



Bristol Safeguarding  
Children Board

making safeguarding everybody's business

**BSCB  
Constitution  
and terms of  
reference**

April 25

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This constitution and terms of reference were agreed by BSCB on Wednesday 23 April 2014. They will be due for review in 2016.

## Establishment and Title

- 1.1 The Local Safeguarding Children Board for Bristol will be established by the local Children's Services Authority (i.e. Bristol City Council) in accordance with the provisions of The Children Act 2004 section 13<sup>1</sup>.
- 1.2 The Local Safeguarding Children Board for Bristol will be known as the Bristol Safeguarding Children Board (BSCB).
- 1.3 BSCB is accountable to its member agencies, which in turn are jointly responsible for the BSCB's policies, procedures and actions.

## Objectives

- 2.1 The core objectives of the BSCB are set out in section 14(1)<sup>2</sup> of the Children Act 2004 as follows:
  - To co-ordinate what is done by each person or body represented on the Board for the purposes of safeguarding and promoting the welfare of children in Bristol.
  - To ensure the effectiveness of what is done by each such person or body for that purpose.
- 2.2 Safeguarding and promoting the welfare of children include the protection of children from harm. Ensuring that work to protect children is properly co-ordinated and effective remains a key goal of the BSCB. When this core business is secure the BSCB should go beyond it to work to its wider remit, which includes preventative work to avoid harm being suffered in the first place.

## Core responsibilities

- 3.1 To develop policies and procedures for safeguarding and promoting the welfare of children in Bristol<sup>3</sup>, in line with the multi-agency guidance '*Working Together to Safeguard Children*' (2013).
- 3.2. This includes policies and procedures in relation to:
  - Action to be taken when there are concerns about a child's safety or welfare, including thresholds for intervention;
  - Training of persons who work with children or in services affecting the safety and welfare of children;

<sup>1</sup> <http://www.legislation.gov.uk/ukpga/2004/31/section/13>

<sup>2</sup> <http://www.legislation.gov.uk/ukpga/2004/31/section/14>

<sup>3</sup> S.1 (a) Regulation 5 of the Local Safeguarding Children Board regulations under S.14 Children Act 2004.

- Recruitment and supervision of persons who work with children;
  - Investigating allegations concerning persons working with children;
  - The safety and welfare of children who are privately fostered;
  - Co-operation with neighbouring children's services authorities and their LSCB partners
- 3.3 To communicate to persons and bodies in Bristol 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.
- 3.4 To monitor and evaluate the effectiveness of what is done by Bristol City Council and board partners individually and collectively to safeguard and promote the welfare of children and advise them on ways to improve.
- 3.5 To participate in the local planning and commissioning of children's services to ensure that they take safeguarding and promoting the welfare of children into account.
- 3.6 To establish and implement Child Death Review Procedures<sup>4</sup>, to include representation on the West of England Child Death Overview Panel.
- 3.7 To undertake Serious Case Reviews<sup>5</sup> where abuse or neglect of a child is known or suspected and either a child has died (including Suicide); or a child has been seriously harmed and there is cause for concern as to the way in which the authority, their Board partners or other relevant persons have worked together to safeguard the child. To establish a Serious Case review Sub-Group to exercise the responsibilities of the board in relation to *Working Together to Safeguard Children, 2013*.
- 3.8 The BSCB may also engage in any other activity that facilitates, or is conducive to, the achievement of its objective<sup>6</sup>.

## Governance and Scrutiny

- 4.1 BSCB is an independent of any other local agency or authority and is not subsumed or subordinate within any local structures.

## Independent Chair

- 4.2 BSCB will have an independent chair appointed for a term of no more than 3 years. Appointment is made by the Chief Executive of the Local Authority (City Director of Bristol City Council).

<sup>4</sup> Regulation 6 of the Local Safeguarding Children Board regulations under S.14 Children Act 2004 and Chapter 4 Working Together to Safeguard Children 2013

<sup>5</sup> Regulation 5 (2) of the Local Safeguarding Children Board regulations under S.14 Children Act 2004.

<sup>6</sup> Regulation 5 (3) of the Local Safeguarding Children Board regulations under S.14 Children Act 2004.

