



Leicester
City Council

WARDS AFFECTED
All

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:

Scrutiny	07.12.10
Cabinet	13.12.10

Revisions to Working Together 2010

Report of the Divisional Director, Social Care & Safeguarding

Purpose of Report

- 1.1. The purpose of this report is to outline the key changes to the guidance to inter-agency working to safeguard and promote the welfare of children contained within the revised Working Together to Safeguard Children 2010.

2. Recommendations

- 2.1. The report is received and the changes to the guidance to inter-agency working to safeguard and promote the welfare of children contained within Working Together 2010 are noted.
- 2.2. That the necessary changes to the Leicester Safeguarding Children Board procedures are agreed.
- 2.3. That the funding recommendations as detailed under Financial Implications are noted having previously been agreed by the Local Safeguarding Children Board Executive Group.

3. Summary

- 3.1. Working Together 2010 sets out how organizations and individuals should work together to safeguard and promote the welfare of children and young people in accordance with the Children Act 1989 and the Children Act 2004.
- 3.2. The Working Together 2010 guidance came into force on 1st April 2010. It follows the publication of Lord Laming's report *The Protection of Children in England: A Progress Report* March 2009. Many of Lord Laming's recommendations are reflected in or given effect by this revised guidance. It also reflects changes and developments in legislation, policy and practice relating to safeguarding children since 2006.

- 3.3. Working Together is addressed to practitioners and frontline managers who have particular responsibility for safeguarding and promoting the welfare of children, and to senior and operational managers in:
- Organizations that are responsible for commissioning or providing services to children, young people, and adults who are parents/carers; and
 - Organizations that have particular responsibility for safeguarding and promoting the welfare of children and young people.
- 3.4. At this juncture it remains unclear whether or not the Coalition Government will make any revisions to Working Together. However, pending any further changes in the future, the Local Authority and partners are under a statutory obligation to implement this revised guidance.
- 3.5. Since the publication of Working Together the Coalition Government has written to all LSCB Chairs and Directors of Children's Services (September 2010) confirming immediate changes to the document as a result of the abolition of Government Officers. This is largely in relation to the role Government Office previously had in agreeing the timetable for and publication of Serious Case Reviews. The timetabling has now been taken over by Ofsted and communication regarding publication will be communicated directly to the Department for Education.

4. Report

Working Together 2010 - Summary of Key Changes

Part 1: Statutory Guidance

4.1. Chapter 1: Introduction

Key changes include:

- New reference to the impact of the Laming report (2009) together with the Government's response.
- New section on the importance of the child in focus.
- Definition of children at risk widened.
- New importance of child's perceptions inserted.

Specific changes:

- The child in focus summarises the duties under Children Act 2004 relating to ascertaining the wishes and feelings of children and young people before making decisions to protect them. Further definition of keeping child's voice heard includes involving the child in decision making, eliciting their wishes for the future and inviting them to make recommendations.
- Children at risk definition now includes young people at risk of harm from community based violence such as gang, group and knife crime.

- New expectation on communicating effectively with children includes a reference to use of interpreters.

4.2 Chapter 2: Roles and Responsibilities

Key changes include:

- New statutory duties including the specific duties of Directors of Children's Services under section 18 of the 2004 Children Act.
- New statutory guidance on safer recruitment, Safeguarding Children and Safer recruitment in Education, due to be updated in 2010, is referenced and prescribed as a standard for academies and independent schools.
- New duties for Early Years providers under section 40 of the Childcare Act 2006.
- UK Borders Agency duties from section 55 of Borders, Citizenship and Immigration Act 2009 to promote well being and safeguarding children.
- Expectations on all organisations regarding CRB checks.
- A significant expansion on infrastructure for all organisations providing services to children, parents or families, taking into account the importance of explicitly stating safeguarding policy within commissioning strategies; a culture of listening to children; a complaints procedure and the importance of understanding online risks.
- A new section on CAF emphasising its importance, its use in supporting referral or specialist assessments but that CAF is not a referral form and the absence of a CAF should not be a barrier to accessing resources.
- New emphasis on the benefits of an integrated and co-located workforce. Also the critical role of the Children's Trust Board in ensuring proper commissioning of services.
- Special consideration must be given to support for children and young people and information sharing processes.
- An awareness of the importance of working with adult social care is made clear and for working with Tenant Services Authorities.
- The *Safe Networks* role in supporting sport, culture and leisure services.
- Greater clarity on the responsibilities of Youth Justice Services to safeguard children and young people from themselves, adults and peers and to share information with the LSCB and ensure that staff are trained and safer workforce practices in place.
- UK Border Authorities duties to promote the safeguarding of children including identification of and response to trafficking.
- Schools and Further Education Colleges: includes reference to new Ofsted inspection framework support and planning for young people in custody and requirements for 14-16 year olds, including children educated off site in 'extended vocational placements'

