



NORTH YORKSHIRE SAFEGUARDING CHILDREN BOARD

CONSTITUTION

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1. TITLE

- 1.1** The Board shall be known as the North Yorkshire Safeguarding Children Board, hereafter known as the NYSCB or the Board.

2. PURPOSE

- 2.1** The NYSCB is the statutory mechanism for agreeing how agencies will cooperate to safeguard and promote the welfare of children in its locality and for ensuring the effectiveness of its activity.
- 2.2** The work of the NYSCB fits within the wider context of the Children and Young People's Strategic Partnership, with the aim of improving outcomes for all children and young people.
- 2.3** It has a particular focus on the staying safe outcome and seeks to ensure all children and young people in North Yorkshire are protected from physical or mental injury or abuse, neglect, maltreatment, sexual abuse or exploitation or harm caused by witnessing violence or abuse of another.

3. OBJECTIVES OF THE NYSCB

- 3.1** The core objectives of the NYSCB are set out in Section 14 (1) of the Children Act 2004 as follows:
- to coordinate what is done by each person or body represented on the board for the purpose of safeguarding and promoting the welfare of children in the area of the authority
 - to ensure what is done by each person or body for that purpose

4. DEFINITION OF SAFEGUARDING

- 4.1** A child is anyone who has not yet reached their 18th birthday. 'Children' therefore means 'children and young people'.
- 4.2** Safeguarding and promoting the welfare of children are defined as:
- 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
 - undertaking that role so as to enable those children to have optimum life chances such as they enter adulthood successfully.

4.3 The operational focus of the NYSCB will be:

- Children at risk of or have suffered significant harm as defined in Section 47 of the Children Act 1989
- Children in need of multi disciplinary assessment, planning, services and review as defined in Section 17 of the Children Act 1989; Carers and Disabled Children Act 2002; Adoption and Children Act 2002 and Criminal Justice Act 2004.

5. MANAGEMENT AND SUPPORT

5.1 The Board will employ sufficient staff, within its resources to discharge its function. The Safeguarding Manager will be accountable to the Board and will be managed by the Assistant Director, Children and Family Services.

5.2 NYCC will act as the employer of staff who will work to the Board in order to achieve its objectives. They will be subject to the Council's terms and conditions of employment, unless they are seconded by another agency.

6. MEMBERSHIP

6.1 The NYSCB shall be composed of senior officers nominated by each member agency. Members representing individual agencies must have sufficient delegated authority to effectively represent their agency and to make decisions on their agency's behalf. They must have access to those responsible for making the decision for which they do not have delegated authority.

6.2 Membership of the NYSCB shall be as follows:

Name of Agency	Number of nominations to the NYSCB
Children & Young People's Service	5
Health (to include Designated Doctor and Designated Nurse)	5
District Councils	2
Police	1
Probation	1
NSPCC	1
YOT	1
Armed Forces	1
CAFCASS	1
Connexions	1
Crown Prosecution Service	1
Voluntary & Community Sector	1
Legal Advisor	1

- 6.3** In the event of reorganisation affecting more than one of the agencies, the NYSCB will agree how the table set out in Para 3 needs to be amended in order to retain appropriate representation.
- 6.4** If any member is unable to attend a meeting of the NYSCB he/she may appoint a substitute, who will have the same authority at the meeting as the nominated person.
- 6.5** The role of the NYSCB members is:
- to represent the views of their agency
 - to provide factual information about the role of their agency
 - to work with other members to implement the objectives of the NYSCB
 - to provide joint working within these arrangements
 - to work collaboratively, to respect diversity and to behave in accordance with the requirements of the NYSCB
 - To disseminate information between the NYSCB and their agency

7. CHAIR AND VICE CHAIR

- 7.1** The chair shall be re-elected every two years
- 7.2** The vice chair shall be nominated and appointed by the NYSCB and shall not be a representative of the same agency as that of the chair
- 7.3** The vice chair shall be appointed for a period of three years, after which time the NYSCB shall seek alternative nominations.
- 7.4** The role of the chair is:
- To coordinate the content of the agenda for Board meetings
 - To manage the transaction of business at meetings
 - To ensure all NYSCB members have an opportunity to participate in debates at Board meetings
 - To ensure decisions are made, and that these decisions are minuted and communicated as necessary.

