



## **DUDLEY LOCAL SAFEGUARDING CHILDREN BOARD CONSTITUTION**

## Contents

1	Introduction	3
2	Key Legislation & Guidance	3
3	The Role of the DSCB	5
4	Partnership Governance and Accountability	6
5	DSCB Chairing Arrangements	7
6	DSCB Structure	8
7	DSCB Board Membership	10
8	Attendance	13
9	DSCB Board Meetings	13
10	DSCB Board Members Responsibility	14
11	Responsibilities of the Member Organisations	15
12	DSCB Sub Groups	15
13	Lay Members	16
14	Data Protection, Confidentiality and Freedom of Information	17
15	Finance and Staffing	17
16	Complaints	18
17	Review of the Constitution of the DSCB	18
	Appendices	18
	1. Protocol between DSCB and other local strategic partnerships	
	2. DSCB relationship with other partnership boards	
	3. DSCB Structure Chart	
	4. Sub group terms of reference	
	5. DSCB membership agreement	
	6. Confidentiality guidance and agreement	

## Version Control

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## 1. Introduction

- 1.1 The Dudley Safeguarding Children Board (DSCB) was established by Dudley Council (the Local Authority) under Section 13 of the Children Act 2004 in its capacity as the Children's Services Authority for Dudley.
- 1.2 The DSCB is a statutory body that agrees how local organisations will co-operate in keeping children safe and ensures the effectiveness of what they do.
- 1.3 Following the Children Act 1989, a child is 'anyone who has not yet reached their 18th birthday' although the DSCB recognises the importance issue of 'transitions' in its work.
- 1.4 Section 10 of the Children Act 2004 places a duty to co-operate in order to improve the well-being of children in the area of the local authority on the local authority and its partners. The organisations that are statutory partners of the DSCB are set out in S.13(3) of the Act. Their statutory obligation includes co-operation in the establishment and operation of DSCB.

## 2. Key Legislation and Guidance

### 2.1 Children Act 2004: Section 14

The core objectives of DSCB are set out in S.14(1) of the Children Act 2004 as follows:

- 2.1.1 To co-ordinate what is undertaken by each person or body represented on the DSCB for the purposes of safeguarding and promoting the welfare of children in the area of the Authority; and
- 2.1.2 To ensure the effectiveness of what is undertaken by each person or body for that purpose.

### 2.2 Local Safeguarding Children Boards Regulations 2006: Regulation 5

The functions of DSCB, in relation to the above objectives are set out below.

- 2.2.1 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:
  - i. the action to be taken where there are concerns about a child's safety or welfare, including thresholds for intervention;
  - ii. training of persons who work with children or in services affecting the safety and welfare of children;
  - iii. recruitment and supervision of persons who work with children;
  - iv. investigation of allegations concerning persons who work with children
  - v. safety and welfare of children who are privately fostered;
  - vi. co-operation with neighbouring children's services authorities and their Board partners.
- 2.2.2 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.

- 2.2.3 Monitoring and evaluating the effectiveness of what is done by the authority and their Board partners individually and collectively to safeguard and promote the welfare of children and advising them on ways to improve;
- 2.2.4 Participating in the planning of services for children in the area of the authority;
- 2.2.5 Undertaking reviews of serious cases and advising the authority and their Board partners on lessons to be learned.
- 2.2.6 Collecting and analysing information about each death with a view to identifying:
  - i. any case giving rise to the need for a Serious Case Review;
  - ii. any matters of concern affecting the safety and welfare of children in the area of the authority; and
  - iii. any wider public health or safety concerns arising from a particular death or from a pattern of deaths in that area; and
- 2.2.7 Putting 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

### 2.3 Working Together to Safeguard Children 2015: Chapters 3-5

Sets out the additional expectations for the work of DSCB and including:

- i. The need to have an Independent Chair, who is accountable to the Chief Executive of Dudley Council.
- ii. The publication of an Annual Report on the effectiveness of child safeguarding and promoting the welfare of children in the local area;
- iii. Monitoring and evaluating the effectiveness of training, including multi-agency training.
- iv. The management of a Learning and Improvement Framework which applies to all partner agencies.
- v. Assessing the effectiveness of the Board Partner's response to Child Sexual Exploitation.
- vi. Assessing the effectiveness of the early help offer.

