


Cabinet Decision	 TOWER HAMLETS
24 April 2019	
Report of: Debbie Jones, Corporate Director Children and Culture	Classification: Unrestricted
The Tower Hamlets Safeguarding Children Partnership (THSCP) Arrangements	

Lead Member	Councillor Danny Hassell, Cabinet Member for Children, Schools and Young People
Originating Officer(s)	Daniel Devitt Project Manager THSCP
Wards affected	All wards
Key Decision?	No
Forward Plan Notice Published	26 February 2019
Reason for Key Decision	N/A
Strategic Plan Priority / Outcome	Priority 1: People are aspirational, independent and have equal access to opportunities Outcome 2: Children and young people are protected so they get the best start in life and can realise their potential

Executive Summary

The Children and Social Work Act 2017(CSWA17) included radical changes to children’s safeguarding and child death review. Transitional guidance requires local responses to the new system to be published by **June 2019**, new partnerships and child death review systems to be operational by **September 2019** and migration from the current arrangements and full implementation by **March 2020**.

The development of the Tower Hamlets Safeguarding Children’s Partnership (THSCP) is being steered by an executive group consisting of the key local partners from LBTH, Clinical Commissioning Group and local Police. Underlying principles in support of the development of the Tower Hamlets Safeguarding Children Partnership are focussed on **Child Protection, Assurance and Learning**. Support was received from the LSCB Executive in December 2018 to commence detailed planning of the new system. This paper gives an overview of progress to date and next steps.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Note the progress to date in the development of the Tower Hamlets Safeguarding Children Partnership and Child Death Review (CDR) systems outlined in (paragraphs 3.1 to 3.14 and appendices A, B and C)
2. Approve the authority of the Corporate Director Children and Culture to

- act on behalf of LBTH at the THSCP (paragraph 3.4)
3. Approve the move to the shared CDR function in North East London (paragraph 3.13)
 4. Note the indicative budget outlined in paragraph 3.7 and works underway to scope the full costs of the THSCP (paragraph 3.1).
 5. Note the works underway to scope the full costs and contribution to North East London CDR systems (paragraph 3.8.)

1 REASONS FOR THE DECISIONS

- 1.1 The THSCP is the local response to the statutory changes arising from the Children and Social Work Act 2017. Significant work has been undertaken from August 2018 to scope the impact of the new legislation and frame a robust local response to it.
- 1.2 The recommendations above are essential decisions if the THSCP is to become an operational entity within the required timescales and the local CDR systems established by September 2019.
- 1.3 Agreement to delegate authority for the Corporate Director Children and Culture to act as the statutory lead for the council is also sought.
- 1.4 Support is sought for the resourcing of the THSCP.
- 1.5 Support is sought for the migration of the existing Tower Hamlets Child Death Overview Panel (CDOP) to the new wider area footprint (City and Hackney, Waltham Forest, Newham and Tower Hamlets) in order to meet statutory guidance for the new CDR system.

2 ALTERNATIVE OPTIONS

- 2.1 No alternative options have been explored as the establishment of the Safeguarding Partnership is a statutory duty. The THSCP has been designed to meet or exceed the requirements of statutory guidance and present a value for money, agile and robust partnership.

3 DETAILS OF THE REPORT

- 3.1 The Children and Social Work Act 2017 (CSWA17) requires the establishment of new children's safeguarding and Child Death Review (CDR) systems. Transitional guidance issued requires local plans to be published by June 2019, operational delivery alongside a continuing Local Safeguarding Children Board (LSCB) from September 2019, and full implementation to be achieved by the end of March 2020. The new CDR must be operational by September 2019. There are a number of key differences between the old and new systems outlined in the table below.