8. APPROACH OF THE NYSCB

- 8.1** The primary objective of the NYSCB is to ensure agencies work together to safeguard and promote the welfare of children and young people.
- 8.2** Problems may arise in connection to safeguarding responsibilities, which may include omissions or faults, friction or disputes.

8.3 Agencies agree to take whatever steps are required to prevent or remedy such problems by:

- working together to minimise the frequency of difficulties occurring
- focusing upon learning not blame
- taking an holistic view rather than minor issues in isolation
- considering all relevant circumstances where problems have arisen
- enabling and supporting innovation and decision making which is as close as possible to service delivery
- joint training and supervision ensure staff focus upon problem solving and effective outcomes rather than culpability
- resolving problems locally.

9. MEETINGS OF THE NYSCB

9.1 Administration of the NYSCB shall be managed by the Safeguarding Manager.

9.2 Meetings will be held at least quarterly, with the NYSCB determining the time and frequency.

9.3 All matters to be decided by the NYSCB shall be decided by consensus. Where consensus cannot be achieved, there will be a majority vote with each member having one vote. In the event of a tie the chair shall have a second or casting vote.

9.4 In a case of urgency or upon written request of at least four Board members, additional meetings can be convened.

9.5 Agendas are sent to Board members and minutes are kept of the proceedings.

9.6 The NYSCB may invite or permit any person to attend its meetings to address or submit written material for consideration.

10. QUORACY

10.1 A quorum of the NYSCB shall be eight members representing four separate agencies, always including the chair or vice chair. If at any time there is not a quorum present, the meeting shall not proceed.

11. FUNCTIONS OF THE NYSCB

11.1 The core functions of the Board are set out in the Local Safeguarding Children Boards Regulations 2005. The Working Together to Safeguard Children Guidance gives further details which can be found in appendix 1.

- 11.2 The NYSCB will produce a three year Business Plan that fits within the framework and priorities of the Children and Young People's Plan.
- 11.3 The NYSCB will produce an annual report that will set out the NYSCB's work plan for that year and review the work of the previous year.
- 11.4 The Board will ensure Locality Safeguarding Forums and sub groups are in place in order to support the delivery of its responsibilities.
- 11.5 The NYSCB will nominate Chairs of the Locality Forums from the wider Board Members.
- 11.6 Members' agencies will ensure appropriate representation of relevant supervisory and operational staff on Locality Forums and sub groups.

12. ACCOUNTABILITY OF MEMBERS

- 12.1 Members of the NYSCB are accountable to a senior person in their own organisation, Board or elected body. They will report their agency's performance in relation to its safeguarding responsibilities. The Role Responsibility Statement can be found in appendix 2.
- 12.2 Report to the Chair of NYSCB their agencies contribution to NYSCB in respect of time, human resources, finance and information relevant to their safeguarding duties, including quality issues and implementation of procedures.
- 12.3 The NYSCB needs to have an independent voice in relation to the implementation, delivery, quality and effectiveness of child protection measures in North Yorkshire.
- 12.4 The NYSCB has the right to place any issue, paper or report on the agenda of the Children and Young People's Strategic Partnership meetings and to nominate members to attend and speak at the relevant meeting.
- 12.5 The Children and Young People's Strategic Partnership has the same rights in relation to meetings of the NYSCB.

13. CONFLICTS OF INTEREST

- 13.1 If at any time, a Board member has a personal interest in any matter being considered by the Board he/she shall declare the existence and nature of that interest to his/her agency.
- 13.2 Declarations of interest will be recorded and steps taken to ensure the individual concerned has no involvement in decision making or consequent action in relation to the matter in question.

