



THE DEVON SAFEGUARDING CHILDREN BOARD

TERMS OF REFERENCE 2009

1. Statutory Context

The Children Act 2004 requires each Local Authority to establish a Devon Safeguarding Children Board (DSCB).

The DSCB is the key statutory mechanism for agreeing how the relevant organisations in each local area will co-operate to safeguard and promote the welfare of children in that locality, and for ensuring the effectiveness of what they do.

2. Definition of Safeguarding and Promoting the Welfare of Children

- protecting children from maltreatment;
- preventing impairment of children's health or development;
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care; enabling them to have optimum life chances and enter adulthood successfully.

3. Objectives of the DSCB

The core objectives of the DSCB are set out in section 14(1) of the Children Act 2004:

- a) to co-ordinate what is done by each person or body represented on the Board for the purposes of safeguarding and promoting the welfare of children in the area of the authority; and,
- b) to ensure the effectiveness of what is done by each such person or body for that purpose.

4. Responsibilities of the DSCB

The primary responsibility of the DSCB is to **protect** children from harm. In this respect a key goal of the DSCB will be to ensure that reactive work to protect children is properly co-ordinated and effective for children who are suffering or at risk of suffering maltreatment including:

- children abused and neglected within families, including those harmed in the context of domestic violence;
- children abused outside families by adults known to them;
- children abused and neglected by professional carers, within an institutional settings, or anywhere else where children are cared for away from home; children abused by strangers;
- children abused by other young people;
- young perpetrators of abuse; and
- children abused through prostitution.

Secondly, the DSCB will develop **proactive** work that aims to target particular groups. For example:

- developing / evaluating thresholds and procedures for work with families whose child have been identified as 'in need' under the Children Act 1989, but where the child is not suffering or at risk of suffering significant harm.
- work to safeguard and promote the welfare of groups of children who are potentially more vulnerable than the general population, for example children living away from home, children who have run away from home, or children with disabilities.

Thirdly, DSCB also has a responsibility to **safeguard and promote the welfare of all** children by preventing maltreatment, or impairment of health or development, and ensure children are growing up in circumstances consistent with safe and effective care. In this respect the DSCB will work to develop;

- mechanisms to identify abuse and neglect wherever they may occur;
- work to increase understanding of safeguarding children issues in the professional and wider community;

- work to ensure that organisations working or in contact with children operate recruitment and HR practices that take account of the need to safeguard and promote the welfare of children;
- monitor the effectiveness of organisation's implementation of their duties under section 11 of the Children Act 2004;
- ensure children know who they can contact when they have concerns about their own safety and welfare.

5. Governance

The DSCB has a distinct identity within the local childrens' trust governance arrangements. It is not an operational sub-committee of the childrens' trust.

It has a statutory role to form a view on the quality of local activity, to challenge organisations as necessary and speak with an independent voice.

The work of DSCB contributes to the wider goals of improving the wellbeing of all children. Within the wider governance arrangements its role is to ensure the effectiveness of the arrangements made by individual agencies and the wider partnership to safeguard and promote the welfare of children.

The DSCB will be consulted by the Childrens' Trust on issues which affect how children are safeguarded and their welfare promoted. The DSCB will be a formal consultee for the development of the Children and Young People's Plan.

(There is current consultation taking place nationally on new statutory guidance on Childrens' Trusts, the role of Lead Members and the role of the Director of Childrens' Services which may change the governance relationships in the future)

6. Accountability for operational work

Whilst the DSCB has a role in co-ordinating and ensuring the effectiveness of local individuals and organisations work to safeguard and promote the welfare of children, **it is not accountable for their operational work. Each Board partner retains their own existing lines of accountability for safeguarding and promoting the welfare of children by their services. The DSCB does not have a power to direct other organisations.**

7. The DSCB Functions

The core functions of a DSCB are set out in Statutory Instrument 2006 No.90 'The Local Safeguarding Board Regulations'

8. Policies and procedures

Developing policies and procedures for safeguarding and promoting the welfare of children in the area of the authority, including policies and procedures in relation to:

- (i) The action to be taken where there are concerns about a child's safety or welfare, including thresholds for intervention;
- (ii) Training of persons who work with children or in services affecting the safety and welfare of children.
- (iii) Recruitment and supervision of persons who work with children.
- (iv) Investigation of allegations concerning persons working with children.
- (v) Safety and welfare of children who are privately fostered.
- (vi) Co-operation with neighbouring children's services authorities (i.e Local Authorities) and their Board partners.

9. Communicating and raising awareness

Communicating to persons and bodies in the area of the authority the need to safeguard and promote the welfare of children, raising their awareness of how this can best be done, and encouraging them to do so.

