

DRAFT PROTOCOL IN SUPPORT OF THE RELATIONSHIP BETWEEN THE LEICESTERSHIRE HEALTH AND WELLBEING BOARD, THE LEICESTERSHIRE AND RUTLAND LOCAL SAFEGUARDING CHILDREN BOARD (LSCB) AND THE LEICESTERSHIRE AND RUTLAND SAFEGUARDING ADULTS BOARD (SAB)

The Leicestershire Health and Wellbeing Board has agreed that a protocol should be drafted setting out the proposed relationship between itself and the Children and Adult Safeguarding Boards operating across Leicestershire and Rutland. This paper sets out a proposed framework and protocol within which we will secure effective joint-working between the three Boards. It also refers to the relationship between the safeguarding boards and other partnership forums in Leicestershire.

This protocol sets out the distinct roles and responsibilities of the Boards, the inter-relationships between them in terms of safeguarding and wellbeing and the means by which we will secure effective co-ordination and coherence between the Boards.

The Purpose of Health and Wellbeing Boards

Health and Wellbeing Boards were established by the Health and Social Care Act 2012. They are intended to be a forum where key leaders from the health and care system work together to improve the health and wellbeing of their local population and reduce health inequalities.

Each top tier and unitary authority must have its own Health and Wellbeing Board. Board members are expected to collaborate to understand their local community's needs, agree priorities and encourage commissioners to work in a more joined up way. As a result, patients and the public should experience more joined-up services from the NHS and local councils in the future.

What they do?

- Health and Wellbeing Boards have strategic influence over commissioning decisions across health, public health and social care through the development of a Joint Health and Wellbeing Strategy.
- Boards are intended to strengthen democratic legitimacy by involving democratically elected representatives and patient (Healthwatch) representatives in commissioning decisions alongside commissioners across health and social care. The boards also provide a forum for challenge and discussion.
- Boards bring together clinical commissioning groups and councils to develop a shared understanding of the health and wellbeing needs of the community. They undertake a Joint Strategic Needs Assessment (JSNA) and develop a Joint Health and Wellbeing Strategy for how these needs can best be addressed in a co-ordinated, planned and measurable way.
- Through undertaking the JSNA, the board will drive local commissioning of health care, social care and public health and create a more effective and responsive local health and care system. Other services that impact on health and wellbeing such as housing and education provision can also be addressed.

For the terms of reference for the Leicestershire Health and Wellbeing Board, please visit www.leics.gov.uk/healthwellbeingboard.

The Purpose of Safeguarding Boards

Leicestershire and Rutland Local Safeguarding Children Board (LSCB)

The key objectives of the LSCB are compliant with those set out in 'Working Together to Safeguard Children 2013':

- To co-ordinate local work to safeguard and promote the well-being of children;
- To ensure the effectiveness of that work.

Safeguarding and promoting the welfare of children is 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
- Taking action to enable all children to have the best outcomes.

A key objective in undertaking these roles is to enable children to have optimum life chances and enter adulthood successfully.

The role of the LSCB is to scrutinise and challenge the work of agencies both individually and collectively. The LSCB is not operationally responsible for managers and staff in constituent agencies.

Leicestershire and Rutland Safeguarding Adults Boards (SAB)

Safeguarding Adult Boards are not currently statutory bodies but this is likely to change with the passage of the forthcoming Care Bill. Currently Boards operate within the framework promoted by 'No Secrets' which was published by the Department for Health and the Home Office in March 2000 and by 'Safeguarding Adults' which was published by the then Association of Directors of Social Services in October 2005.

The focus of the work of Safeguarding Adults Boards is 'vulnerable' adults. The forms of abuse which the Board aims to prevent and address are: physical abuse, sexual abuse, psychological abuse, financial or material abuse, neglect or acts of omission, discriminatory abuse.

The role of the SAB is to ensure effective safeguarding arrangements are in place in both the commissioning and provision of services to vulnerable adults by individual agencies and to ensure the effective interagency working in this respect.

The SAB has identified agreed objectives and priorities for its work which include clear policy, procedural and practice arrangements, mechanisms to secure coordination of activities between agencies, the provision of training and workforce development in support of safeguarding and quality assurance and performance

management arrangements to test the effectiveness of safeguarding and the impact of the Board.