Theme	Old System	New System
Voice of the Child	Seen as best practice and good to do but not mandatory at LSCB level – often requested via delivery partners is NHS consultation systems, Social Care apparatus etc.	Mandatory requirement to support the inclusion of meaningful Voice of the Child input and build operate and iterate the new system in partnership with children, young people, families and the wider community.
Local area Children’s Safeguarding Business	Delivered by LSCBs	Delivered by Safeguarding Children Partnerships
Local Leadership	Pivotal role of the LSCB Chair as an independent champion and system leader working with local partners	Abolished in the new system in favour of the three statutory partners and the Independent Scrutineer.
Local Safeguarding accountability	Ultimately all system partners - <i>but key accountability in practice via</i> the Independent Chair and usually the Director of Children’s Services	Three statutory leads acting as or on behalf of the accountable leads for local authority, CCG and Policing in the area served by the partnership
Local Multi-Agency Partnership Working	Delivered through the LSCB Operations Group with Education, Third Sector and statutory agencies and partnership	Delivered through the Relevant Agencies including but not limited the following agencies and organisations: <ul style="list-style-type: none"> ○ Schools, colleges and other educational providers ○ Housing – a representative Registered Social Landlords and Housing Associations and Tower Hamlets Housing ○ Youth Justice/ Probation (including National Probation and CRC Probation) ○ Department for Work and Pensions ○ Voluntary Organisations represented by the Tower Hamlets Voluntary and Community Sector
Review of cases	<ul style="list-style-type: none"> • Mix of local and serious case methodologies – linking into National panel via Department for Education. • Focus has often been on retrospection and detailed historical issues, with increasing length and complexity of reviews. 	<ul style="list-style-type: none"> • Local case review and linkage to a National Safeguarding Practice panel that can request a serious case review for cases of potential national importance, system impact • Focus on agile and timely action planning and system intervention.
Structure,	<ul style="list-style-type: none"> • A degree of local 	<ul style="list-style-type: none"> • Expectation that each area will

outputs and standards	<p>adaptation but overall LSCB format (executive group, wider partnership groups, Communications, Learning and Development and other groups working key vulnerable cohorts) defined by Working Together to Safeguard Children (WTSC) 2015</p> <ul style="list-style-type: none"> • Impact and effectiveness of whole system captured via Section 11 audit responses and inspections • Outputs include SCRs and annual reports, ongoing assurance or themed works. 	<p>innovate and find appropriate solutions to local issues.</p> <ul style="list-style-type: none"> • Light touch requirements from WTSC 2018. • Local structure largely driven by the Arrangements agreed between LA, CCG and Police. • Impact captured via local Section 11 audits and Joint Targeted Area inspections. • Outputs include local case review, larger scaled reviews when requested by national panel, annual reports and ongoing assurance or themed works.
Child Death Review	LSCB Subgroup reporting via LSCB into HWBB etc	New CDR system at wider footprint with two statutory partners (CCG and Local Authority)

Table 1 Differences between the Old and the New Children’s Safeguarding systems

- 3.2 **The Arrangements Document:** The structure and functions of the new system are captured in an Arrangements document. This outlines the operational procedures and underlying principles for the THSCP, plan for LSCB workload migration, how local case reviews methodology, local quality and assurance linkages, strategic leadership and oversight in Tower Hamlets and the wider system. Alongside this a THSCP risk register is under development and exploration of potential risks and mitigations is underway. Work is being informed by feedback from the Children’s Services Improvement Board, Corporate Safeguarding Group, LSCB Executive Board and LSCB Operational Group and ongoing engagement with strategic and operational partners.
- 3.3 **Operational footprint:** The THSCP will operate in a single area – the local authority footprint for Tower Hamlets. To ensure the development of a mature and stable system this will remain the case for at least two years. It is recognised that close working with local area neighbours and partners is essential and we will work towards ensuring that partners across North East London are closely involved in the development of the THSCP. Specific priorities include CDR, policing and work with the wider NHS in North East London.
- 3.4 **Strategic Leadership:** The THSCP is jointly led by the three named statutory partners who function as the decision-making Executive for the THSCP and act as representatives of their respective agencies. They are supported in this role by the Independent Scrutineer, which replaces the role of the independent chair in the LSCB.

