

Meeting: Children Education and Skills Sub-Committee

Date: 23rd January 2020

Title: Multi-agency Safeguarding Arrangements (MASA)

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Service:

**Wards
affected:**

1. Purpose of Report

To provide members with an update on the implementation of the new arrangements for Safeguarding as required by the Children and Social Work Act and revised statutory guidance 'Working Together' 2018.

To identify for members consideration, areas of interest in relation to the scrutiny of the arrangements.

2. Introduction

The Children and Social Work Act and the subsequent revision of the statutory guidance has resulted in changes to how joint working arrangements to protect children and promote their welfare are put in place. As well as how these arrangements are subject to scrutiny and assurance, so as to ensure that they are effective and result in improvement as a result of learning.

In North Tyneside a plan published on the 26th June 2019 and the arrangements came into place on the 29th September 2019.

<https://www.northtynesidescp.org.uk/masa-new-multi-agency-safeguarding-arrangements/>

These arrangements replaced the requirement for a statutory Board and Independent Chair. Responsibility and accountability for the delivery of the requirements of the statutory guidance, now rests with what are termed the three Statutory Partners who are the Local Authority, the Chief Constable and the Clinical Commissioning Group. Changes to the guidance reflect the political and policy imperative to achieve the following:

- Strong and effective local arrangements for agencies to work together to protect children and promote their welfare
- Strengthen multi agency working and improve practice where excellence is the norm
- Partner agencies hold each other to account effectively
- Early identification of new safeguarding issues
- Learning is promoted and embedded
- Information is shared and used effectively
- The public can feel confident that children are protected from harm

(Source HM Government DFE response to Working Together consultation).

This has been described as a move to a more “permissive” approach as former arrangements were felt to be “prescriptive”. This creates the provision for Statutory Partners to exercise some discretion as to how they want the new arrangements to operate.

It is important to note that there remains a legislative imperative on all agencies that work with children to be able to demonstrate how they comply with the requirements of the Children Act (2004). The Statutory Partners need to be able to evidence how they safeguard children and young people and how they work jointly with other agencies, within common policies, procedures and ways of working.

In their plan the Statutory Partners reflected their intention to build on the strengths of joint working locally and regionally. They also acknowledged the role the former LSCB played in supporting high standards, providing challenge and contributing to partnership working that valued learning and embraced the importance of being accountable on the basis of objective assurance and an independent perspective.

The retention of a form of partnership was identified through consultation as being important. In order to reflect past learning, a new partnership has been formed (North Tyneside Children Partnership) which looks to combine the strengths of the previous Children Young People’s Partnership and the LSCB. This will provide a focus on overall outcomes for children and young people in the borough and integrate assurance and learning to ensure that all priorities and outcomes are widely owned. This partnership will also develop an approach to learning and assurance that ensures there is a focus on joint working to protect children and promote their welfare. In order that the Statutory Partners can meet their statutory requirements.

Given the flexibilities in the new arrangements it is pertinent to observe that the approach in North Tyneside draws on the experience of a number of early adopters in other parts of England, and as such seeks to be innovative and reflect the aspiration for high standards by all concerned.

Nationally there is recognition that the scope and pace of change may result in some differences in local arrangements, and that the move away from previous structures and approaches will require careful monitoring. This is reflected in the local plan which sees the first year as one of cautious and incremental transition, it places a high value on continuity and recognises risk, in terms of not being in a position to mobilise an effective partnership and joint working response for safeguarding children and young people.

The new partnership is directly accountable to the North Tyneside Strategic Partnership and will develop effective lines of report and sharing with other partnerships. The Statutory Partners have established regular meetings to provide a lead for implementation and a work plan will address

key delivery and development issues. This includes the need to produce a report within 12 months outlining progress, learning and impact. This report will also itemise further changes that may be needed.

There is a requirement for the provision of independent scrutiny, but the guidance is not specific as to what form this should take. For the interim period (i.e. the first year) a role of Independent Advisor has been created to provide the statutory partners and the partnership with support and advice. This role is also responsible for the development and operation of the means to look into the effectiveness of practice and how joint working arrangements are acting on learning.

Multi-agency groups have been formed and are establishing work programmes and a new model for how best to focus on practice and learning. These groups will reflect the need for transition and continuity whilst developing the new approach. In developing the approach, it is intended to draw on regional arrangements and exemplars from elsewhere in the country. An important driver locally is to create a closer focus and connection with front line practice, whilst enabling all agencies to provide evidence of contribution and learning from joint working arrangements.

As previously there is a concern to be inclusive in considering the different perspectives partners and practitioners can legitimately have when it comes to doing their best for children and young people. The new arrangements will continue to benefit from the various ways in which the voices of children and young people are heard. Additionally, to reflect and support a more defined approach to safeguarding that compliments involving practitioners a new approach to looking at things through the “lived experiences“ of children and young people who experience harm, neglect, abuse and exploitation is being developed.

