



Briefing Paper on ‘*Responding to Lord Laming’s Recommendations on Working Together to Safeguard Children: A Pre-consultation Paper*’ (National Safeguarding Delivery Unit, November 2009)

Chapter 1 - Introduction

Lord Laming published his report *The Protection of Children in England: A Progress Report* on 12.03.09. He acknowledged progress re Every Child Matters reforms but that much more needs to be done to ensure that services are as effective as possible at working together to achieve positive outcomes for children. He made 58 recommendations. The Government responded and accepted all 58 recommendations. It published its action plan *The Protection of Children in England: Action Plan – The Government’s response to Lord Laming* (DCSF) on 6.5.09.

17 of Lord Laming’s recommendations, not including the 6 being addressed in chapter 8, will be addressed through the revision of *Working Together* (“WT”). The consultation on chapter 8 of *WT* closed on 23.10.09. The National Safeguarding Delivery Unit (“NSDU”) became operational on 1.07.09 – this is one of Lord Laming’s recommendations.

This pre-consultation paper outlines the Government’s proposals on how the revised *WT* guidance should take forward relevant recommendations made by Lord Laming. Consultation period ends 17.12.09. Those wishing to respond should access the form from: <http://www.dcsf.gsi.gov.uk/nsdu> . A full version of the revised *WT* guidance will be issued for consultation by the end of 2009. At the same time, the Government will also publish a revised version of chapter 8 (SCR’s) which will take account of responses to the consultation which closed on 23.10.09. This will have statutory force upon publication but may be revised again.

The final full version of *WT* is expected to be published March 2010.

Chapter 2 – Lord Laming’s Recommendations: Proposed Treatment

Rec. 6: Directors of Children’s Services, Chief Executives of Primary Care Trusts, Police Area Commanders and other senior service managers must regularly review all points of referral where concerns about a child’s safety are received to ensure they are sound in terms of the quality of risk assessments, decision making, onwards referrals and multi-agency working.

Agencies have duties under s11 of Children Act 2004, eg training, sharing information.

Proposed that LSCB’s keep under review the sources of referrals to LA children’s social care services, monitor quality and action taken in response, including feedback to referrer. Referring agencies then act upon this information to improve quality of referrals.

Proposed that LSCB’s lead discussions with partners re thresholds and processes for undertaking multi-agency assessments.



Rec. 7: All Directors of Children's Services who do not have direct experience or background in safeguarding and child protection must appoint a senior manager within their team with the necessary skills and experience.

This recommendation has been reflected in the revised statutory guidance on *The Roles and Responsibilities of the Lead Member for Children's Services and the Director of Children's Services* (DCSF 2009).

Proposed that *WT* will re-emphasise this point.

Rec. 9: Every Children's Trust should ensure that the needs assessment that informs their Children and Young People's Plan regularly reviews the needs of all children and young people in their area, paying particular attention to the general need of children and those in need of protection. The NSDU should support Children's Trusts with this work. Government Offices should specifically monitor and challenge Children's Trusts on the quality of this analysis.

The revised *WT* will include a section in chapter 3 on the new requirement for LSCB's to write an annual report and it is expected that the needs analysis (above) would be captured in it. Report to be presented to the Children's Trust Board ("CTB"). This requirement effective from 1.04.10. LSCBs will make annual reports widely available, eg on-line. CTBs will be required to publish the first new C&YP Plans by 1.04.11.

Government Office will support and challenge Children's Trusts re C&YP Plans.

Rec. 11: The DCSF should revise *WT* to set out clear expectations for all points where concerns about a child's safety are received, ensuring intake/duty teams have sufficient training and expertise to take referrals and that staff have immediate, on-site support available from an experienced social worker. LAs should take appropriate action to implement these changes.

This will be emphasised in chapters 5, 4 and 2 of *WT*.

Also intended that the revised *WT* will take account of the findings of the Social Work task Force, including post qualifying training, career structure, case management and supervision.

Rec. 13: Children's Trusts must ensure that all assessments of need for children and their families include evidence from all the professionals involved in their lives, take account of case histories and significant events (including previous assessments) and above all must include direct contact with the child.

Proposed that chapter 5 will be revised including child being seen alone and that referrals include relevant information, and initial and core assessments take account such relevant information, eg domestic violence, parental substance misuse, mental illness and criminal behaviour/convictions.



Rec. 14: LAs must ensure that 'Children in Need', as defined by section 17 of the Children Act 1989, have early access to effective specialist services and support to meet their needs.

The DCSF will be publishing a consultation document on early intervention later this year. CTBs will be required to set out arrangements for ensuring effective early intervention and preventative action as part of their C&YP Plan.

Commissioning is used to deliver the C&YP Plan through the Children's Trust partners. Proposed that chapter 2 will emphasise the importance of the CTB working in consultation with the LSCB to agree various things, eg governance arrangements and systems to support commissioning; a strategic approach to understanding the effectiveness of current services.

Rec. 16: The DCSF should revise WT to set out the elements of high quality supervision focused on case planning, constructive challenge and professional development.

Proposed that chapter 4 will be revised.

Rec. 19: The DCSF must strengthen WT, and Children's Trusts must take appropriate action to ensure:

- All referrals to children's services from other professionals lead to an initial assessment, including direct involvement with the child ... with feedback ...
- Formal procedures are in place for managing a conflict of opinion between professionals from different services over the safety of a child.

Proposed that chapter 5 is revised. It will also emphasise the importance of all relevant professionals attending core group meetings etc.