- 4.3 Appointment of the independent chair will be approved by a BSCB Panel that must include Partner agency representation and include at least 1 lay member.
- 4.4 The Independent Chair is accountable to the Chief Executive (City Director of Bristol City Council) and should be held to account for the effective working of the BSCB.
- 4.5 The independent chair can be removed from post by the Chief Executive with the agreement of a BSCB Panel include Partner agency representation and at least 1 lay member.
- 4.6 The Independent Chair will work closely with all partner agencies and particularly the Director of Children's Services to ensure that there are effective arrangements for safeguarding and promoting the welfare of all children in Bristol.
- 4.7 The Independent Chair will publish an annual report on the effectiveness of safeguarding and promoting the welfare of children within Bristol, covering the previous financial year and be submitted to:
  - The Chief Executive (City Director of Bristol City Council)
  - The Leader of the Council – Mayor of Bristol
  - The Police and Crime Commissioner for Avon & Somerset, and;
  - The chair of the Health and Wellbeing Board.
- 4.8 The work of the BSCB contributes to the wider goals of improving the wellbeing of all children. Its role is to ensure the effectiveness of the arrangements made by individual agencies and the wider partnership to safeguard and promote the welfare of children.
- 4.9 The BSCB will contribute to, and work within, the framework established by the Children and Young People's Plan. BSCB planning should be part of or fit clearly within the framework of the priorities and actions set out in the Children and Young People's Plan.
- 4.10 The Chair of the BSCB will provide twice yearly reports on the BSCB activity to elected members via the Children's Scrutiny Commission.
- 4.11 The BSCB Annual Report and Business Plan will be made widely available and published on the internet at [www.bristol.gov.uk/safeguardingchildren](http://www.bristol.gov.uk/safeguardingchildren) each year.

## Membership

- 5.1 The BSCB will be composed of senior representatives nominated by each of the member agencies. As far as possible organisations will designate named people as their BSCB member so that there is consistency and continuity in the membership of the BSCB.

- 5.2 Members will be representatives of their organisation who have a strategic role in relation to safeguarding and promoting welfare of children within their organisation. They will be able to:
- speak for their organisation with authority,
  - commit their organisation on policy and practice matters and
  - hold their organisation to account.
- 5.3 Each agency represented on the BSCB will be responsible for disseminating information between the BSCB and the agency, and for identifying any necessary actions.
- 5.4 If a member of the BSCB is unable to attend any meeting, they shall be responsible for appointing an appropriate substitute. Should a member fail to attend 2 consecutive board meetings, without apologies being given and a substitute appointed, their agency will be written to by the BSCB Chair and asked to provide an explanation and consider whether to appoint a new member to the board.
- 5.5 Individual members of BSCB have a duty as members to contribute to the effective work of BSCB by maintaining objectivity in their role. This should take precedence, if necessary, over their role, as a representative of their organisation.
- 5.6 A quorum of BSCB will be constituted by seven members, always including either the Chair or Vice-Chair.
- 5.7 Representation on the BSCB will be from the following organisations:-
- Bristol City Council People Directorate:
    - Children & Family Services;
    - Education;
    - Adult Social Care;
    - Neighbourhood Services and Housing
    - Public Health
  - Principal Children and Family Social Worker;
  - Bristol Clinical Commissioning Group (CCG);
    - Designated doctor (CCG);
    - Designated nurse (CCG);
  - NHS England;
  - University Hospitals Bristol NHS foundation Trust, and
  - North Bristol NHS Trust;
  - Avon and Wiltshire Partnership Mental Health NHS Trust;

- Police – Avon and Somerset Constabulary;
- Safer Bristol/ Youth Offending Team;
- Avon and Somerset Probation Trust
- Learning Partnership West;
- CAF/CASS (Child and Family Courts Advisory and Support Service);
- VAAWG;
- Barnardos;
- NSPCC;
- Named Voluntary Sector Representatives;
- Two Lay members<sup>7</sup>
- Bristol City Council Assistant Mayor: Children, Young People and Education

5.8 In addition to the above, the BSCB will take action to secure commitment from and maintain links with:

- The Coroner
- The Prison Service
- The Crown Prosecution Service
- The Judiciary
- Education establishments not maintained by the local authorities
- Further Education Colleges including 6<sup>th</sup> form Colleges
- Faith groups
- Bodies providing specialist care to children with severe disabilities and complex needs
- The wider City Council
- Representatives of service users
- Representatives of foster carers
- Voluntary and Community Sector organisations providing services to children and families including those that specifically works with black and other ethnic minorities.

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<sup>7</sup> The Apprenticeships, Skills, Children and Learning Act 2009 amends sections 13 and 14 of the Children Act 2004 (c.31) and provides for the appointment of two representatives of the local community to each LSCB in England.

## Appointment of Vice-Chair

6.3 The Vice-Chair will be nominated by the BSCB. The Vice-Chair will be appointed for a period of two years, after which time the BSCB will seek alternative nominations from within the membership.