### 2.4 Additional Relevant Legislation

- 2.4.1 DSCB adopts the key principles of the United Nations Convention on the Rights of the Child, which in general terms provides that all children without exception or discrimination have a right:
  - i. to life through meeting the most basic needs, including food, shelter and access to health care;
  - ii. to be able to reach their fullest potential;
  - iii. to be safeguarded against all forms of abuse, neglect and exploitation;
  - iv. to have free expression, which allows their views to be taken into account in all matters affecting them; and

- v. the child's wellbeing and safety are the primary consideration in all actions concerning the child

2.4.2 DSCB and its members are required to ensure that any actions taken by or on behalf of the Board comply with the provisions of the Human Rights Act, 1998.

### 3. The Role of DSCB

3.1 DSCB has agreed the following Vision, Mission and Values which underpin our work as a multi-agency Board.

The **Vision** of DSCB is that children and young people in Dudley grow up in an environment in which their needs are met and they are safe from harm.

Our **Mission** is to work together effectively, as organisations and with children and families, to ensure that local services and arrangements are effective in promoting the well-being of children and young people in Dudley and keeping them safe from harm.

Our **Values** as we work together are:

We will learn and are committed to developing services

We will work in an open and honest manner

We will challenge each other and be ready to receive challenge as we work together in a spirit of mutual respect

We will focus on efforts on understanding and evidencing the effectiveness i.e. impact

3.2 DSCB undertakes elements of its role with regard to the functions, objectives and expectations outlined in section 2 with other LSCB's in the West Midlands region. It works closely with the other LSCBs in the delivery of activities which are beneficial from a sub-regional perspective e.g. in relation to the development of regional LSCB procedures and more recently, a region Section 11 assurance and scrutiny toolkit.

3.3 DSCB publishes an Annual Report every year <http://safeguarding.dudley.gov.uk/child/safeguarding-children-board> which should provide a rigorous assessment of the performance and effectiveness of local services and gives detail as to how DSCB is achieving its functions and objectives. The current Annual Report, along with those from previous years, is published on the Board's website.

3.4 In addition to the Annual Report, DSCB publishes an annual Business Plan <http://safeguarding.dudley.gov.uk/child/safeguarding-children-board> also available on the website. The Business Plan outlines our long term agreed strategic development priorities with details about how they relate to improvement work in the current year and the necessary actions which need to be completed to deliver the agreed improvements.

## 4. Partnership Governance and Accountability

- 4.1 The DSCB will be a formal consultee in the development and review of any strategic plan which relates to the provision and commissioning of services for children developed by the Children and Young People's Alliance (CYPA). The DSCB Business Plan will be informed by the strategic objectives of the CYPA as well as other national and locally agreed priorities.
- 4.2 The Independent Chair of the DSCB will be a member of CYPA. The DCSB Chair, on behalf of DSCB, will report on the Board's impact and achievements to the CYPA and will challenge the Alliance on how it is fulfilling its safeguarding children responsibilities. The Chair will also attend and report to the Health and Wellbeing Board (HWBB) and in turn the HWBB will formally consult the DSCB in the refresh of the Joint Strategic Needs Assessment.
- 4.3 The DSCB is also required to have an effective working relationship with both the Community Safety Partnership (Dudley Safe and Sound Partnership) and the Dudley Adult Safeguarding Board (DSAB) to address common areas of interest; including substance misuse, domestic abuse as well as sexual exploitation. The DSCB and DSAB will hold joint planning events to support the development and implementation of their respective business plans and ensure cross cutting thematic prioritisation. Effective links between the DSCB and Community Safety Partnership are promoted via a close working relationship between the Head of Community Safety and DSCB Business Manager..
- 4.4 There is a requirement for the DSCB to publish an annual report on the effectiveness of local safeguarding children arrangements. This report is published on the DSCB website and is submitted to the Chief Executive and Leader of the Council, to the local Police and Crime Commissioner and the Chair of the Health and Wellbeing Board. A copy of the DSCB Annual Report will also be formally presented to the members of Dudley Council's People Services Scrutiny Committee. This will allow the performance and activity of DSCB to be scrutinised by Elected Members.
- 4.5 A protocol has been developed between the Children and Young People's Alliance, Health and Wellbeing Board, Community Safety Partnership, Dudley Safeguarding Adult Board and Dudley Safeguarding Children Board to help to develop local synergy, clarity of roles and responsibilities and effective communication between all five strategic partnership forums in respect of promoting the welfare and safety of children. A copy of the protocol can be found at Appendix 1 and Appendix 2 sets out diagrammatically the DSCBs relationships with other strategic bodies.
- 4.6 The Chairs of all of the strategic forums referred to above, along with the Strategic Director People and Director of Public Health will regularly meet to discuss and align safeguarding activity across the Dudley Partnership.
- 4.7 The DSCB has a statutory responsibility to undertake a scrutiny, quality assurance and challenge role in respect of how agencies individually and collectively promote the welfare and safety of children living in Dudley. Whilst a role for the DSCB is to monitor and review the work of all agencies involved in safeguarding and promoting