Role of the Director of Children and Young People's Service and the Lead Member for Children and Young People's Service and the Chief Executive Officer

The Director of Children and Young People's Service (DCS), under Section 18 of the Children Act 2004, has responsibility for ensuring that a local authority meets its specific duties to organise and plan services and to safeguard and promote the welfare of children. The DCS and Lead Member should ensure that there are clear and effective arrangements to protect children and young people from harm. The DCS should always be a member of the LSCB and the Lead Member should be a 'participating observer' of the LSCB.

It is the responsibility of the Chief Executive to appoint or remove the LSCB chair with the agreement of a panel including LSCB partners and lay members. The Chief Executive, drawing on other LSCB partners and, where appropriate, the Lead Member will hold the Chair to account for the effective working of the LSCB.

The need for effective communication and engagement between the Boards.

Safeguarding is everyone's business. As such, all key strategic plans whether they be formulated by individual agencies or by partnership forums should include safeguarding as a cross-cutting theme to ensure that existing strategies and service delivery as well as emerging plans for change and improvement include effective safeguarding arrangements that ensure that all people of Leicestershire are safe and their well-being is protected. The two safeguarding boards have a responsibility to scrutinise and challenge these arrangements.

The Health and Wellbeing Strategy will become a key commissioning strategy for the delivery of services to children and adults across Leicestershire and so it is critical that in drawing up, delivering and evaluating the strategy there is effective interchange between the Leicestershire Health and Wellbeing Board and the two safeguarding boards.

Specifically there need to be formal interfaces between the Health and Wellbeing Board and the Safeguarding Boards at key points including:

- The needs analyses that drive the formulation of the annual Health and Wellbeing Strategy and the Safeguarding Boards' Business Plans. This needs to be reciprocal in nature ensuring both that safeguarding boards' needs analyses are fed into the JSNA and that the outcomes of the JSNA are fed back into safeguarding boards' planning;
- Ensuring each Board is regularly updated on progress made in the implementation of the Health and Wellbeing Strategy and the individual Board Business Plans in a context of mutual scrutiny and challenge;
- Annually reporting evaluations of performance on Plans again to provide the opportunity for reciprocal scrutiny and challenge and to enable Boards to feed any improvement and development needs into the planning process for future years' strategies and plans.

Whilst currently there is no statutory requirement to secure a formal relationship between the Health and Wellbeing Board and the Safeguarding Boards there is guidance steering in this direction that may become a requirement.

Whilst 'Working Together 2013' did not formalise the relationship between the Health and Wellbeing Board and the Local Safeguarding Children Board as had been anticipated there is an expectation that the LSCB's annual report should be submitted to the Chair of the Health and Well-Being Board and of cross-Board engagement in relation to the JSNA. It is possible that guidance in relation to Safeguarding Adult Boards will be included when they are put on a statutory footing. The opportunities presented by a formal working relationship between the Leicestershire Health and Wellbeing Board and the Leicestershire and Rutland LSCB and SAB can, therefore be summarised as follows:

- Securing an integrated approach to the JSNA, ensuring comprehensive safeguarding data analysis in the JSNA, in line with Working Together guidance
- Aligning the work of the LSCB Business Plan and SAB Strategic Plan with the Joint Health and Wellbeing Strategy and related priority setting
- Ensuring safeguarding is "everyone's business", reflected in the public health agenda and related determinant of health policies and strategies.
- Evaluating the impact of the Joint Health and Wellbeing Strategy on safeguarding outcomes, and of safeguarding on wider determinants of health outcomes
- Identifying coordinated approach to performance management, transformational change and commissioning
- Cross Board scrutiny and challenge and "holding to account": the Wellbeing Board for embedding safeguarding, and the Safeguarding Boards for overall performance and contribution to the Joint Health and Wellbeing Strategy.

Arrangements to secure co-ordination between the Boards.

In order to secure the opportunities identified above it is proposed that the following arrangements would be put in place to ensure effective co-ordination and coherence in the work of the three Boards.

1. Between September and November each year the Independent Chair of the two Safeguarding Boards would present to the Leicestershire Health and Wellbeing Board their Annual Reports outlining performance against Business Plan objectives in the previous financial year. This would be supplemented by a position statement on the Boards' performance in the current financial year. This would provide the opportunity for the Health and Wellbeing Board to scrutinise and challenge the performance of the Boards, to draw across data to be included in the JSNA and to reflect on key issues that may need to be incorporated in the refresh of the Leicestershire Health and Wellbeing Strategy.