## Secretariat

7.1 The nominated administrator from Children and Young Peoples Services will be responsible for the preparation of the agenda and the servicing of the BSCB.

## Legal Advice

8.1 Bristol City Council Legal Services will provide legal advice to the BSCB unless to do so would constitute a conflict of interest wherein either an member agency will provide the necessary legal expertise or independent legal advise will be instructed.

## Financial Provisions

9.1 The BSCB will be supported by its member organisations with adequate and reliable resources in order to deliver the work outlined within the in the BSCB Business Plan and Learning and Improvement framework as well as the operation of relevant sub groups and task groups as required. All member organisations have an obligation to provide BSCB with reliable resources (including Finance) that will enable the BSCB to be strong and effective. Statutory Board partners (the Local Authority, Health Services, the Police, LPW and CAFCASS) will contribute financially to the BSCB budget. Other member organisations will contribute resources to the BSCB.

9.2 The member organisations share responsibility for determining the level of contributions required from each agency and the discharge of those resources. The Board will review contributions required from relevant statutory board partners every 12 months to ensure that financial responsibilities are not disproportionately held by a small number of agencies, any changes to agency contributions are to be agreed no later than October each year.

9.3 Funding from individual organisations will be committed in advanced into a pooled budget. Members will endeavour to give 12 months' notice of intent to withdraw funding from the BSCB.

9.4 The budget will be administered by the local authority, Bristol City Council. The pooled budget will be sufficient to:



- drive forward the day to day business of the BSCB including the monitoring and evaluation of its work;
- take forward staff training and development;
- provide administrative and organisation support for the BSCB and its sub-committees, and those involved in policy and training.

### Information management

- 10.1 All members of the BSCB will provide management and statistical information about their agencies activities in relation to safeguarding children work.
- 10.2 The provision of management and statistical information will be reviewed on an annual basis by the performance sub group.

### Business Planning

- 11.1 The BSCB will arrange the production of an Annual Business Plan which will be approved by the Board each year This plan should reflect the strategic priorities agreed alongside the Shadow Children & Young Peoples Safeguarding Board.
- 11.2 The Annual Business Plan will set out a work programme for the forthcoming year, and will include measurable objectives, relevant management information on Child Protection Activity in the course of the previous year, and progress against objectives of the previous year. There will be a regular half-yearly progress report to review the Business Plan.
- 11.3 The Annual Business Plan will be made available to each member agency, relevant inspectorates, the Regional Office of the NHS England and the wider community.

### BSCB Sub-Groups

- 12.1 In addition to the main BSCB there will be the following sub-groups:-
- The BSCB Executive (six meetings a year) to drive forward the business of the BSCB;
  - The BSCB Training and Development Sub- Committee (six meetings a year) to oversee multi-agency child protection training and the annual safeguarding conference.

- The BSCB Quality Sub-Committee (four meetings a year) to fulfil BSCB responsibility to undertake themed audit and evaluation of multi-agency safeguarding activity.
  - The BSBC Performance Sub-Committee (four meetings a year).
  - The BSCB Serious Case Review Sub-committee (4 meetings a year) to ensure that the Board and partner agencies exercises their duties in relation to serious case reviews.
  - The BSCB Education Sub-Committee (4 meetings a year)
  - The E-safety Sub-group (4 meetings a year)
  - The Child Sexual Exploitation Sub-group (4 meetings a year)
- 12.2 The BSCB may establish additional sub-committees and short life working groups as the need arises and as agreed by the Board.
- 12.3 Membership and chairing arrangements for the BSCB sub-committees will be agreed by the BCSB and will reflect the agencies represented on the BCSB and the needs of each sub-committee.

### Performance monitoring

- 13.1 Where it is found that a Board partner is not performing effectively in safeguarding and promoting the welfare of children, and the BSCB is not convinced that any planning action to improve performance will be adequate, the BSCB Chair or a member or employee designated by the Chair should explain these concerns to those individuals and organisations that need to be aware of the failing and may be able to take action. For example to the most senior individuals in the partner organisation, to the relevant inspectorate, and, if necessary, to the relevant Government Department.
- 13.2 The BSCB will monitor its own performance by determining whether the key objectives of the Annual Business Plan have been met through the half yearly and end of year reviews of the plan. The effectiveness of the BSCB will also form part of the judgement of regular inspections undertaken by OFSTED/CQC into safeguarding arrangements.
- 13.3 It will be for the Local Authority to lead in taking action, if intervention in the BSCB's own processes is necessary.