the welfare of children within Dudley, it will also be subject to scrutiny and inspection itself, including external inspection by Ofsted. The Chief Executive of Dudley Council (DMBC) is responsible for holding the DSCB Independent Chair to account for the effective working of the DSCB. The Lead Member for Children and Young People is politically accountable for Dudley's Children's Social Care Services. The Strategic Director of Dudley Council has lead responsibility for improving outcomes for children in the area. The Chief Executive is responsible for satisfying themselves that the Strategic Director is fulfilling managerial responsibilities for safeguarding and promoting the welfare of children and young people.

- 4.8 The DSCB Business Plan will be agreed by the Board and made available to all relevant partner members on an annual basis. The role of partner members is to hold their organisation and its officers to account for their contribution to the effective functioning of the DSCB.
  
- 4.9 The DSCB Learning and Improvement Framework provide a systematic approach to the auditing and governance of safeguarding activities across all partner agencies and includes the Section 11 audit. It is based on a premise of continuous system improvement and seeks to identify and promote good practice as well as report on gaps and areas for improvement. It is available to view on the Dudley Safeguarding Board website. <http://safeguarding.dudley.gov.uk/child/>

## **5. DSCB Chairing Arrangements**

- 5.1 The DSCB is chaired by an Independent Chair, who is accountable for the effective working of DSCB to the Chief Executive of the Dudley Council.
  
- 5.2 The Independent Chair is recruited by a multi-agency panel of statutory members of DSCB and will serves a three-year term at which point his/her tenure will cease and a further selection process will commence which may include the current Chair if they so wish.
  
- 5.3 The performance of the Independent Chair will be reviewed through an annual appraisal completed by the Chief Executive of Dudley Council with the opinions of the DSCB members being sought beforehand. The Independent Chair must ensure the continued confidence of all DSCB members in maintaining the independence of the DSCB.
  
- 5.4 The Vice Chair will be a nominated representative from one of the partner organisations of the DSCB. The Vice-Chair role will be held for a three-year tenure, with the possibility of extending the tenure for one further year.
  
- 5.5 The Chair of the DSCB will meet with the Strategic Director People and with the Cabinet Member for Children's Services formally four times a year to monitor the business of the Board

- 5.6 The Chair of the DSCB will meet quarterly with the Chief Executive of Dudley Council and meet with them as required in addition to this if there are any performance issues in respect of the Local Authority Children's Services.
- 5.7 The Independent Chair will engage with other Independent Chairs within formal structures such as the West Midlands group of Independent Chairs and the National Association of Independent Chairs of LSCBs.