Organisation	Named Accountable Lead	Role
London Borough of Tower Hamlets	Debbie Jones	Director of Children's Services
Tower Hamlets Clinical Commissioning Group	Jane Milligan Delegated to Selina Douglas	Accountable Officer NEL CCGs Managing Director WEL CCGs
Tower Hamlets and Hackney Basic Command Unit Metropolitan Police	Sue Williams	Chief Superintendent Shared BCU Tower Hamlets and Hackney

Table 2 The THSCP Statutory Partners

3.5 The statutory partners will be accountable to their own organisational leadership, and to each other, but to strengthen this they will present updates as a collective to local strategic groups (Health and Wellbeing Board, Corporate Safeguarding Group, Children's Services Improvement Board, Children and Families Partnership Board etc).

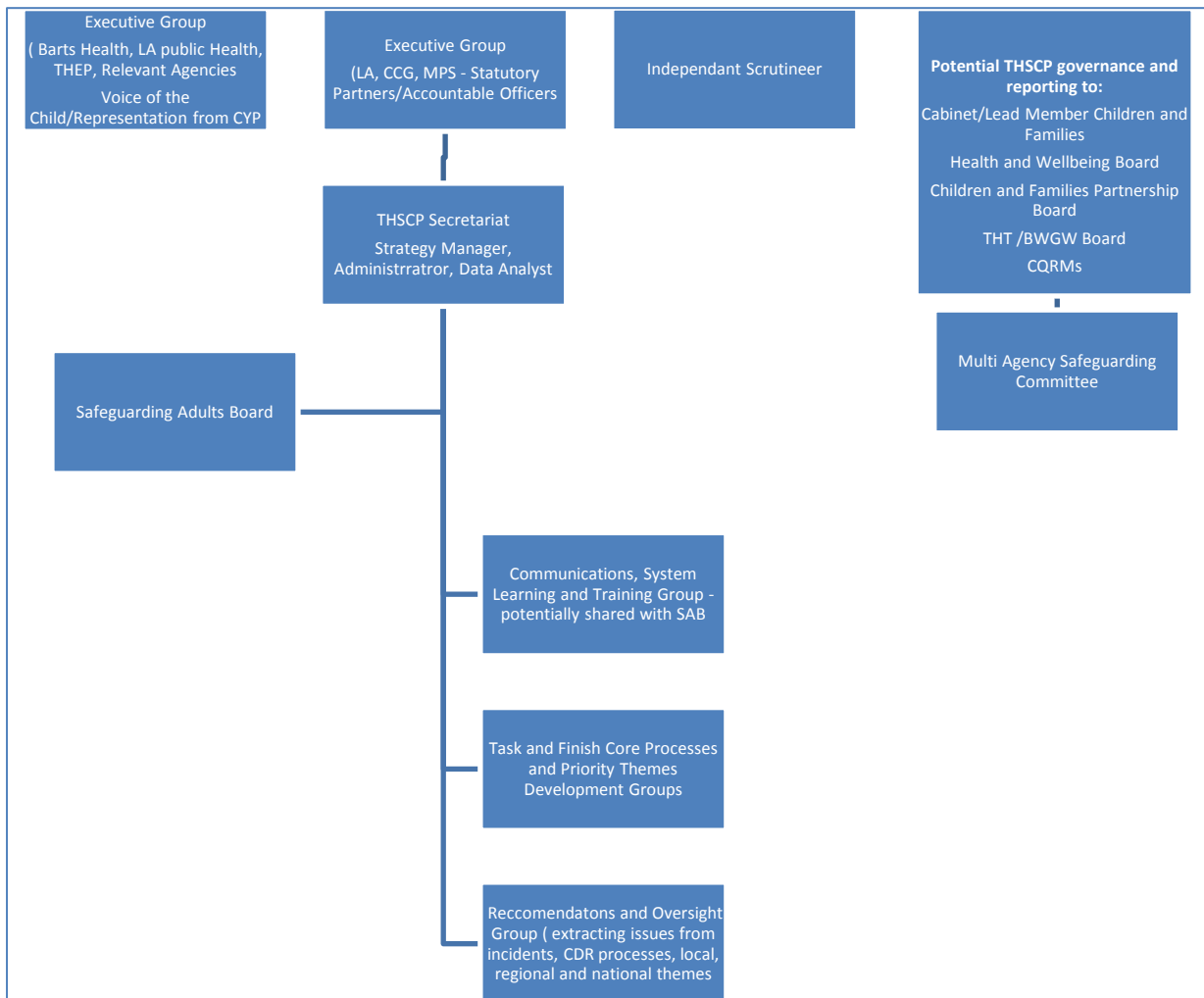


Fig 1 Indicative structure of the THSCP March 2019

3.6 Additionally, it is proposed that the Independent Scrutineer will provide a support and challenge function for the partnership and a direct link to the council's Chief Executive's office and Cabinet Member for Children, Young People and Schools. This provides direct assurance and updates on the works

delivered by the THSCP and of the maturation and strengthening of the partnership as a whole. The statutory partners are supported by a wider group composed of “Relevant Agencies” including Education, Public Health, The Voluntary and Community Sector etc. with a flexible membership in line with the evolving needs of the THSCP.

Theme	LSCB Chair	Independent Scrutineer
Overall role in the system	Independent Chair and overall lead for driving strategy business across the partnership.	<ul style="list-style-type: none"> In WTSC 2018 effectively a light touch audit role with some responsibility for directing format of partnership outputs – i.e. style of local review and annual report. In THSCP the role is envisaged as a more developed challenge and critical friend function that will work to develop the working relationships of the statutory partners and Lead on liaison with Joint Area Targeted Inspections and support for statutory partners’ link to national panels.
Chairing of Partnership Groups	Often delivered by LSCB Chair – Usually Exec Group chairing as a minimum.	Independent Scrutineer does not do this – they attend /support the groups and these are chaired by the statutory partners or local strategic leads.
