



Leicester
City Council

WARDS AFFECTED
All Wards

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:

**OSMB
Cabinet**

**16th April 2009
20th April 2009**

Developments in Safeguarding in Leicester City

Report of the Interim Corporate Director of Children and Young People's Services

1. Purpose of Report

- 1.1 To outline the current issues in relation to safeguarding policy, practice and procedures resulting from requirements and expectations from the Department for Children Schools and Families (DCSF).
- 1.2 To summarise the actions being taken by the Leicester, Leicestershire and Rutland Local Safeguarding Children Board and Leicester City Council in relation to government requirements and the audit and continued development of effective safeguarding services across the city.

2. Summary

- 2.1 Following the incident in Haringey (the 'Baby P' case) entering the public domain in November 2008, the Government announced a number of initiatives and requirements. On 1.12.08 the Secretary of State wrote to all local authorities asking them to take stock of the effectiveness of safeguarding practice in their own areas. In addition, Lord Laming had already been commissioned in November 2008 to undertake a review of safeguarding practice. It is already evident that Lord Laming's report may significantly impact on the standards expected of Local Authorities and partner agencies, on the expectations of LSCBs and will influence the new inspection regime within the Comprehensive Area Assessment process.
- 2.2 These national events provide the city council with an opportunity to review its position in relation to safeguarding. This will ensure that the council is in a position to respond to the recommendations from Lord Laming's review into the protection of children in England (and the subsequent response from the Government). Moreover, it is also in line with the fact that the city council is a learning organization, always striving to improve the quality of services.
- 2.3 A number of measures have been taken across the Local Safeguarding Children Board and within the city council in relation to safeguarding activity. This includes:

- a) the completion of a safeguarding self assessment, both across all LSCB agencies and within the Social Care and Safeguarding Division; and
- b) revisions to the management and conduct of Serious Case Reviews to meet changed expectations.

2.4 The performance of the city council in relation to safeguarding activity has been judged as good by Ofsted, both in terms of the Joint Area Review completed in January 2008 and the Annual Performance Assessment completed in November 2008. This includes the Local Safeguarding Children's Board being described as 'outstanding'. Whilst children's social care is recognised as a strength within Children and Young People's Services, there is no room for complacency, and recent national events and the subsequent requirements and requests from Government, has provided further opportunity for the council to re-examine practice.

3. Recommendations (or OPTIONS)

- 3.1 For Cabinet to note the events occurring nationally and the measures taken to date by the LSCB and the city council in relation to the audit and development of a range of safeguarding activity.
- 3.2 For Cabinet to note that a further report will be presented to a future Cabinet meeting, focusing on the implications arising from Lord Laming's report on *The Protection of Children in England: A Progress Report*.
- 3.3 For Cabinet to agree that all Councillors should undertake mandatory awareness training on safeguarding and corporate parenting provided by senior officers from the Social Care and Safeguarding Division.

4. Report

4.1 Current Safeguarding issues from Central Government

- 4.1.1 Following the incident in Haringey (the 'Baby P' case) entering the public domain in November 2008, the Government announced a number of initiatives and requirements.
- 4.1.2 On 1.12.08 the Secretary of State, Ed Balls, wrote to authorities asking them to take stock of the effectiveness of safeguarding practice in their own areas, requesting that Directors of Children's Services, the statutory Lead Member and members of the Local Safeguarding Children Board (LSCB) satisfied themselves that effective scrutiny of safeguarding practice was taking place. In addition, it was confirmed that any Serious Case Reviews (SCRs) judged inadequate by Ofsted had to be re-examined by a panel chaired by an independent person and resubmitted in February 2009.
- 4.1.3 On 1.12.08 Lord Laming wrote to the Secretary of State indicating that he would complete his review of safeguarding practice, which had been commissioned in November, and report in March 2009. As an interim measure, Lord Laming set out three principles about SCRs – that they must be chaired independently, that the Chair must have access to all relevant documents and this may require a change to the

legislative framework, and that the Executive Summary produced for publication must remain confidential to protect the vulnerable and ensure future co-operation with producing SCRs.

- 4.1.4 Lord Laming subsequently reported in March 2009 and made a number of recommendations covering such areas as governance, accountability and leadership in safeguarding, workforce development, the use of electronic social care records and thresholds for social care intervention. A separate report will be coming to Cabinet in due course focusing on the implications arising from Lord Laming's report.
- 4.1.5 On 1.12.08 Ofsted published their report *Learning Lessons: Taking Action* that included a list of all SCRs evaluated between April 2007 and March 2008. Of the 50 cases reviewed, 20 were deemed 'Inadequate', 18 'Adequate' and 12 'Good'. There was an expectation that all inadequate SCRs would be resubmitted in February 2009. Leicester City did not have any SCRs completed or evaluated during this period.