## 6. DSCB Structure

- 6.1 The Board is the body responsible for ensuring compliance with the duties set out in the Children Act 2004 and consequential Regulations and Statutory Guidance. In carrying out that function it must:-
- i. Oversee the governance arrangements of DSCB;
  - ii. Set the strategic direction for DSCB, taking account of any developments in national policy, practice and legislation;
  - iii. Ratify the Annual Business Plan;
  - iv. Create a culture of challenge that enables a robust analysis of single and multi – agency safeguarding performance and the quality of front line practice;
  - v. Ratify the annual work plans for the DSCB Executive Group, and Sub Groups;
  - vi. Set the annual budget;
  - vii. Develop and implement arrangements to engage with and secure the views of front line staff and use these to inform its work;
  - viii. Ensure the work of the Board is informed by the views of children, young people and their parents and carers;
  - ix. Oversee the Learning and Improvement Framework (including responsibility for Serious Case Reviews and Child Death Reviews) including the ratification of all individual SCR's/case reviews;
  - x. Maintain links with relevant local partnerships in order to embed safeguarding procedures and principles within their constitution, policies and delivery plans;
  - xi. Challenge and scrutinise the Children and Young People's Alliance on its arrangements to safeguard children and young people.
- 6.2 The Board sets the direction of DSCB and is responsible for ensuring its effectiveness. Board sub-groups will be the mechanism to ensure the work of the Board is completed effectively. Any sub group working on behalf of the DSCB will only be established by the Board; be accountable to it; and report to it. Sub groups should be chaired by a DSCB Board Member. Appendix 2 sets out the structure of DSCB.



The following sub-groups have been set up:

6.3 ***Executive Group***

The Executive group will coordinate the work of the DSCB, oversee the delivery of the DSCB business plan and monitor the impact of the Board's work.

6.4 ***Performance and Quality Assurance Sub-Group***

This group will design ways of objectively scrutinising and evaluating organisational arrangements as well as the quality and impact of front line practice.

6.5 ***Strategic Work Force Development Sub-Group***

This group co-ordinates the delivery of multi-agency safeguarding training and quality assurance of safeguarding training in Dudley for all those with a role and responsibility to safeguard children and young people.

6.6 ***Serious Care Review Sub-Group***

This group is responsible for considering whether or not cases meet the Serious Case Review criteria or require another type of review to be undertaken. Other work-streams involve monitoring agencies compliance with SCR recommendations/action plans, analysing cases and SCRs completed by other LSCBs for key themes, learning and identifying trends.

6.7 ***CSE and Missing Sub-Group***

This sub group brings together the agendas of CSE and Missing and with specific emphasis on disruption, protection and prevention and key themes and its work is informed by trends arising from return interview data analysis.

6.8 ***Child Death Overview Panel***

This sub group completes the reviews of all child deaths as required by statutory guidance and identifies modifiable factors and learning that can be used to reduce the likelihood of future child deaths.

6.9 ***E-Safety Sub-Group***

This sub group brings together the work that is taking place underpinned by the E-Safety strategy and action plan and keeping children and young people safe on line in Dudley and reducing the risk of harm. This is a joint sub group with Dudley Safeguarding Adult Board.

## **7. DSCB Board Membership**

- 7.1 The membership of DSCB's Board composition is described in Table 1.
- 7.2 The agencies listed at Table 1. Each agency shall designate particular named people, including a deputy Board member, as their DSCB member to ensure consistency and continuity in the membership of DSCB.
- 7.3 At least two lay members who appear to be representative of persons living in Dudley; and
- 7.4 Representatives from schools in Dudley in accordance with the principles set out in paragraph 5 (Chapter 3) of Working Together to Safeguard Children 2015.
- 7.5 Other organisations invited by DSCB to be members having regard to Chapter 3 of Working Together to Safeguard Children 2015 including Dudley Voluntary Sector organisations Support Service, Housing and representative of multi faith group.
- 7.6 The Lead Member for children and young people who will attend as a 'participant observer'.
- 7.7 The DSCB will ensure the attendance of necessary professionals and advisors at the meetings of the Board and sub groups, including the Principal/Chief Social Worker, Designated Nurse and Designated Doctor. Legal advice to DSCB and to Board meetings will be provided by the Legal Department of Dudley Council when required.
- 7.8 Section 11 of the Children Act 2004, places duties on a range of organisations and individuals in carrying out their safeguarding functions. It is expected that the DSCB will develop relationships and information sharing with General Practitioners within the Dudley area and that this relationship will be promoted and developed in conjunction with, and alongside the Designated Nurse and Designated Doctor so that there is a clear and transparent flow of two engagement.
- 7.9 Keeping Children Safe in Education 2016, sets out the statutory guidance for schools and colleges in line with Working Together 2015 which identifies a number of agencies as significant to the work of the Local Safeguarding Board. DSCB will use the existing forums in place to communicate with the wider education sector and Head Teacher representatives are included on the non-executive membership of the Safeguarding Board. This creates a clear link between the Safeguarding Board and Primary, Secondary and Special school partnership forums and a system of representation to enable schools to receive information and feedback comments to DSCB