Line Management/ Accountability	Often via Chief Exec of the LA, sometimes DCS.	Potential issues in the new guidance on who manages the role and how to secure independent stewardship and support of the partnership. In the local version proposed, the role will link directly to either or both the CE of the Local authority, Lead member for Children and Families to ensure that the IS can act appropriately with regards to the three statutory partners.

Table 3 Comparison of functions between the LSCB Chair and Independent Scrutineer

3.7 Budgetary requirements: The current LSCB system costs on average £185k per annum with the lion’s share of contributions met by the local authority. Work is underway to scope the likely costs of the THSCP and contributions required from each local partner.

3.8 Costs for the CDR systems are currently being mapped in North East London and a separate assessment of the contribution to the local CDR is being undertaken.

3.9 The THSCP will have two main areas of expenditure, **Secretariat and Local Review**.

- **Secretariat:** In line with the proposed structure there will be three main members of the secretariat, with an additional fourth member potentially to be

sourced from either local authority or NHS expertise as a contribution in kind or as a direct cost pressure.

Role	Proposed Grades- Indicative only	Approximate costs per annum
Independent Scrutineer	Independent consultant at a day rate of £600 per day with 8 days per calendar month for the first two years of the THSCP operation dropping to 2 days pcm.	£57,600 pa for 2 years dropping to £14400 pa thereafter.
Strategy Manager	FT PO8 position	£72000
Administrator/Coordinator	FT PO5	£58.400
Data Analyst	0.5 WTE PO5 to be confirmed	£29.200
Total potential cost		Circa. £217,200

Table 4 Proposed THSCP staffing and indicative costs

3.10 Local Review: A key feature of the new system is the move away from Serious Case Reviews (SCR) in favour of local review. It is anticipated to be less resource intensive than and SCR, but the likely budget required for local reviews is currently unknown. The THSCP is exploring a flexible cost sharing model akin to the tripartite structures currently used in joint commissioning. This would outline the thresholds whereby a particular partner would or would not be required to support the costs of local review and a panel comprised of the statutory partners, Independent scrutineer and other relevant personnel would be convened to determine the allocation of cost sharing across the THSCP.