- Greater emphasis on the contribution made by Early Years settings to safeguarding.
- Faith community's duty to report people who pose a risk to children direct to the Local Authority Designated Officer for the management of allegations and faith group's duty to have effective arrangements for working with sexual and violent offenders.

4.3 Chapter 3: Local Safeguarding Children Boards

Key changes include:

- The requirement for Local Safeguarding Children Boards (LSCB's) to produce and publish an annual report on the effectiveness of safeguarding in the local area.
- The appointment of two representatives of the local community to each LSCB.
- Statutory representation on the LSCB of schools.
- Provision to ensure appropriate information is disclosed to the LSCB in order to assist it in the exercise of its functions (subject to the passage of the Children Schools and Families Bill).
- Further clarity over roles of the LSCB and the Children's Trust Board, including the requirement for the Chair to be someone independent of the local agencies.

4.4 Chapter 4: Training and development for inter-agency work

Key changes include:

- Greater detail about the specific requirements for different groups of staff within the Children's Workforce, and defines the responsibilities for training delivery between the Children's Trust and the LSCB.

4.5 Chapter 5: Managing Individual Cases

Key changes include:

- Increased focus on the child – ensuring that direct contact takes place/observation of the child/child seen alone where appropriate and that a therapeutic relationship is developed with the child, with good analysis undertaken and an emphasis on good recording.
- Clarification of the relationship between the CAF and the Initial Assessment (IA).
- Extension of timescales for completing of the IA from 7 to 10 days.
- Strengthening the assessment of significant harm, and the engagement of all partners.
- Integration of the planning and review process for children subject to CP plans who are also looked after.

4.6 Chapter 6: Supplementary guidance on safeguarding and promoting the welfare of children

Key changes include:

- Additional and supplementary guidance on complex or specialist cases.

4.7 Chapter 7: Child Death Review Processes

Key changes include:

- Involvement of parents/family members.
- Revised definition of unexpected deaths.
- Revised definition of preventable deaths.
- A revised structure to provide a more logical and chronological approach to responding to both expected and unexpected child deaths.
- Expanded guidance on the process in the light of experience in the field.
- Clarity on the roles of registrars and coroners and increased clarity about how to respond appropriately to the deaths of children with life limiting illnesses.

4.8 Chapter 8: Serious Case Reviews

A revised version of chapter 8 was published in December 2009.

Key changes:

- Expanded explanation of Reviewing and investigative functions of LSCBs and prime purpose of Serious Case Reviews (SCR's).
- Membership of SCR sub committees and panels and the Chair of the SCR panel should be independent.
- Anonymisation of SCR documents and information prior to submission to an external organisation.
- SCRs to be completed within 6 months from date to decision to proceed.
- Copies of individual management reviews, overview report, executive summary and action plans to be sent to Ofsted.
- Briefing relevant bodies prior to publication of executive summary.
- SCR sub-committee to provide information to LSCB on actions taken in response to SCRs which will feed into the LSCB annual report.

Further amendments made to chapter issued in December 2009:

- Cross reference to child death procedures (chapter 7) and SCR process.

- Further advice on the format and content of the Serious Case Review Executive Summary.
- It is important to note that in addition to Chapter 8 a letter from the DfE dated 10.06.10 made it clear that the presumption in favour of publication is very strong, and that publication of both the executive summary and overview report post 10.06.10 should be the norm.

