 2.3 Ensure that the Council fulfils its responsibilities to children for which it is corporate parent and having regard to the Guidance *If This Were My Child...A Councillor's Guide to Being a Good Corporate Parent*.
- 2.4 Through the Chief Executive, hold the Strategic Director for Children and Young People's Services to account for the work of the Local Safeguarding Children Board (in recognition that this is a statutory body in which the Lead Member is not directly

¹ If a Director of People is in place, then the Council **must** be assured that the focus on outcomes for children remains robust. As per Working Together 2013 "The Director of Children's Services has the responsibility within the local authority, under S18 2004 Children Act for improving outcomes for children, local authority children's social care functions and local co-operation arrangements for children's services."

involved in governance arrangements) and hold the Independent Chair of the Safeguarding Board to account for the effective working of the Board.

- 2.5 Ensure that the Council's Children and Young People's Services meet the required standards and comply with statutory requirements.
- 2.6 Ensure that the Council's Children and Young People's Services' responsibilities are properly considered, supported and monitored by the Cabinet, including an annual report to Cabinet on the extent to which those responsibilities are being met.
- 2.7 Work with the Strategic Director for Children and Young People's Services, to ensure the Department is adequately funded and staffed to deliver these priorities, both in and out of office hours.

The Chief Executive

- 3.1 Ensure the Council has developed local strategic objectives, priorities and targets for safeguarding that complement those set nationally.
- 3.2 Ensure that the Council as a whole, and not just Children and Young People's Services, embeds Section 11 duties in their design, planning and delivery of services and, in particular, ensure that Adult Social Care maintain effective arrangements for supporting this objective.
- 3.3 Ensure that a Strategic Director for Children and Young People's Services is in post and that he/she undertakes the full range of statutory DCS functions outlined in the Children Act 2004.²
- 3.4 Ensure that the Council has management and accountability structures that deliver safe and effective services, with particular reference to safeguarding children.
- 3.5 Ensure that the statutory inter-agency arrangements are in place – including in the Local Safeguarding Children Board – and ensure there is an open culture between local agencies and good direct communications between senior managers so that they accept and address concerns brought to their attention.
- 3.6 Ensure that statutory arrangements are in place for the Multi Agency Public Protection Arrangements and that there is appropriate linkage between Adult Social Care and Children and Young People's Services to discharge the Council's duties in relation to these arrangements.
- 3.7 Ensure all Children and Young People's Services are sensitive to diversity.
- 3.8 Receive regular briefings and identify the strengths and weaknesses of the Council's

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services and on the action required to address them.

- 3.9 Provides, through the Director of Strategic Services and Transformation, performance rigour and scrutiny in relation to safeguarding activity.

- 3.10 To appoint or remove the Independent Chair of the Safeguarding Board with the agreement of a panel, including Board partners and lay members, and to hold the Chair to account for the effective working of the Safeguarding Board.

The Strategic Director for Children and Young People's Services

- 4.1 Ensure that the safeguarding of children is high on the Council's, partners and the community's agenda, which includes promoting the safety and welfare of children across all agencies, including Looked After Children and Care Leavers.
- 4.2 Ensure that the Department has management and accountability structures that deliver safe and effective services, with particular reference to the Children Act 1989, Children Act 2004, Education Act 2002, Safeguarding Children and Safer Recruitment in Education Guidance 2007, Children and Young Person Act 2008, Children and Families Act 2014, and Working Together to Safeguard Children 2013, and any subsequent legislation or statutory direction.
- 4.3 Ensure that the Department has access to a range of integrated, effective, efficient and flexible services that safeguard and promote the welfare of all groups of vulnerable children and their families.
- 4.4 Ensure effective multi-agency planning processes are in place to plan for Children in Need and that there is an effective Local Safeguarding Children Board that:
 - a) has appropriate senior representation from those within Children and Young People's Services, holding both targeted and universal services responsibilities;
 - b) discharges all the functions set out as Guidance in Working Together to Safeguarding Children 2013 to both co-ordinate local work to safeguard and promote the welfare of children and to ensure the effectiveness of that work, both within individual local agencies and in inter-agency working.
- 4.5 Ensure that appropriate responses to diversity are embedded in practice.
- 4.6 Ensure appropriate challenge to partner agencies on matters of safeguarding children.
- 4.7 Ensure effective multi-agency planning process are in place to plan for Children in Need and ensure that services are co-ordinated to ensure that children are safeguarded in all settings, including hospitals.
- 4.8 Ensure that those with framework, scrutiny and delivery arrangements have appropriate training in other that they can exercise the responsibilities of their role.
- 4.9 Ensure staff are well trained, supported and managed, and feel able to report any

concerns.