There continues to be a requirement to undertake what were called Serious Case Reviews and are now called Child Safeguarding Practice Reviews. As with other aspects of the new arrangements the decision and responsibility rests with the Statutory Partners. To this end a Case Review group will be convened to assist and support this requirement.

Key milestones are being met on the basis of the agreed need to proceed with a degree of caution, given the nature of the changes and the level of local ambition. At this point nationally and locally it is too early to be able to compare and contrast emerging learning, but publication of reports will help with this. Nationally most, if not all, of the new arrangements have retained a partnership model, although the governance and mandate of these varies. Many have retained what could be seen as a LSCB by another name, but this most likely reflects a transitional intention. Others have adopted an approach that shares some characteristics of the North Tyneside arrangements, independent roles have been retained in most places and these appear to range from a continuity model i.e. the retention of an independent Chair with decision making responsibilities, an independent role focused on scrutiny (often entitled Independent Scrutineer) and other hybrid or bespoke roles, such as the option taken in North Tyneside.

The remainder of the report will address key issues and areas that the initial learning (locally and nationally) suggests will support Statutory Partners, agencies involved in the partnership and more general requirements placed on all those who work with children and young people. This may also provide some assistance for members in determining how best they may want to contribute to learning, scrutiny and assurance, from their perspective and responsibilities.

3. Details

3.1 The likely measures we will use to determine progress and effectiveness of the new arrangements. The Guidance states that the following should be addressed:

To fulfil this role, the three safeguarding partners must set out how they will work together and with any relevant agencies. Relevant agencies are those organisations and agencies whose involvement the safeguarding partners consider may be required to safeguard and promote the welfare of children with regard to local need. (Working Together 2018 p73)

The purpose of these local arrangements is to support and enable local organisations and agencies to work together in a system where:

- Children are safeguarded and their welfare promoted partner organisations and agencies collaborate, share and co-own the vision for how to achieve improved outcomes for vulnerable children
- Organisations and agencies challenge appropriately and hold one another to account effectively
- There is early identification and analysis of new safeguarding issues and emerging threats learning is promoted and embedded in a way that local services for children and families can become more reflective and implement changes to practice.

Information is shared effectively to facilitate more accurate and timely decision making for children and families. In order to work together effectively, the safeguarding partners with other local organisations and agencies should develop processes that:

- facilitate and drive action beyond usual institutional and agency constraints and boundaries
- ensure the effective protection of children is founded on practitioners developing lasting and trusting relationships with children and their families (Working Together 2018 8&9 p73)

3.2 These are broad measures of success and given a degree of local flexibility in terms of form, process and focus. As implementation progresses there will be a need to identify more specific local measures that align with the approach being adopted. The work plans and themes being set presently will most likely form the basis for this and as such will be a focus for the role of independent advisor and cross over with any lines of enquiry identified by members. Examples of this may include:

- Given the adoption by the Statutory Partners of three themes (early help, contextual safeguarding and neglect) the Partnership will take reports at various points in the year.
- It has been agreed that the annual Section 11 self-assessment process for schools and colleges will be maintained and this produces a pro-active picture of how children and young people are being safeguarded where they are educated. (Proposals are also being developed to extend this approach to the community and voluntary sector and early years settings.
- There will continue to be a focus on practice by looking at cases and parts of joint working processes to identify good practice and to test out evidence that might suggest there is scope for further improvement.

3.3 In relation to leadership, previously there was a clearer line of accountability in terms of the need for there to be effective joint working arrangements in place and for there to be an effective LSCB and Independent Chair to provide a place and a basis for checking, challenging and learning from outcomes. This rested with the Local Authority. The new guidance requires an effective tri partite arrangement and the guidance states:

- The three safeguarding partners should agree on ways to co-ordinate their safeguarding services; act as a strategic leadership group in supporting and engaging others; and implement local and national learning including from serious child safeguarding incidents (Working Together 2018 6 p72)

And

- All three safeguarding partners have equal and joint responsibility for local safeguarding arrangements. In situations that require a clear, single point of leadership, all three safeguarding partners should decide who would take the lead on issues that arise. (Working Together 2018 12 p74)

It will be important to be assured that there is the means to evaluate the learning from the new leadership arrangements. This may include relevant scrutiny and assurance process within the organisational and contextual setting of each of the three statutory partners.

It is likely that the annual report and the application of independent scrutiny will contribute to the this. As the arrangements develop it may be that the three statutory partners identify how their respective internal governance arrangements may contribute to overall effectiveness and learning.

3.4 The Children and Young Peoples Plan

The new Partnership has resolved to review and update the current plan, with a view to supporting the development of the new arrangements and to further articulate the original vision and aspiration. As before this will continue to provide a key point of reference and a bridge between the commitments made and outcomes identified.

3.5 Voice of children and young people

The new partnership will continue to benefit from the arrangements in place to provide children and young people with an opportunity to be heard and to influence priorities and outcomes. In terms of safeguarding arrangements, it is the intention to develop a particular approach that reflects the need to recognise and learn from the experiences of children who are vulnerable and who have experienced harm, neglect, abuse and exploitation. This will draw on wider learning that is emerging and is often referred to as “lived experience”. If successful, this will add a new perspective to the understanding of abuse and therefore how joint working arrangements could be developed to reflect this. There are parallels with the approaches to Children who are Looked After and the wider intention to ensure that the new arrangements are focused on joint working practice.