3.11 Contributions to the THSCP: Specific budgetary contributions from each partner are still to be determined. Scoping of financial and other contributions in kind for the new system is being mapped. Currently the LSCB receives contributions from a range of non-statutory partners such as the London Fire Brigade. Work is underway to understand if these contributions can continue in addition to those requested from the THSCP statutory partners.

3.12 Child Death Review Systems: Under the new legislation formal collaboration between responsible partners for child death reviews will be undertaken at greater scale, with a footprint determined by a minimum of 60 cases reviewed each year enabling the formation of Child Death Review systems covering larger area than the previous local arrangements. There are a number of significant changes to the CDR system

Changes	Implication
Shift of lead responsibility from Department for Education to Department of Health and Social Care	The new system creates Child Death Partnerships with Local authority and Clinical Commissioning Groups
Larger “footprint” of the local CDR systems with a minimum 60 caseload.	CDOP s will need to amalgamate in London; each Integrated Care System or area would have 1 or 2 rather than the current 5 to 7 CDOPs.
Development of a new “key worker” to act as a single point of contact with the bereaved.	This has been generally welcomed but there is no new resource to deliver this function. Specifics of how it should be implemented are currently unclear.

Establishment of Child Death Review Meetings (CDRM).	This requires significant development of acute and community mortality and morbidity review meetings.
Themed review meetings for high volume or high complexity deaths.	Cases of high volume or complexity considered together to enhance expert review
Revision of additional requirements to address a number of “complex” circumstances.	Includes deaths of UK-resident children overseas, with learning disabilities, in adult healthcare settings, suicides, inpatient mental health settings, deaths in custody.

Table 5 Differences between the CDOP and CDR systems

3.13 To meet the requirements two CDR systems are proposed in North East London. The first based around the Barking, Havering and Redbridge systems and a second based around City and Hackney, Waltham Forest Newham and Tower Hamlets. This allows for the wider area working required by the new guidance and the continuance of local assurance and review of child deaths in each area.

3.14 The new CDR system arrangements must be operational by no later than summer 2019. See Appendix C for more detail on the CDR system.

4 EQUALITIES IMPLICATIONS

4.1 The THSCP seeks to provide a local response to the new statutory requirements. An EIA has been completed and this has identified no adverse impact. In addition, with regards the statutory requirement to capture youth voice as a core part of the design and operational phases of the work works with the Youth Service and other youth facing representatives has commenced to refine and strengthen this essential component of the THSCP. The government EIA states the following: “These measures have no direct equality impacts by reference to the protected characteristics. The measures replace one framework for assessing and learning from serious incidents with another. More effective working of this nature should have a beneficial impact on all children engaged with child protection and safeguarding services, including those with protected characteristics.”¹

5 OTHER STATUTORY IMPLICATIONS

5.1 The THSCP is the local response to the statutory requirement to deliver a Safeguarding Partnerships to replace the Local Safeguarding Children’s Board. The Department of Education requires plans for the new partnership to be published by June 2019, a partnership to be operational alongside the existing LSCB by September 2019 and full migration of all children’s safeguarding functions by March 2020. With three statutory partners from the CCG, Police and Local Authority outlined in section 16E of the Children and Social Work Act 2017² requires that they are the most senior accountable leads for safeguarding at local level.