- 4.10 Ensure children and young people are listened to, both in service provision, and at a more strategic level, and that concerns are acted upon.
- 4.11 Ensure the safeguarding of children in all educational provision, whether pre-school day care, primary, secondary or residential schools, or out of school activities, youth work, play, childcare and family learning.
- 4.12 Ensure all schools and educational services have policies and procedures for child protection and safer recruitment.
- 4.13 Ensure measures are in place to promote good attendance; to manage behaviour and tackle bullying and other forms of harassment; to provide effective personal, social and health education; support for family learning, and opportunities for personal and social development, in recognition that this will promote effective safeguarding of all children.
- 4.14 Ensure that specific attention is given to groups at risk of low achievement, including children in the public care, with special needs and particular ethnic groups; the attendance, behaviour and provision for pupils out of school, within the context of a general approach to educational inclusion.

The Strategic Director of Adults, Health and Housing

- 5.1 Ensure representation at appropriate senior management level on the Derby Safeguarding Children Board (DSCB) and within Multi Agency Public Protection Arrangements.
- 5.2 Ensure that arrangements are in place to proactively identify safeguarding issues relating to children and young people when working with adults, and that thresholds for assessing and providing support to adults take into account their roles and responsibilities as parents/carers.
- 5.3 Ensure that, where safeguarding arrangements are in place, these continue to apply for the young person through transition to adult social care services.
- 5.4 Ensure that where vulnerable young people are in need of continuing service provision from within Adult Services, the transition is planned and managed promptly, efficiently and within a framework of collaboration.

Monitoring Officer

- 6.1 Ensure expert legal advice is available to the Council on its child care responsibilities.
- 6.2 Ensure that robust arrangements are in place for pre and post recruitment checks to

be undertaken for all appropriate people working with children in the Council and the services is arranged and funded, in line with the principles and standards agreed through DSCB on behalf of the Council.

- 6.3 Ensure that the Council complies with the vetting and barring scheme.

All Directors

- 7.1 Should be committed to protecting children and should communicate that commitment throughout the organisation.
- 7.2 Ensure their services are provided in a way that ensures the safety and welfare of children and young people.
- 7.3 Ensure all staff in services with contact with children and/or their parents have a consistent understanding of the thresholds for sharing information with and referral to Children and Young People's Services and have received appropriate training to undertake their responsibilities to safeguard and promote the welfare of children.

Overview and Scrutiny Commission Members

- 8.1 Take all necessary steps to scrutinise the Council's arrangements for safeguarding children, with particular reference to:
- a) the adequacy of funding
 - b) staffing levels and morale
 - c) the Department's performance
 - d) the care, education, health and achievements of Looked After Children and Care Leavers
 - e) that safeguarding is accessible to all communities.

The role of Derby Children's, Families and Learners Board, Local Safeguarding Board and Health and Wellbeing Board

- 9.1 The Derby Children's, Families and Learners Board (DCFLB) brings together the organisations responsible for services for children, young people and their families. Keeping children safe is the top priority for the DCFLB, which is effectively the 'Children's Trust' for Derby City.
- 9.2 The DSCB is the key statutory mechanism for agreeing how the relevant organisations in Derby co-operate to safeguard and promote the welfare of children,

and for ensuring the effectiveness of what they do.

- 9.3 The DSCB has a clear and distinct identity within the DCFLB arrangements. There needs to be a balance between the DCFLB taking reports from the DSCB on areas of activity where the DSCB has a lead role, and the DSCB ensuring that the DCFLB integrates safeguarding into the development of services for children and their families.
- 9.4 This balance is achieved by defining more clearly the role of the DSCB and the Children's Trust in relation to developing, co-ordinating and influencing service developments and priorities, whilst ensuring this is linked to the priorities in the Children and Young People's Plan and the DSCB Business Plan.
- 9.5 The Health and Wellbeing Board (H&WB) has a clear focus to improve the health and wellbeing of Derby residents and reduce health inequalities. The H&WB will ensure that safeguarding is 'everyone's business' and ensure this is reflected in the Public Health agenda and related policies and strategies.

All Councillors

- 10.1 Councillors should be aware of how and when to refer child welfare concerns to Children and Young People's Services and how, after the referral has been registered, there are constraints on staff sharing information, as set out in the Council's Political Conventions.
- 10.2 Councillors should be aware of their responsibilities as 'corporate parents' of Looked After Children.
- 10.3 Prioritise attendance at the Safeguarding and Corporate Parenting briefings.

Directors of Early Intervention and Integrated Safeguarding Services and Specialist Services

- 11.1 Ensure that Children in Need are safeguarded and they and their families benefit from effective referral, assessment, planning and review processes, which result in appropriate services being provided to respond to the identified developmental needs of the child.
- 11.2 Maintain positive and constructive relationships, through the DSCB, with partner agencies.
- 11.3 Ensure that staff are provided with up-to-date procedures, protocols and guidance and that systems are in place to ensure they are followed.
- 11.4 Ensure arrangements are in place for the safe transfer of responsibility between local

authorities.

