

REF AILC/LET/V4/DA/FG

DATE 21<sup>st</sup> December 2016.

**VIA EMAIL**

Dear,

The Children and Social Work Bill enters Committee stage this week and the Association of Independent LSCB Chairs is concerned that the current proposals for local safeguarding arrangements are a backward step from the comprehensive obligations and accountability established for over ten years through Local Safeguarding Children Boards.

These Boards were created in the wake of failures of agencies to work together effectively, to share and use information and to provide a timely and joined-up responses to the needs of our most vulnerable children and young people. At a time of increasing levels of referrals, of newly recognised challenges of sexual abuse and exploitation, rising awareness of neglect, and when some families struggle to provide consistent and caring parenting, now is not the time to dismantle the obligations that require all partner agencies to work together with common purpose to safeguard children and young people.

The proposals for new local safeguarding arrangements have not received anything like the same degree of scrutiny as other aspects of the Bill, and yet will fundamentally alter the basis of multi-agency arrangements, and will bring in radical changes to Serious Case Reviews, CDOP and LSCBs.

Barely a year after making Adult Safeguarding Boards statutory, the Bill will abolish LSCBs and undermine the requirements for all partners to work together, and for independent scrutiny and challenge to hold partners to account.

We will be preparing a full briefing for you and your colleagues as the Committee stage continues, but as the newly elected Chair of AILC, I wanted to raise these concerns with you at the earliest opportunity.

There has been much debate already on the social work regulation and reform aspects of the Bill - to which the Government has helpfully responded with changes.

The proposals for exemption from legislation and guidance have now been clarified by Edward Timpson, following the House of Lords vote, as aimed at promoting genuine innovation and flexibility rather than what many perceived as a push toward privatisation.

T 07880 209 788

E [info@lscbchairs.org.uk](mailto:info@lscbchairs.org.uk)

[www.lscbchairs.org.uk](http://www.lscbchairs.org.uk)

Company registration number: 08165613

Independent chairs welcome new models of working - and the example of Boards such as Doncaster, show that it is all the more important in a landscape of new arrangements, for a strong independent scrutiny function to hold local councils and partners, and new providers, trusts or social enterprises, to account in the interests of children and young people.

While we recognise there is a need to overhaul, streamline and improve safeguarding arrangements, we do not accept the argument that the current system is broken or fails to protect children. In particular we are stressing three key risks of the Bill's proposals:

1. Local safeguarding arrangements must involve all partners on an equal footing, not just the Local Authority, Police and Health. Neither the local authority nor 'health' are a single entity where responsibility for safeguarding sits in a single place or with a single senior officer, professional or elected member. All these agencies and leaders have other duties and obligations, so safeguarding will lose the primacy of focus enshrined in the LSCB, in favour of a brokerage between three powerful agencies who may not share the same goals or policy objectives. Schools, housing agencies, health providers and the community and voluntary sector, criminal justice agencies, and others, are as fundamental to effective safeguarding practice and the protection of children as the three prime agencies named in the Bill.
2. There must be a strong element of independent challenge and scrutiny, built into the new arrangements, which can champion the rights and interest of children in the face of competing agency priorities. This is not set out in the Bill, and it is not sufficient to assume that the three prime partners will share common objectives for safeguarding, or for children's well-being.
3. The expertise, knowledge, skills and funding that ensure local safeguarding arrangements are effective must be sustained and the duty on all partners to contribute and cooperate to multi-agency working at both strategic and operational levels must be maintained. The Bill does not make these essential requirements clear. Local safeguarding arrangements must scrutinise and challenge new models of working; and we must rise to the challenge of doing this with rigour and impact.

The Association will be submitting its views to MPs over the next few weeks, and working with other national stakeholders, to ensure that the Bill does not weaken the fundamentals of strong multi-agency working: obligations on all partners; independent scrutiny and challenge; adequate authority and resource to fulfil the functions required.

We are not defending LSCBs as the default structure for local arrangements, but we are determined to point out how the current Bill undermines the core principles of effective multi-agency safeguarding, and will weaken the capacity of local partners to work together to protect children. We believe there is a strong research and evidence base for these arguments, based on the tragic cases that have prompted previous reforms (from Colwell to Climbie; CSE cases including Rotherham; Baby Peter and Daniel Pelka); the learning from other SCRs, audits and inspection; AILC's own surveys and the views of partner agencies and professionals working together. We do not believe the Wood Review reflected this evidence fully.

The Association has set out a set of key propositions which we believe offer the flexibility to develop new models of both service delivery and scrutiny and challenge, but which sustain the core elements that were the rationale for creating LSCBs. These are attached to this letter.

We would urge you to question whether the provisions of the Bill meet these core elements.

We do not believe that delivering these propositions necessarily involves a bureaucratic Board structure of massive meetings and many sub-groups, but there is ample evidence that robust challenge and scrutiny does deliver better outcomes for children. It is not the Board as a structure that is essential, but the functions of co-ordination and challenge that the best Boards demonstrate in their work. There are practical ways in which the burden on partners covering multiple board areas can be streamlined and reduced.

We recognise that not all LSCBs have been as effective as they should have been. However, Ofsted rate only 17% as inadequate, and LSCBs perform better than local authorities in terms of Ofsted grades.

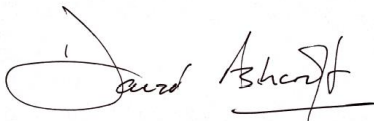
Many Ofsted reports comment on the vital importance of including a wide range of partners to tackle the challenges of child sexual exploitation, neglect and abuse. We recently surveyed local partners on their view of multi-agency safeguarding arrangements and of 348 replies, 94.7% said there was a need for an independent role within any strategic multi-agency arrangements.

Just when co-operation and joint work is developing between adults and children's Boards so that we can respond better to families, and protect both children and adults at risk because of domestic violence, neglect, mental health issues, the proposals in the Bill will make this efficient and joined up response more difficult.

We will send you our fuller briefing within the next few days, setting out evidence for our arguments. As an Association, we are committed to working with the Department for Education and others to help develop regulations and guidance that will underpin the primary legislation, and which are based on the experience and effectiveness that Boards and Chairs have demonstrated in the interest of safeguarding children and young people over the past ten years.

With best wishes,

Yours sincerely,

A handwritten signature in black ink, appearing to read 'David Ashcroft', written over a light grey rectangular background.

**David Ashcroft,  
AILC Chair.**

## **Effective Local Safeguarding Arrangements – Key Propositions**

---

***Strong, effective multi-agency safeguarding arrangements do not just happen; they demand an active commitment to collaboration and common purpose. This can be in tension with other organisational and policy objectives: agencies have different authorising environments, but must share a common purpose for their joint safeguarding work.***

***Effective protection of children and the promotion of their well-being can only be secured through working together.***

***Therefore, safeguarding arrangements for children and young people have to be built, sustained, tested and continuously improved.***

***Safeguarding arrangements and practice must:***

- Champion the interests and rights of children and young people;
- Provide the independent challenge and leadership that is essential to ensure the best outcomes for children amidst competing priorities;
- Involve all partners, not just police, health and the local authority, with sanctions and a clear duty to co-operate;
- Scrutinise and improve practice - using a range of approaches and meaningful measures (e.g. Section 11, audits, data, case reviews, feedback from children, families and practitioners and Annual Reports) to provide accountable oversight and feedback on performance and outcomes;
- Learn from experience and evidence of what works well – creating workable strategic arrangements that fit form to function and are proportionate, efficient, effective and adequately resourced;
- Meet the leadership challenge of harnessing multiple partners to achieve common goals