Part 2: Non-Statutory Practice Guidance

4.9 Chapter 9: Lessons from research and inspection

- Sections on the impact of domestic violence, parental mental ill health, parental problem drug use and parental problems alcohol use have been significantly developed.
- A section on parental learning disability has been added in light of the learning about the impact of these issues on children and young people and the increased understanding of agencies responsibilities to support parents and safeguard children from the risks that can arise.

4.10 Chapter 10: Implementing the principles on working with children and their families

- New section on children in families at risk having very poor outcomes and the need to intervene early where there are risk factors.

4.11 Chapter 11: Safeguarding and promoting the welfare of children and young people who may be particularly vulnerable

- New focus on all those who work with children to be aware of their development and that LSCB procedures apply to every situation and in all settings.
- A wider description of responsibilities for children in prison.
- Links to Anti Social Behaviour teams and adult services are key.
- A new section on violent extremism.
- A revised section on domestic violence.
- A revised section on child abuse and information communication technology
- Revised guidance on children missing from home and education.
- Revised section on unaccompanied asylum-seeking children (UASC)

4.12 Chapter 12: Managing individuals who pose a risk of harm to children

Specific changes:

- New emphasis on young people who may pose a risk of harm to children, and the role of Youth Offending Teams (YOT's).

- Updating in accordance with the MAPPA process includes requirements for the Strategic Management Boards to maintain working relationships with the LSCB.
- Broader definition of Multi Agency Public Protection Arrangements (MAPPA) 'Eligible Offenders', e.g. includes those disqualified from working with children.
- Duty on YOTs to identify cases that meet the MAPPA criteria and make appropriate referrals. Although young people should be assessed and managed differently from adults using age appropriate assessment tools. Children's Social Care should always be represented at MAPPA meetings where a young person is being discussed.
- New section on Multi Agency Risk Assessment Conferences.
- A new section on the Vetting and Barring Scheme and the role of Independent Safeguarding Authority (ISA) replacing the section on POCA and list 99.
- The section of CRB checks makes refers to intention to consult on proposals to amend requirements for CRB disclosures once individuals have been ISA registered.
- New requirement on young people who have offended and received a conviction or caution for certain sexual offences to notify the police of their whereabouts in the community.
- New section describing the Child Sex Offender Review Disclosure Process and the intention to roll out nationally from August.
- New section describing Violent Offender Orders, civil orders which may be used to manage offenders who pose a serious risk of harm to children.

5. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

5.1 Overall Implications

The main implication following the revision of Working Together is the need to update the LSCB Procedures so that they reflect key changes in practice. The Leicester Safeguarding Children's Board will also need to assure itself through its quality assurance role that these changes have been implemented across the children's workforce.

5.2 Financial Implications

The Local Safeguarding Children's Board Procedures need to be updated to reflect the changes in procedures contained within Working Together. The Leicester Safeguarding Children's Board and the Leicestershire and Rutland Board are seeking to commission an external source to provide updated procedures for both Boards (a decision was made as part of the joint LSCB disaggregation process for procedures to remain joint). The procedures will be linked to guidance and be maintained by the source. It is estimated that this cost will be £5000.00 with a yearly maintenance cost of £1000.00 per LSCB.

Colin Sharpe
Head of Finance (Investing in our Children)

5.3 Legal Implications

All organisations working with children, young people and their families need to implement the new procedures.

Kamal Adatia, Barrister
Head of Community Services Law

5.4 Climate Change Implications

This report does not contain any significant climate change implications and therefore should not have a detrimental effect on the Council's climate change targets.

Claire Pipe
Senior Environmental Consultant
Climate Change

Other Implications

OTHER IMPLICATIONS	YES/ NO	Paragraph/References Within the Report
Equal Opportunities	x	All of the guidance held within WT 2010 requires action to tackle unfair discrimination and to provide services and other interventions that are responsive to the diverse and changing needs of children, young people and families
Policy	x	There is a requirement for LSCB procedures and a range of internal procedures to be updated in the light of the WT 2010 guidance.
Sustainable and Environmental		
Crime and Disorder		
Human Rights Act		
Elderly/People on Low Income		
Corporate Parenting	No	
Health Inequalities Impact		

6 Background Papers – Local Government Act 1972

6.1 None

7 Consultations

7.1

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