14. FINANCIAL PROVISION

- 14.1** To be effective, significant input of time, commitment and resources are needed from member agencies.
- 14.2** The NYSCB member agencies will contribute annually at an agreed level, having regard to the differing size, resources and responsibilities of each agency.
- 14.3** The financial year will run from 1st April to the 31st March each year.
- 14.4** North Yorkshire County Council will administer the budget on behalf of the Board.
- 14.5** A financial statement will be provided annually to the NYSCB by the Financial Manager of the County Council.
- 14.6** The Safeguarding Manager will have the authority to act as the Board's budget holder for the authorisation of payments in connection with training and miscellaneous expenditure.

15. THE EXECUTIVE

- 15.1** It is the role of the Executive to ensure the effective Locality Forums and Sub Groups delivery of the work of the NYSCB. The Executive will comprise the chair and vice chair of the NYSCB and the chairs of the four Locality Safeguarding Children Forums.
- 15.2** The Executive will ensure the NYSCB is engaged with the strategic planning of all children in North Yorkshire by ensuring appropriate mechanisms for communication with the Children's and Young People's Strategic Partnership are in place.
- 15.3** The Executive will be responsible for:
- coordinating the development of the NYSCB Business Plan
 - ensure the effective delivery and implementation of business plan objectives
 - commissioning new work identified, which is not included in the business plan
 - develop the NYSCB agenda with the NYSCB Chair
 - provide support to locality forums and sub groups
 - identify national and local issues relevant to the responsibilities of the Board.

16. LOCALITY FORUMS AND SUB GROUPS

16.1 A number of Locality Forums and sub groups will be established to ensure the Board meets its responsibilities and objectives. There will be four Locality Safeguarding Children Forums covering the following geographical areas:

- Scarborough Whitby Ryedale
- Hambleton Richmondshire
- Craven Harrogate
- Selby.

16.2 The sub groups of the Board are:

- Serious Case Review
- Procedures
- Monitoring & Evaluation
- Training
- Information and Communication
- Child Death Screening (from April 2008)

16.3 Staff are a vital source of information, ideas and expertise. Their representation on locality forums and sub groups will ensure the benefit of their experience is built into the work of the Board. Members may be co-opted on to any forum or sub group if particular expertise is required.

17. LOCALITY SAFEGUARDING CHILDREN FORUMS (LSCF)

17.1 Each LSCF will have a chair nominated by the NYSCB from the wider Board membership and will become a member of the Executive.

17.2 Terms of Reference

- To audit and evaluate how well local services work together to safeguard children, for example through case audits.
- To put in place local performance measures for safeguarding children, aimed at providing evidence of the extent to which services safeguard and promote the welfare of children and young people.
- To ascertain whether the activity of each agency and that of inter agency working is delivered to a consistently high standard.
- To identify training requirements arising from local need and ensure these are communicated to the training sub group.

17.3 Membership

- The LSCF shall be composed of managers nominated by each of the member agencies

- Members shall be responsible for disseminating information between the LSCF and their agency and for identifying any required actions.

17.4 As a minimum the membership shall comprise of representation from:

- Children and Young People's Service (Social Care and Education), Health, District Councils, Police, Probation, Voluntary Organisations.
- Other relevant local agency or organisation.

18 SUB GROUPS

18.1 Serious Case Review

18.2 Terms of Reference

- To undertake a case review when a child dies and abuse or neglect are known or suspected to be a factor in the death.
- The subgroup will always consider whether a case review should be conducted where a child sustains a potentially life threatening injury or serious or permanent impairment of health and development or has been subjected to particularly serious sexual abuse and the case gives rise to concerns about inter agency working to protect children.
- To ensure that any lessons from the case are understood and acted upon.
- To consider recommendations from major national reviews and implement any necessary recommendations.

18.3 Membership

- The sub group shall be composed of members of the NYSCB which will include as a minimum the Designated Doctor, Designated Nurse, Safeguarding Manager, Police and representatives from Social Care and Education.
- Other members may be co-opted if a particular expertise is required.