**Table 1 Membership Grid**

	<b>Statutory Member</b>	<b>Other Member</b>	<b>Officer/Advisor to the DSCB</b>
Independent Chair Person		✓	
Lay Members		✓	
Lead Member for Children and Young People		✓	
Dudley Council	✓		
West Midlands Police	✓		
Dudley Clinical Commissioning Group	✓		
Dudley Group NHS Foundation Trust	✓		
Black Country Partnership Foundation Trust	✓		
Dudley and Walsall Mental Health Trust	✓		
NHS England Regional Team	✓		
National Probation Service	✓		
Community Rehabilitation Company	✓		
CAFCASS	✓		
Youth Offending Services	✓		
Voluntary Sector (CVS)		✓	
Faith communities		✓	
Housing		✓	
Chief Officer - Children's Services (Dudley Council)		✓	
Chief Officer- Education outcomes (Dudley Council)		✓	
Public Health		✓	
Senior Representative (Early Years)		✓	
Senior Representative (Further Education)		✓	
Senior Representative (Special School)		✓	
Senior Representative (Primary School)		✓	
Senior Representative (Secondary School)		✓	

**Table 1 Membership Grid**

	Statutory Member	Other Member	Officer/Advisor to the DSCB
Head of Safeguarding Children and Young People – Dudley MBC		✓	
DSCB Business Manager			✓
DSCB Learning, Development and Commissioning Officer			✓
Designated Doctor			✓
Designated Nurse			✓
Principal Social Worker			✓
Performance & Quality Assurance Officer			

- 7.10 Members of DSCB and named deputies must have a strategic role within their agency in relation to safeguarding and promoting the welfare of children. They must have the authority and experience within their agency to enable them to provide resources, commit their agency on matters of policy and practice, and hold their agency to account.
- 7.11 Each member agency of the DSCB has a responsibility to contribute to the strategic direction and effective work of the Board. This should take precedence, if necessary, over their role as a representative of their organisation. Members are accountable to each other and to the organisation that they represent for the work of the DSCB, Executive, Subgroups and any Task and Finish Groups.
- 7.12 It is important that each partner member on behalf of their agency remains accountable for ensuring that the staff they are sending to participate in subgroup activity are appropriately knowledgeable and sufficiently skilled to contribute to the relevant subject area. It is the responsibility of agencies to ensure that they have the appropriate representation in attendance at such meetings.
- 7.13 Members who represent a group of organisations will be expected to communicate effectively within their group to ensure that they have a sufficient mandate to speak on behalf of the whole group at DSCB meetings. It is recognised that some members of the DSCB such as the voluntary sector, might not have clear accountability frameworks in place for the groups that they represent. In these circumstances, there is an expectation that they will effectively communicate the strategic objectives and work of the Board within their organisational networks.

## **8. Attendance**

- 8.1 Members are expected to attend all scheduled and Extraordinary Board meetings or are expected to only send their Designated Deputy. Non-attendance of the Board Member or their Designated Deputy for two consecutive meetings will be highlighted to the DSCB Chair who will consider appropriate actions to be taken.
- 8.2 Member attendance at Board meeting will be reported to every Board meeting. Where a Board member does not attend two meetings in a rolling 12 month period the DSCB Business Manager will liaise with the individual within two weeks of the Board meeting where this is reported to clarify why this is and agree measures to help improve attendance.
- 8.3 Where attendance does not improve the DSCB Chair will liaise directly with the Chief Executive of the relevant agency within two weeks of the Board meeting where this is reported, in order to agree a course of action to ensure adequate representation of that agency on the Board.
- 8.4 A named deputy may attend in lieu of the nominated representative in the event that the nominated representative is unable to attend any particular meeting. When attending a meeting in such circumstances, the deputy shall be entitled to take part fully in the meeting with the right to speak and to vote. No other person apart from a nominated representative or named deputy will have a vote at a meeting of DSCB
- 8.5 Membership of non-statutory members can be altered by the DSCB at any time.