¹ See <https://www.parliament.uk/documents/impact-assessments/IA16-008.pdf>

² See <http://www.legislation.gov.uk/ukpga/2017/16/part/1/chapter/2/crossheading/local-arrangements-for-safeguarding-and-promoting-welfare-of-children/enacted>

5.2 The CSWA17 and WT18 are clear on the need for the statutory partners to lead the local system, taking direct accountability for both strategic and operational functions of the partnership. The three statutory partners have equal and joint responsibility for local safeguarding arrangements.³ Local safeguarding accountability resides with these three senior officers. Alongside new requirements for local review processes the THSCP has a new statutory role, the Independent Scrutineer which will, in addition to the core responsibilities of liaison with Joint Targeted Area Inspections, format of local reviews and THSCP outputs, will have a key role in supporting, mentoring and providing independent challenge to the statutory partners and ensure that non statutory partners and Youth Voice are central to the THSCP.

6 Risks and mitigations: A full Risk Register is being assembled to support the THSCP and high-level risks captured in the appended report.

7 COMMENTS OF THE CHIEF FINANCE OFFICER

7.1 Tower Hamlets Council (LBTH) is currently engaging with the other two statutory partners (THCCG and Police) to scope the cost of running the Safeguarding Children Partnership (SCP) and the match funding required by all three statutory partners.

7.2 Under the existing arrangement, LBTH is the major financial contributor to the running cost of the LSCB. In 2017-18, the LSCB budget was circa. £186K of which LBTH contributed circa. £145K.

7.3 Although the cost of running the SCP is still being scoped, it is clear that the cost is likely to be higher than the cost of the current LSCB considering the increased responsibility of the SCP. The indicative cost of the secretariat function is circa. £217K and this does not include the cost of the Local Reviews.

7.4 The discussion around the cost of the SCP presents an opportunity for the match funding by statutory partners to be examined.

7.5 It is expected that an update paper will be presented to Cabinet once the cost of running the SCP has been determined and match funding agreed by the three statutory partners.

8 COMMENTS OF LEGAL SERVICES

8.1 The changes to the Children Act 2004 ('the Act') introduced by the Children and Social Work Act 2017 are outlined in the body of the report. The revised Act shares responsibility for safeguarding equally between the three statutory safeguarding partners, and requires that local arrangements must be designed and kept under review to meet changing local need. The proposals for the THSCP comply with the legal framework of the Act, supporting regulations and

³ See WT18 Chapter 3 P73

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/729914/Working_Together_to_Safeguard_Children-2018.pdf

Chapter 3 of the statutory guidance, Working Together to Safeguard Children (2018).

- 8.2 The 2018 Guidance sets out that the council's chief executive will be the lead representative for the council. This can be delegated to a senior officer who has the authority to speak for the council, take decisions on behalf of the organisation and commit them on policy, resourcing and practice matters and hold their own organisation to account in respect of implementing local arrangements. However, the chief executive will ultimately remain responsible for any actions or decisions on behalf of the council.
- 8.3 The safeguarding partners must select which of the other relevant agencies set out in the Child Safeguarding Practice Review and Relevant Agency (England) Regulations 2018 they will work with to safeguard and promote the welfare of children, and the agencies selected must act in accordance with the local arrangements. The Guidance sets out that the safeguarding partners must ensure that all schools, colleges and other educational providers in the area to be fully engaged in the new safeguarding arrangements. Inclusion of the Managing Director of the Tower Hamlets Education Partnership (THEP) with additional representation from the Further Education sector as relevant agencies meets this requirement.
- 8.4 The statutory requirements for Child Death Reviews are set out in sections 16M-16Q of the Act and Chapter 5 of the Guidance. These must be carried out in partnership between the council and the CCG, and two or more local authority areas may combine to undertake CDRs. The proposals contained within Appendix C comply with the statutory framework and Guidance.

Linked Reports, Appendices and Background Documents

Linked Report

NONE

Appendices

- Appendix A - Report to the Corporate Safeguarding Group 15 February 2019 – Refreshed report 29th March 2019
- Appendix B - Draft THSCP Arrangements Document
- Appendix C - WELC CDR systems overview report

Background Documents – Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012

- NONE

Officer contact details for documents: N/A