4.2 Action taken by Leicester City Council and the Local Safeguarding Children Board

4.2.1 Local Safeguarding Children Board

- 4.2.1.1 It is clear from the Haringey JAR report and from Lord Laming's initial comments that LSCBs will be called to account as to how effectively they discharge their scrutiny role. Whilst our local LSCB has already established a Performance Management Framework which has been cited as good practice nationally, it was timely for the Board to review how this can be implemented more effectively. A small working group was set up in December 08 to do this and this was reported back to the LSCB in March 2009.
- 4.2.1.2 The LSCB has also co-ordinated a brief self assessment of safeguarding practice across Leicester, Leicestershire and Rutland in readiness for the recommendations from Laming. Agencies were asked to respond to five key questions on local practice including how agencies know that front line staff maintain a focus on individual children, supervision/management policies, information sharing and multi-agency decision-making. This has given an opportunity for all partner agencies to raise any particular areas of concern which need to be addressed either within individual agencies or by the strategic partnerships or within the LSCB Business Plan.
- 4.2.1.3 The outcome of this work has been analysed by the independent chair of the LSCB and members of the Core Business Group and was discussed at the LSCB in March 2009.
- 4.2.1.4 An extraordinary meeting of the Chief Officers across Leicester, Leicestershire and Rutland (called the 'Laming group') was convened on 27.1.09 and received updates on the above action. A further meeting is scheduled to take place in April 2009.

4.2.2 Response to Lord Laming

- 4.2.2.1 In November 2008, Lord Laming requested evidence of progress on safeguarding in relation to good practice, positive Inter-agency working, barriers and problems and ideas for specific Government action.
- 4.2.2.2 Leicester responded by the deadline and reported a range of issues in relation to recruitment and retention of qualified social workers, the impact of the Integrated Children's System (ICS) and the quality of social work training. These issues were similar to those raised throughout the East Midlands region.
- 4.2.2.3 As part of this response to Lord Laming, the Independent chair of the LSCB was also asked by Lord Laming's team to supply evidence of the LSCBs performance management and did so by supplying the Performance Management Framework and Key Accountabilities and Standards document. This is outlined in the LSCB Business Plan, which has previously been noted by Cabinet.

4.2.3 City Council Roles and Responsibilities in relation to Safeguarding and Political Engagement

- 4.2.3.1 Following the publication of the Victoria Climbié Inquiry report in 2003, Cabinet approved a council wide document clarifying roles and responsibilities in relation to safeguarding children. This document was subsequently revised in 2006 and has been updated for a third time. This revised Roles and Responsibilities document is a separate paper being taken through the political process at the same time as this paper, and there are clearly links between the two papers.
- 4.2.3.2 The Safeguarding Roles and Responsibilities document is important since it ensures that the city council maintains an organizational culture and ethos that reflects the importance of safeguarding and promoting the welfare of children. It focuses on the roles and responsibilities of the leader of the council, the statutory lead member for children's services, the Chief Executive as well as the Strategic Director for Invest in Children, together with front line managers and staff working in the Social Care and Safeguarding Division.
- 4.2.3.3 In light of the Roles and Responsibilities in relation to safeguarding document, the Cabinet Lead is routinely briefed on a range of safeguarding issues and takes an active role in scrutinising the range of activity in the Social Care and Safeguarding division.
- 4.2.3.4 Leicester City Council already runs twice yearly seminars with elected members on safeguarding and Corporate Parenting and these are due to take place again in April.
- 4.2.3.5 The council already has a range of scrutiny arrangements established that provides members with opportunities to scrutinise safeguarding activities, performance and services, with a range of key reports being presented to OSMB/Cabinet on safeguarding activity – e.g. in relation to private fostering, the work of the MAPPA and the work of the LSCB,

4.2.3.6 The council also operates a Safeguarding Children's Panel. The Safeguarding Children's Panel provides members with an opportunity to visit the city children's homes and the Duty and Assessment Service. It also receives inspection reports from all children's homes, data about children missing from care, reports/analysis about allocated work, and the position regarding the authorities' use of secure accommodation.

4.2.4 Audit of Safeguarding Practice in the city

4.2.4.1 There is already a range of safeguarding and audit arrangements in place across the Social Care and Safeguarding Division. This includes case file audits across fieldwork services, thematic case audits carried out by the Safeguarding Unit and internal inspections on the quality of service provided by the city children's homes. This is in addition to the external inspections already carried out by Ofsted on a range of regulated services such as fostering and residential care.

4.2.4.2 Within the Social Care and Safeguarding Division, there has already been considerable attention given to the findings of the Haringey JAR. An overview of the Baby P case, and of the Haringey JAR including the recommendations, formed a key element of an away day with all middle managers in Social Care and Safeguarding in December 08 as soon as the JAR report became available.