- 11.5 Ensure induction, supervision and staff development processes are in place.
- 11.6 Ensure performance measures are in place to ensure that services, including those commissioned from external organisations, are safely efficiently and cost effectively delivered.
- 11.7 Ensure workload management systems are in place and monitored.
- 11.8 Ensure staff are able to offer culturally appropriate services to all the communities of the city.

Head of Service – Children's Quality Assurance

- 12.1 Lead, develop and ensure effective strategies, policies and services such that high standards of safeguarding are achieved across the City Council.
- 12.2 Responsible for the operation and performance management of a range of safeguarding services: including Child Protection Conferencing; LAC independent reviewing; Children's Rights and Participation; Family Group Meetings; co-ordination of abuse allegations against those who work with children; and to act as the lead advisor on safeguarding in learning settings.

Head of Service – Integrated Safeguarding

- 13.1 Lead, maintain and ensure the strategic development management and delivery of the Department Field Work Social Work service to children identified as being "in need" and, in particular, those at risk of abuse or serious injury and those requiring the "care" of the Local Authority and to contribute to the improvement of outcomes for children and young people in Derby.
- 13.2 Responsible for the operation and performance management of a range of targeted and specialist social work support services, including the range of Child Care Social Work teams and Assessment services, Contact, Reception and Care Line services, Family Group Meetings; Children in Care Teams, Leaving Care Team and services to unaccompanied asylum seeking children.
- 13.3 Ensure that care plans are appropriate to current need and are monitored and progressed in a timely fashion to avoid drift.

Heads of Service – Residential Care and Fostering & Adoption

- 14.1 Lead, maintain and ensure the strategic development, management and delivery of the department's provider arm of the Looked After Children's service and contribute to the improvement of outcomes for children and young people in Derby.

- 14.2 Responsible for the operation and performance management of a range of targeted and specialist looked after children services, Fostering, Adoption, and Residential Care.

Heads of Service and Deputy Heads of Service

- 15.1 They should be committed to protecting children and should communicate that commitment throughout their service.
- 15.2 Ensure services are provided in a way that ensures the safety and welfare of children and young people.
- 15.3 Ensure all staff in services with contact with children and/or their parents have a consistent understanding of the thresholds for sharing information with and referral to children's social care, and receive appropriate training to undertake their responsibilities to safeguard and promote the welfare of children.

Head of Service CYP Commissioning

- 16.1 Ensure arrangements for commissioning placements for looked after children in externally commissioned placements (residential, independent fostering agency or supported accommodation for 16 and 17 year olds) are robust, meet quality standards and comply with all safeguarding requirements.

Managers, (Children's Social Care), Early Intervention and Integrated Safeguarding and Specialist Services Division

- 17.1 Ensure effective systems are in place to enable team managers to establish how many children have been referred to their team, what action is required to be taken for each child, who is responsible for taking action, and when action must be completed and has been completed.
- 17.2 Ensure that all cases of children assessed as needing a service from children's social care have an allocated worker, in line with Working Together to Safeguard Children 2013. Ensure that staff follow procedures, protocols and guidance and that casework is quality assured regularly.
- 17.3 Report to the Deputy/ Head of Service on the quality and performance of their services, including workloads, on a regular basis through supervision.

Managers within Early Intervention and Integrated Safeguarding and Specialist Services

- 18.1 Ensure that referrals are acknowledged and dealt with in a timely way, and in the case of referrals to children's social care, in line with timescales laid out in Working

Together 2013.

- 18.2 Ensure that cases are allocated to appropriately qualified and trained practitioners and that the practitioner is clear about what has been allocated, what action is required and how that action will be reviewed and supervised.
- 18.3 Ensuring and monitoring that core standards for recording and managing case files are met, through the use of the Integrated Children's System.
- 18.4 Ensure the quality of work and supervision.
- 18.5 Ensure practitioners are able to manage the diversity aspects of their work.

Reviewing Officers within the Children and Young People's Safeguarding Unit

- 19.1 Provide advice on safeguarding matters.
- 19.2 Ensure that formal planning meetings for Looked After Children and child protection procedures meet required standards and promote high standards of practice and improved outcomes.
- 19.3 Contribute to the quality of practice through problem resolution in individual cases and to the quality assurance framework as managers who are not accountable for resource and case management.

Child Care Practitioners

- 20.1 Follow the Council's child protection procedures.
- 20.2 Maintain records of their work using the Integrated Children's System (Social Care Teams) or early intervention case record system (MAT Teams or Children's Centres).
- 20.3 Keep up-to-date through training and other professional development opportunities.

Other Practitioners and Support Staff

- 21.1 Pass all concerns about child protection to the appropriate duty team without delay.

If you need any further advice regarding this framework, then please contact:

Andrew Bunyan
Strategic Director – Children and Young People

Derby City Council

or

Andy Smith
Service Director – Early Intervention and Integrated Safeguarding
Derby City Council