2. Between October and February the Leicestershire Health and Wellbeing Board to present to the safeguarding boards the review of the Health and Wellbeing Strategy, the refreshed JSNA and the proposed priorities and objectives for the refreshed Health and Wellbeing Strategy to enable the safeguarding boards to scrutinise and challenge performance of the Leicestershire Health and Wellbeing Board and to ensure that their refreshed Business Plans appropriately reflect relevant priorities set in the refreshed Health and Wellbeing Commissioning Strategy.
3. In April/May the Boards will share their refreshed Plans for the coming financial year to ensure co-ordination and coherence.

Relationships between the Safeguarding Boards and other partnership forums reporting to the Health and Well-Being Board.

The Leicestershire Health and Wellbeing Board forms part of the Leicestershire Local Strategic Partnership arrangements (Leicestershire Together). There are five other partnership boards which are responsible for leading on the delivery of the Leicestershire Together Strategy, all of which are represented on the Leicestershire Together Board (political) and Executive (senior officer):-

- Supporting Leicestershire Families Board
- Safer Communities Board
- Children's and Young People's Commissioning Board
- Environment Board
- Local Enterprise Partnership.

Supporting these five Boards are a number of supporting and cross-cutting partnerships, for example the Rural Partnership and Housing Services Partnership.

The Leicestershire Health and Wellbeing Board is also a statutory committee of Leicestershire County Council. It has a substructure to lead on delivering the key strategic work strands to ensure we meet the health and wellbeing needs of the local population, key subgroups of the Board are:

- Staying Healthy Board,
- Integrated Commissioning Board,
- Substance Misuse Board,
- JSNA and Joint Health and Wellbeing Strategy Steering Board,
- Health Protection Board.

At present there is a formal protocol between the LSCB and the Children and Young People's Commissioning Board. There is no requirement for such a relationship in the proposed revised version of 'Working Together' since Children's Trusts are no longer a statutory requirement, but both Boards are agreed that a shared protocol is good practice and should be retained.

In the context of our aim to ensure that 'Safeguarding is Everyone's Business' it is intended that there should be effective co-ordination and coherence in relation to

safeguarding and well-being between the two safeguarding boards and the key strategic partnership forums leading on the strands listed above. This will be achieved in part by the arrangements set out above but it is also critical that there are processes in place to ensure effective cross-working, scrutiny and challenge between the safeguarding boards and other partnership forums. This will be achieved in two ways:

- Formally sharing annual plans during the formulation stages to enable co-ordination and coherence where there are business overlaps;
- Where appropriate to ensure that there is cross-Board representation to secure on-going communication. This already exists for some groups.

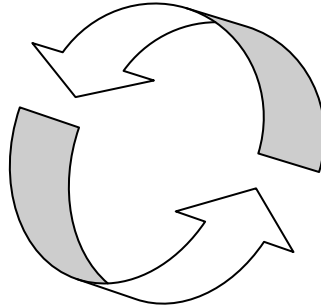
The role of the LSCB and SAB in relation to the Health and Wellbeing Board is one of equal partners underpinned by this protocol.

The role of Leicestershire County Council Scrutiny Panels, to scrutinise performance of safeguarding boards and to be consulted on for policy changes and related service design and commissioning intentions, will remain unchanged, as will the governance committee of partner agencies to oversee and monitor respective agency contribution and performance to prevent and protect.

The diagram below is intended to summarise the relationships set out in this protocol.

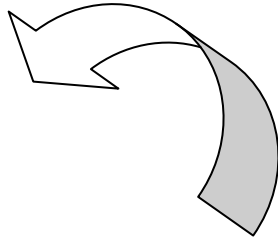
**LEICESTERSHIRE HEALTH
AND WELLBEING BOARD**

Strategic vision, direction,
objectives and outcome
setting and oversight.



**LEICESTERSHIRE CHILDREN
AND YOUNG PEOPLE'S
COMMISSIONING BOARD,
SAFER COMMUNIT IES BOARD
AND OTHER PARTNERSHIP
FORUMS**

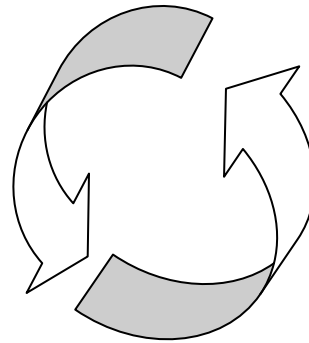
Delivery of strategic objectives,
localised monitoring of
outcomes.



LSCB & SAB

Oversight of
practice and
protection
outcomes:

Scrutiny, challenge
and monitoring.



**Chairman of the
Health and Wellbeing Board**

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DATE/...../2013.....

**Chairman of the
Local Safeguarding Children
Board and Safeguarding
Adults Board**

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