4.2.4.3 Subsequently, in parallel with the initiatives taken within the LSCB, a detailed exercise was undertaken with senior managers to review the JAR findings and compare the concerns raised about Haringey with how our local services operate. The opportunity was taken also to consider safeguarding practice against the recommendations made in the Victoria Climbié Inquiry in 2003. This is for two key reasons:

- i) The JAR completed by Ofsted in Haringey was essentially an inspection into how far Haringey were compliant with the recommendations made in the Victoria Climbié Inquiry.
- ii) It is good practice for the council to scrutinise its practice in light of these national events.

4.2.4.4 The Heads of Service in Social Care & Safeguarding are now reviewing the material gained from this exercise in order to develop an action plan for taking forward any key issues identified. This forms part of the Social Care and Safeguarding division's Continuous Development Plan and this will also reflect the outcome of Lord Laming's review and the work which will flow from this.

4.2.5 Support to front line staff

4.2.5.1 Any national child protection inquiry impacts on staff morale, not only for front line social workers and team managers, but all staff working across the LSCB agencies with children and families. There are also wider concerns about how the recent national events will impact on the recruitment and retention of social workers in front line child protection work.

4.2.5.2 Following events in Haringey, a letter was sent to all staff in Social Care and Safeguarding from the Lead Member, Interim Director of Children's Services and the Interim Service Director for the division, acknowledging the impact of the Baby P

case within the context of supporting staff for the difficult job they do whilst remaining open and willing to examine practice. This seems to have been well received by staff.

- 4.2.5.3 It is also anticipated that by taking the initiative in reflecting on local practice as set out in the previous section of this report, there will be opportunity both for staff to express their own concerns and for staff to hold onto pride in what is achieved through their good practice.

4.2.6 Serious Case Reviews (SCRs)

- 4.2.6.1 Mandatory Serious Case Reviews (SCRs) are undertaken when a child dies and abuse or neglect is known or suspected to be a factor in the child's death. There is also discretion to undertake such reviews when serious harm to a child identifies issues about local inter-agency practice. The purpose of undertaking a SCR is to establish whether there are lessons to be learnt from the case about the way in which professionals and organizations work together to safeguard and promote the welfare of children.
- 4.2.6.2 Following recent national events, the profile of SCR has become very pronounced, with much tighter and non-negotiable expectations from the DCSF and Ofsted about how SCR should be conducted. Ofsted now formally evaluates all SCR and there are implications on local authorities that receive an inadequate rating, both in terms of how this then impacts on the overall rating of social care services, and in terms of having to conduct the SCR again. SCR will have a profile within Comprehensive Area Assessment in shaping the judgement on how effective partnership working is perceived to be.
- 4.2.6.3 Work has been underway for sometime across the LSCB to revise the process for the conduct of SCR. Currently the LSCB maintains separate subcommittees to manage SCR in Leicester and in Leicestershire and Rutland, each chaired by the Local Authority Service Director in the role as Vice Chair of the LSCB.
- 4.2.6.4 From 1.4.09, there will be one LSCB joint Serious Case Review Subcommittee convened on behalf of Leicester, Leicestershire and Rutland, and this will be independently chaired by the chair of the LSCB. This will ensure that the city council is compliant with current guidance from the DCSF about the governance arrangements for SCR. In addition, the rigour of the process is being strengthened considerably. This, in particular, reflects the need to demonstrate to Inspectors within both the independently authored overview report and also within each of the agency individual management reviews how the reviews have been managed – effectively the workings out as well as the finished product.

5. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

5.1. Financial Implications

There are no financial implications arising directly from this report. The future report which will set out the implications for Leicester of Lord Laming's report may well have financial considerations, which will be highlighted as part of that report. Members will note that additional resources for Social Care and Safeguarding are included in the proposed Children's Services budget in 2009/10.

Colin Sharpe, Head of Finance and Efficiency, CYPS, ext. 29 7750

5.2 Legal Implications

There are no direct legal implications arising from this report. The report acknowledges the strands of work that are central to the Council's fundamental statutory imperative to safeguard and promote the welfare of children in the area, namely the roles and responsibilities of key members and officers, and the work conducted under the auspices of the LSCB. Appropriate auditing and review/development of these areas of work is recognised in the report. The substantive Laming Report, due for publication soon, may propose more fundamental changes to law and practice and consequently the manner in which the Council discharges its statutory duties to vulnerable children. If so, further legal input and further reporting may be necessary. (Kamal Adatia, ext 7044)

6. Background Papers – Local Government Act 1972

6.1 None

7. Consultations

7.1 None

8. Report Author

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Key Decision	No
Reason	N/A
Appeared in Forward Plan	N/A
Executive or Council Decision	Executive (Cabinet)