3.4 Child Safeguarding Practice Reviews

The revised arrangements locally reflect the regionally agreed approach to ensure consistency and promote easier and more accessible learning.

Serious Case Reviews (SCRs) commissioned before the implementation date of the new Partnership are subject to an interim arrangement as these remain the responsibility of the existing LSCB. In North Tyneside these arrangements relate to three SCRs. Two of the Reviews are completed and have been published. A third, SCR Emma is scheduled for completion in February 2020.

Following the implementation of the new arrangements the responsibility for how the system learns lessons from serious child safeguarding incidents lies at a national level with the Child Safeguarding Practice Review Panel and at a local level with the safeguarding partners. The three safeguarding partners are required to make arrangements to:

- Identify serious child safeguarding cases which raise issues of importance in relation to the area
- Commission and oversee the review of those cases, where they consider it appropriate for a review to be undertaken.

In North Tyneside, the Case Review Group will meet as required to deliver the local review process. The group's role is to:

- Consider cases referred to it, oversee the rapid review process through Rapid Review panels, and ensure immediate safeguarding action is taken if required and share any immediate learning.
- Report findings to the National Child Safeguarding Practice Review Panel.
- Commission and oversee local case safeguarding practice reviews. Leadership of practice reviews should be independent of the agencies involved.
- Ensure clarity, high quality and consistency in practice in carrying out case reviews and ensure that the partnership learn lessons that can improve the response to children and families

It is understood that members have requested an update re decisions made regarding cases under the new arrangements and this can be found in appendix A

The undertaking of reviews will continue to be an important element in how all can be assured that learning is identified and acted on. The other elements of the new arrangements compliment and should clarify the need to undertake formal reviews.

3.5 Understanding local needs, vulnerabilities, risks and threats.

The new arrangements present an opportunity to develop in conjunction with existing ways of identifying needs etc, to strengthen our understanding in terms of risks and threats, in order to demonstrate that joint working is proactive as well as responsive. As the new arrangements and partnership it is likely that evaluating progress from this perspective will be important, and it is to be expected that post the first report and review this may benefit from further investment and development.

3.6 Concluding observations

The implementation of the new arrangements is at an early stage. The Statutory Partners in North Tyneside have embraced the opportunities this represents on the basis of a considered and careful approach. This recognises the need to remain focused on the high levels of jeopardy safeguarding represents, not least for local children and young people. As before being assured that the complexity and real challenges of effective joint working arrangements are effective is not a simple task. Notwithstanding the local choices, there is an inherent level of risk in the changes required by legislation and guidance especially regarding adjustments in terms of leadership, accountability and the role of independence.

Effective safeguarding requires ownership and investment at every level and across the many places where children and young people live and come into contact with risk. It is also important to note that whilst the role of the LA has changed in respect of the new arrangements their role in

terms of the substance of the larger part of the statutory guidance has not in terms of the key responsibilities for child protection. There remains the need to be able to step away from this in terms of the requirements of the arrangements.

At this point developments are likely to benefit from close monitoring, degrees of challenges including an independent perspective, in order to realise the potential and opportunity to develop and maintain a meaningful and effective perspective on being assured that children and young people are protected and that their welfare is promoted.

4. Background Information

The following documents have been used in the compilation of this report:
North Tyneside Safeguarding Children Partnership (NTSCP) published plan, June 2019.

Appendices

A. The case of Child A

Child A died at the age of 3 weeks on 6 October 2019. He had been stabbed several times by his father and sadly died of his injuries. Father also stabbed Child A's mother during the same incident and she has physically recovered from her injuries. Father pleaded guilty to his sons murder and has subsequently been convicted.

Following Child A's death a Rapid Review meeting was held in line with the new statutory requirements. On the basis of the information shared, the Rapid Review Panel unanimously agreed that the criteria for a local case safeguarding practice review (LCSPR) were not met and that no other type of review was required other than the statutory Child Death Review (which has commenced and is ongoing), as there was no significant learning identified and no concerns with regard to agencies and practitioners working together or sharing information.

The family were not known to Children's Social Care, the police, probation or mental health services. The information shared indicates that the family received care and support from Midwifery, Health visiting and GP services, there was no significant learning identified and information was shared appropriately.

The decision not to undertake a Review was endorsed by the three statutory Safeguarding Partners.

The National Panel has agreed with the decision not to commission a local child safeguarding practice review (LCSPR). However, they have asked the Partners to consider whether there is any learning to be gained through the mother's experience of this tragic incident. The Panels correspondence has been discussed with the Case Review Team who considers cases on behalf of the three Partners who have recommended there is no learning to be gained. The Panels response will also be considered by the Child Death Review Panel as part of their review of the death of AS.