10. Monitoring and evaluation

Monitor and evaluate the effectiveness of what is done by the Local Authority and board partners individually and collectively

to safeguard and promote the welfare of children and advise them on ways to improve.

11. Participating in planning and commissioning

Participating in the local planning and commissioning of children's services to ensure that they take safeguarding and promoting the welfare of children into account.

12. Serious case reviews

Undertake reviews of cases where a child has died or has been seriously harmed in circumstances where abuse or neglect is known or suspected and advising on lessons that can be learned.

13. Further Functions relating to child deaths

- a) Putting in place procedures for ensuring that there is a co-ordinated response by the authority, their Board partners and other relevant persons to an unexpected death;
- b) Collecting and analysing information about each death with a view to identifying:
 - i) any matters of concern affecting the safety and welfare of children in the area of the authority, including any case giving rise to the need for a Serious Case Review;
 - ii) any general public health or safety concern arising from deaths of such children.

14. Membership of the DSCB

The statutory members of the DSCB will be drawn from those organisations which are required to co-operate with the local authority in the establishment and operation of the Board and have a shared responsibility for the effective discharge of its functions. These are the organisations set out in section 13(3) of the Children Act (2004) and include:

- The Local Authority Children's Services
- District Councils;
- The Chief Officer of Police;
- The Local Probation Board;
- The Youth Offending Team;
- The Strategic Health Authority;
- Primary Care Trusts;
- NHS Trusts and NHS Foundation Trusts;
- The Connexions Service;
- CAFCASS (Children and Family Courts Advisory and Support Service);

15. Other members

A representative from adult care services
NSPCC

Representation from the education sector

Representative of GPs via the Local Medical Committee

Representative from voluntary sector with expertise in childrens services

16. Members roles and accountabilities

Members need to be people with a strategic role in relation to safeguarding in their organisation. **They must be able to:**

17. Speak for their organisations with authority

18. Commit their organisation on policy and practice matters

19. Hold their organisation to account

Organisations should designate particular named people so that there is consistency and continuity.

Members of DSCB will have a written statement of their accountabilities which they will sign.

20. Involving other agencies and groups

It is expected that the DSCB should have in place a network of local organisations that it links to in support of its work. These should include as a minimum service users and / or their representatives, faith groups, coroners service, dental services, drug and alcohol services and DAAT, local MAPPA, legal services, CPS, LCJB, witness support services.

21. DSCB Executive and designated Sub Groups

To properly discharge all of its functions the DSCB has established an Executive and agreed sub groups that deliver the requirements as laid down in the DSCB Business Plan.

All sub groups working under the DSCB, work to agreed terms of reference, with explicit lines of reporting, communication and accountability to the Executive of the DSCB and then the Board. The sub groups will change from time to time and may have an agreed limited lifespan.

The DSCB will have a clear work programme, including measurable objectives; and a budget. It includes relevant management information on activity in the course of the year; and a review of its work in the previous year e.g. progress against objectives. This will enable the DSCB's work to be properly scrutinised.

The DSCB's activities fit clearly within the framework of priorities and action set out in the CYPP.

22. Finance

The DSCB members will collectively finance the DSCB to an agreed level of budget to fulfil the DSCB responsibilities. This budget will be agreed for a rolling 3 year period.



23. Monitoring, Inspection and Scrutiny

To ensure effectiveness of the work to safeguard and promote the welfare of children the DSCB will deliver a programme of peer audit, self evaluation, performance reporting against agreed datasets and multi agency case auditing.

The DSCB will identify and act on weaknesses in services.

The DSCB Chair will take responsibility for raising personally with the Chief Executive of any Board partner that is not performing effectively and where the improvement plan is not being delivered by the organisation. This will include the performance of designated Board members for organisations.

Individual services are all subject to regimes of inspection and performance reporting both nationally and regionally.

It is an expectation that the DSCB should contribute its knowledge to such individual agency and joint service inspection processes.

It is an expectation of the DSCB that the results of agency inspections and audit processes which have a bearing on Childrens Safeguarding should be formally reported to the DSCB as part of its quality and performance monitoring activity.

The DSCB will establish a process of Scrutiny of its performance in delivering its responsibilities modelled on the Local Authority model of overview and scrutiny. This will involve non executive Directors of Board partners in addition to LA scrutiny members.

24. DSCB Meeting

The DSCB will meet as a minimum 4 times per calendar year and will meet more frequently should the need arise or at the request of members.

Alan Wooderson

Independent Chair of Devon Safeguarding Children Board

March 2009 for review March 2010