Rec. 20: All police, probation, adult mental health and adult drugs and alcohol services should have well understood referral processes which prioritise the protection and well-being of children. These should include automatic referral where domestic violence or drug or alcohol abuse may put a child at risk of abuse or neglect.

Proposed that WT should emphasise joint responsibility with professionals who may be a source of referrals to be high quality and consistent with local thresholds, and for children's social care to act appropriately in response and consider requesting whether the referrer holds any information about domestic violence, mental illness, substance misuse and/or learning disability.

Rec. 22: The DCSF should establish statutory representation on LSCBs from schools, adult mental health and adult drug and alcohol services.

Schools are not currently statutory members of LSCBs. The government will consult about revising the regulations on this, which would come into force from April 2010.

Adult mental health trusts are NHS Trusts and are already statutory LSCB members. Similarly adult drug or alcohol services are either commissioned from or provided by NHS Trusts and are already represented by LSCB statutory members. So no change is required in the revised WT.



Rec. 23: Every Children's Trust should assure themselves that partners consistently apply the Information Sharing Guidance published by the DCSF and Dept for Communities and Local Government to protect children.

Proposed that WT will reflect CTB's responsibility to do this. CTB guidance consulted on in November 2009 and will be published in March 2010 will include a section on information sharing that will highlight the CTBs' responsibilities.

Rec. 25: Children's Trusts should ensure a named, and preferably co-located, representative from the police service, community paediatric specialist and health visitor are active partners within each children's social work dept.

Proposed that both the revised WT and CTB statutory guidance documents highlight the importance of workforce development and integrated frontline delivery of services. Development of co-located services will be encourage but not made a requirement, as this is for local agencies to decide.

Rec. 29: Children's Trusts should ensure that all staff who work with children receive initial training and continuing professional development which enables them to understand normal child development and recognise potential signs of abuse or neglect.

Proposed that chapter 4 is revised in relation to training and development. Also that LSCBs, as part of the wider Children's Trust arrangements, should ensure staff who work/have contact with children are appropriately trained etc. Expected that LSCBs will want to include an assessment of their progress in this area in their annual report to the CTB.

Rec. 30: All Children's Trusts should have sufficient multiagency training in place to create a shared language and understanding of local referral procedures, assessment, information sharing and decision making across early years, schools, youth services, health, police and other services who work to protect children. A named child protection lead in each setting should receive this training.

Proposed that WT highlights the key role for LSCBs re ensuring single and multi-agency training on safeguarding is provided. Quality, scope and effectiveness of the training should be communicated to the CTB in the LSCB annual report.

Rec. 51: The Children's Trust and the LSCB should not be chaired by the same person. The LSCB chair should be selected with the agreement of a group of multi-agency partners and should have access to training to support them in their role.

This will be reflected in chapter 3 , including presumption of independence for LSCB chairs.

NSDU is working closely with the Children's Workforce Development Council in their development of an LSCB training programme that will include advice and training for independent chairs.



Rec.52: LSCBs should include membership from senior decision makers from all safeguarding partners, who should attend regularly and be fully involved as equal partners in LSCB decision making.

Proposed that chapter 3 be updated to reflect LSCB membership changes recommended by Lord Laming. This includes statutory membership of schools.

Rec. 53: LSCBs should report to the CTB and publish an annual report on the effectiveness of safeguarding in the local area. LSCBs should provide robust challenge to the work of the Children's Trust and its partners in order to ensure that the right systems and quality of services and practice are in place so that children are properly safeguarded.

This new requirement of an annual report will be included in chapter 3, and will be established through provisions in the Apprenticeships, Skills, Children and Learning Bill.

Additional Points

The government is wanting LSCBs to have improved public openness. An amendment has been made to the Apprenticeships, Skills, Children and Learning Bill requiring LAs whose role it is to establish LSCBs to take reasonable steps to appoint two lay members from the local community. Advice will be given to LSCBs about the role of lay members, and this will be subject to public consultation. LSCBs need to think about the type of training lay members will need.

Annex A – Draft template of what might be included in the LSCB annual report (to the CTB).

This covers: a Summary; Governance and accountability arrangements; Monitoring and evaluation/quality assurance activity; SCRs; Child death overview panel; Progress on priority policy areas; and Priorities for the following year (for both LSCBs and CTBs).

Annex B – The relationship between the LSCB and the CTB

The C&YP Plan is central, ie the CTB prepares and monitors its implementation, but the responsibility for its implementation rests with each of the partners.

The CTB will:

Consult the LSCB on safeguarding; take note of recommendations; formally consult over the C&YP Plan; invite the LSCB Chair to attend CTB meetings for relevant safeguarding items; ensure advice from LSCB is disseminated; take an overview of the LSCB's activities as part of its monitoring arrangements (work of LSCB falls within framework of C&YP Plan).

The LSCB will:

Take responsibility for monitoring action to improve safeguarding including SCR action plans; help co-ordinate operational work of local organisations; hold the CTB to account on matters of safeguarding and providing challenge on performance/performance indicators; advise on ways to improve underperformance; feedback learning from SCRs; disseminate lessons about prevention of future child deaths; act on recommendations from Child Death



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overview Panel; highlight gaps in service for the CTB; and provide an annual report on its findings from its scrutiny activity to the CTB.

(The government acknowledges that the LSCB is not a delivery body but primarily a scrutiny body, but its activities are part of the wider context of Children's Trust arrangements).

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