18.4 Procedures

18.5 Terms of Reference

- To maintain up to date procedural guidance in the form of the NYSCB Procedures that comply with the "Working Together to Safeguard Children Guidance" which ensures effective delivery and accountability for safeguarding and promoting welfare

- To ensure that the NYSCB Procedures are accessible to all staff within member agencies and independent practitioners in contact with children and their families
- To review current child protection procedures in light of any issues arising from local or national case reviews.

18.6 Membership

- The sub group shall be composed of representatives from the member agencies and will as a minimum include a designated health representative, Social Care and Education, Police and the Safeguarding Manager.
- All members must have sufficient delegated authority to represent their agency and have the ability to consult at appropriate levels within their own agencies to ensure procedures are agreed before being ratified by the NYSCB.

18.7 Monitoring & Evaluation

18.8 Terms of Reference

- To promote and ensure self evaluation through peer review of single agency work to safeguard and promote the welfare of children.
- To provide a framework for an inter agency quality assurance system.
- To ensure continuous improvement in safeguarding practice by auditing outcomes, recognising that performance in relation to the provision of safeguarding and welfare services will be assessed as part of Joint Area Reviews under Section 20 of the Children Act 2004.
- Ensure organisations working or in contact with children, operate safe recruitment and personnel practice that takes into account the need to safeguard and promote children's welfare.
- To collate information relating to complaints and commendations.
- To collate information regarding allegations against staff.
- To convene a Complaints Panel as required.

18.9 Membership

- The subgroup shall be composed of representatives from the member agencies and will as a minimum include Quality & Review, designated health representative, Social Care, Education, Police, Probation, a district council representative, and the Safeguarding Manager.

18.10 Training

18.11 Terms of Reference

- The sub group is responsible for development, promotion and provision of interagency training to safeguard children.
- To ensure training is effective and complies with best practice.
- To encourage and develop, effective working relationships between different services and professional groups.
- To produce an annual training plan in which training needs, issues and target groups are identified.
- To present an annual report to the NYSCB on training delivered within the county, with particular reference to the effectiveness of the training provided in contributing to improved safeguarding practice.
- To ensure that the framework for the training complies with the Working Together Guidance.

18.12 Membership

- The sub group shall be composed of representatives from the member agencies who have a responsibility for training within their agency. As a minimum these will include the Named Nurses, the NYSCB Training and Development Officers, Police, Social Care and Education and the Safeguarding Manager.

18.13 Information and Communication

18.14 Terms of Reference

- To ensure the effective communication of the safeguarding responsibilities to the public and professional community.
- To raise awareness of the need to safeguard children and promote their welfare by ensuring that all people in North Yorkshire understand how the arrangements for safeguarding work and how they can contribute to these objectives.
- Ensuring children and young people know whom they contact when they have concerns about their own safety and welfare.
- The public will have access to agendas, reports and minutes in accordance with freedom of information. Copies will be made available through the Safeguarding website, libraries and service delivery points.
- To consult with children, young people, parents and carers, ensuring their views and opinions are taken into account when planning and delivering safeguarding and welfare services and that mechanisms are in place for feeding back information and answers to them.

18.15 Membership

- The sub group will be comprised of representatives from the member agencies and as a minimum include a Health, Social Care, Education, Police representative and the Safeguarding Manager.

18.16 Child Death Screening (From April 2008)

18.17 Terms of Reference

- To put in place procedures for ensuring that there is a coordinated response by the authority, their Board partners and other relevant persons to an unexpected death.
- Collecting and analysing information about each death with a view to identifying 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
- Identifying any general public health or safety concern arising from deaths of such children.

18.18 Membership

- The sub group shall be composed of members of the NYSCB which will include as a minimum the Designated Doctor, Designated Nurse, Safeguarding Manager, representatives from Social Care and Education and Police.
- A representative from public health should also attend.

19. AMENDMENTS TO THE CONSTITUTION

- The Constitution will be reviewed annually and may only be amended by a three quarter majority of the total membership, provided notice of the proposed amendment is given in writing to the Chairperson no later than 14 working days before the meeting at which the amendment is to be considered.

