

**PROTOCOL SETTING OUT GOVERNANCE ARRANGEMENTS BETWEEN:
a)THE LOCAL AUTHORITY (LEADER, CHIEF EXECUTIVE, LEAD MEMBER AND
DIRECTOR OF CHILDREN'S SERVICES) AND THE INDEPENDENT CHAIR OF
BARNSELY SAFEGUARDING CHILDREN BOARD
b)THE HEALTH AND WELLBEING PARTNERSHIP, THE CHILDREN'S TRUST
AND THE BARNSELY SAFEGUARDING CHILDREN BOARD**

Introduction

Working Together 2013 sets out new requirements for accountability arrangements for LSCBs. These arrangements have informed the OFSTED single inspection framework which now includes a review of the effectiveness of the Local Safeguarding Children Boards. This Protocol sets out to clarify roles and accountabilities in the light of these new arrangements.

Background Information

“The Children Act 2004 places the statutory duty on the local authority (LA) to establish a Local Safeguarding Children Board (LSCB). This is defined as a social services function and as such is the responsibility of the Director of Children’s Services (DCS).

The DCS is also responsible for the local authority’s duties to provide support to children and their families under the Children Act 1989, and for the implementation of the Children and Young People’s Plan produced by the Children’s Trust Board (CTB).

The DCS must ensure:

- that the LA and its partners cooperate to improve the wellbeing of children in the LA’s area; and
- that the LA’s functions are discharged having regard to the need to safeguard and promote the welfare of children.”

Working Together 2013

Working Together 2013 paragraphs 12-15 set out the following requirements in relation to the Chief Executive, DCS and Independent Chair:

- Every LSCB should have an independent chair who can hold agencies to account.
- 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 will hold the Chair to account for the effective working of the LSCB.
- The LSCB Chair should work closely with all LSCB partners and particularly with the Director of Children's Services, who has responsibilities under the Children Act 2004, for improving outcomes for children, local authority children's social care functions and local cooperation arrangements for children's services.

Working Together 2013 paragraphs 16-18 set out the requirement for the Independent Chair to publish an Annual Report of the effectiveness of child safeguarding and promoting the welfare of children in the local area. The report should:

- Provide a rigorous and transparent assessment of the performance and effectiveness of local services, and include lessons from reviews
- Relate to the previous financial year and fitting with local agencies' planning, commissioning and budget cycles
- Include financial contributions to and expenditure of the LSCB
- Be submitted to the Chief Executive, Leader of the Council, the local Police and Crime Commissioner and the Chair of the Health and Wellbeing Board

OFSTED Inspection Framework

Inspection of the effectiveness of LSCBs will include consideration of the governance arrangements, and the degree to which they enable statutory partners (including the Health and Wellbeing Board and Children's Trust) to assess whether they are fulfilling their statutory responsibilities to help, protect and care for children and young people. Evidence will be sought that this leads to clear improvement priorities that are incorporated into a delivery plan that improves outcomes

The Role of the Independent Chair of the BSCB

- i. Responsible for supporting the DCS and Chief Executive in the discharge of their statutory functions in relation to the effective operation of the Local Safeguarding Children Board.
- ii. The Chair of the BSCB is independent of local agencies, and must make certain that the Board operates effectively.
- iii. The Chair is a member of the Barnsley Children's Trust Executive Board (TEG), and has an independent voice within the Trust. The Chair provides information, appropriate challenge, and influence to the Trust, and ensures that the work of the Trust is communicated to the BSCB.
- iv. The Chair attends the Health and Wellbeing Board annually to present the Board's annual report, and as appropriate for specific items.
- v. The Chair attends the Improvement Board (Barnsley is currently subject to a Notice to Improve) to inform, challenge and advise on the work to deliver the improvements required following an Ofsted inspection in 2012
- vi. The Chair ensures that the strategic direction for the BSCB is set out and drives through delivery of the BSCB's business by brokering relationships between key partners and quality assuring strong business planning processes.
- vii. The Chair provides leadership to the BSCB ensuring that it discharges its functions effectively in accordance with its constitution, legislation, regulations and guidance.
- viii. The Chair also ensures that the BSCB is appropriately 'holding the ring' with regard to the multi-agency safeguarding system.

- ix. The Chair is responsible for oversight of the governance arrangements for the BSCB and the proper and effective conduct of the Board and the matters considered by the Board, and its workstreams.
- x. The Chair holds the 'whole' system to account by their ability to challenge any agency practice which is not fulfilling the primary purpose of the BSCB - keeping children in Barnsley safe.
- xi. The Chair has a key ambassadorial role both within and beyond Barnsley, in promoting the work of the BSCB. This includes links with the local Police and Crime Commissioner and the Family Courts.
- xii. The Chair has a 'troubleshooting' role picking up issues at the interface between the partner agencies.
- xiii. The Chair ensures that decisions and actions from BSCB meetings are progressed by partner agencies as required.
- xiv. The Chair ensures that the BSCB is advised about the performance of the safeguarding system, and any issues which need to be addressed, which will be raised with the DCS.
- xv. The Chair ensures that the voice of children and young people is heard and taken account of in the work of the BSCB.
- xvi. The Chair of the BSCB acts as the public face of multi-agency safeguarding in cases of media interest.
- xvii. On behalf of the Board, the Chair will ensure that the Board Manager is managing the BSCB budget appropriately according to the priorities set by the Board and providing effective support to the work of the Board.
- xviii. The Chair is responsible for ensuring appropriate contribution to and use of the budget by all partners.
- xix. Maintain oversight of National policies and advise the Board. Engage with networks at national and regional level to keep up to date with the best practice and contribute to improvement.

Accountability Arrangements

- i. The BSCB Chair is accountable to the Local Authority via the Chief Executive and the Director of Children's Services for the effectiveness of the work of the Board. The Chair equally should challenge the Chief Executive and the DCS with regard to their roles in safeguarding and promoting well being.
- ii. The BSCB Chair meets at a minimum twice a year with the Chief Executive, who holds the Chair to account through examination and challenge of the annual report and through appraisal of the Chair's effectiveness in the role. The Chair/Chief Executive will arrange additional meetings as and when required.
- iii. The BSCB Chair and the DCS have an ongoing direct relationship and meet regularly (approximately bi-monthly) to discuss safeguarding and the promotion of well being across the authority and the safeguarding system, in support of the statutory responsibilities carried by the DCS. The DCS is a member of the BSCB and the Children's Trust, and participates in the annual appraisal of the BSCB Chair.

- iv. The BSCB Chair meets at a minimum once a year with the Leader of the Council who is also the Chair of the Health and Wellbeing Board. The meeting enable key strategic issues to be highlighted and reflected in priorities of both Boards. The Annual Report of the BSCB is presented to the Health and Wellbeing Board and the BSCB Chair will attend additional Health and Wellbeing Board meetings as appropriate.
- v. The Lead Member attends BSCB meetings as a participating observer and takes part in key Board events, such as the Section 11 challenge. The Lead Member also participates in the annual appraisal of the BSCB Chair. The BSCB Chair is a member of the Children's Trust, which is chaired by the DCS.

Agreement Date and Review

This Protocol was agreed in February 2014 and will be reviewed in February 2015 or earlier should the need arise as a result of action learning through either practical application of the Protocol or national developments of good practice.