APPENDIX 1.

LSCB FUNCTIONS

As defined in 'Working Together to Safeguard Children'

1. Policies and Procedures function
 - 1.1 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:
 - a) The action to be taken where there are concerns about a child's safety or welfare, including thresholds for intervention.
 - b) Training of persons who work with children or in services affecting the safety and welfare of children.
 - c) Recruitment and supervision of persons who work with children
 - d) Investigation of allegations concerning persons working with children
 - e) Safety and welfare of children who are privately fostered
 - f) Co-operation with neighbouring children's services authorities (i.e. Local Authorities) and their Board partners

- 1.2 Other policies and procedures:

LSCBs should consider the need for other local protocols under this function, beyond those specifically set out in regulations, including:

- a) Quick and straightforward means of resolving professional differences of view in a specific case, for example, on whether a child protection conference should be convened,
- b) Attendance at child protection conferences, including quora,
- c) Attendance at family group conferences
- d) Involving children and family members in child protection conferences, the role of advocates as well as including criteria for excluding parents in exceptional circumstances
- e) A decision-making process for the need for a child protection plan based upon the views of the agencies present at the child protection conference,

- f) Handling complaints from families about the functioning of child protection conferences.
2. Communicating and raising awareness function.
- 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.
3. Monitoring and evaluation function.
- 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.
4. Participating in the 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.
5. Serious case review function.
- 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.
- 5.1 Further functions relation 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
- 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
 - Any general public health or safety concern arising from deaths of such children.
6. Other Activities.
- An LSCB may also engage in any other activity that facilitates, or is conducive to, the achievement of its objective.

APPENDIX 2.

NORTH YORKSHIRE SAFEGUARDING CHILDREN BOARD MEMBERSHIP

ROLE AND RESPONSIBILITIES

1. **Responsibilities**

- (i) Report to senior accountable person in own agency (Chief Executive/Executive Director) or constituency group, the agency's performance in relation to NYSCB responsibilities.
- (ii) Report to the Chair of the NYSCB for the agency's contribution to the NYSCB.
 - time and human resources
 - finance
 - information
- (iii) Report to the Chair of the NYSCB for the implementation of the NYSCB procedures within own agency or agency's represented.
- (iv) Report to the Chair of the NYSCB for the quality of the agency's contribution to multi-agency safeguarding work.

2. **Attendance Requirements**

- (i) Attend all meetings of the NYSCB it is expected that members demonstrate their commitment by attending meetings. Members are expected to give apologies for non-attendance. In exceptional circumstances where attendance is likely to prove difficult, members should have a substitute, who will be expected to undergo NYSCB induction prior to acting in this capacity.
- (ii) Board members will either attend, as a standing member or commit a person with sufficient expertise to at least one of the following sub groups:
 - Serious Case Review Subgroup
 - Monitoring and Evaluation Subgroup
 - Procedures Subgroup
 - Training and Development Subgroup
 - Information and Awareness Subgroup
 - Child Death Screening Subgroup
- (iii) Lead short-life working groups as required.

- (iv) Attend and support NYSCB events (procedural launches/promotional days/annual conference etc.)

3. **Requirements of Role**

Procedures

- (i) Ensure congruity of agency's procedures with NYSCB procedures.
- (ii) Ensure agency compliance with NYSCB procedures.
- (iii) Ensure agency contribution to the writing of NYSCB procedures & guidance.
- (iv) Disseminate and raise awareness of NYSCB procedures, guidance and information within the agency represented.

(v) Training

Ensure that:

- Staff are trained to fulfil single agency responsibilities.
- The agency contributes to the NYSCB'S multi-agency training programme.
- The agency's staff is trained in NYSCB procedures.

(vi) Information

- Production of regular information as required about the safeguarding activity of the agency.
- Production of information to assist the activity of Serious Case Reviews and the Child Death Screening Subgroup.