## **9. DSCB Meetings**

- 9.1 Meetings of the DSCB will be held on a quarterly cycle and should last for a maximum of three hours. An Annual Development Day will take place in quarter 3 of each year to review progress against the Business Plan and agree the strategic objectives for the coming year.
- 9.2 The Chair may call an extra-ordinary meeting at any time. Members can make a written request for an extra-ordinary meeting to the Chair. The Chair will decide whether to hold such a meeting. The Chair is unlikely to accede to a request unless two or more members make a request.
- 9.3 A meeting will not be quorate and therefore unable to make decisions binding on DSCB unless at least 3 statutory agencies are present.
- 9.4 In making decisions DSCB will seek to establish consensus. If that is not possible the decision will be taken by a simple majority of voting members present. If a vote is tied the person chairing the meeting will have a second and casting vote.

- 9.5 The agenda for the Board will be compiled in draft by Executive Group members prior to the Board meeting with the support of the DSCB Chair. The DSCB Chair will agree the final version of the agenda for the Board.
- 9.6 All papers for the Board will be made available via e-mails from DSCB Senior LSCB Business Support Officer at least 5 working days prior to the meeting. It is the responsibility of all Board members to ensure that requested reports are received within the agreed timescale for papers to be disseminated in a timely manner. Partners should ensure they have read all of the relevant documentation prior to their attendance at the Board to help to promote their full understanding and involvement within Board discussions and decision-making processes.
- 9.7 All DSCB meetings will be minuted and distributed to members in a timely manner. The minutes will be submitted for approval to the next meeting.
- 9.8 The activities of the DSCB will be directly supported and have its work coordinated by a Business Manager including supporting the development of an annual business plan.

## 10. DSCB Board Members Responsibilities

10.1 Working Together to Safeguard Children 2015 states that:

*Members of an LSCB should be people with a strategic role in relation to safeguarding and promoting the welfare of children within their organisation. They should be able to:*

*speak for their organisation with authority;*

*commit their organisation on policy and practice matters; and*

*hold their own organisation to account and hold others to account*

10.2 DSCB members are required to:

- i. Contribute to the effective working of DSCB in promoting high standards of safeguarding work and fostering a culture of challenge and continuous improvement;
- ii. Represent their organisation on the DSCB, speaking with authority for that organisation; committing the organisation on policy and practice matters and holding the organisation to account in respect of its work to safeguard and promote the welfare of children within the community;
- iii. Represent the DSCB within their organisation; ensuring that the organisation is meeting its obligations to safeguard and promote the welfare of children;
- iv. Be responsible for ensuring that arrangements for the funding of the DSCB are addressed within their own organisations, in accordance with their duties under Section 15 of the Children Act 2004;

- v. Be an objective member in undertaking scrutiny of the performance of the DSCB and the services provided by all organisations. Where necessary this should take precedence over their role as their organisation's representative; and
- vi. Participate in an annual Board Member Review with the DSCB Chair.

## **11 Responsibilities of the Member Organisations**

- 11.1 Member organisations will be required to support their DSCB member in carrying out their responsibilities as a DSCB member. This will include providing dedicated time to fulfill their role, supporting them in developing a safeguarding accountability framework for their organisation, ensuring that safeguarding underpins all their activities with children and young people and that, in the case of the statutory partners, a recurrent and sufficient financial contribution is made to support the work of the DSCB.
- 11.2 To further assist DSCB members in carrying out their responsibilities, Chief Officers of all partner organisations will be asked to sign a membership agreement confirming their support of the written Constitution of the DSCB. The DSCB Membership Agreement can be found at Appendix 3.

## **12 DSCB Sub Groups**

- 12.1 The role and functions of the Executive and each sub groups will be documented within each groups terms of reference, reviewed annually. These are included at Appendix 4 of this document.
- 12.2 Together, the Executive and sub groups will undertake the following responsibilities, devolved to them by the Board while acknowledging DSCB's Vision, Mission and Values (as set out in Section 3) throughout their work.
  - i. Develop an annual work plan for their groups;
  - ii. Monitor the delivery of the annual sub group work plan and so their contribution to the DSCB Annual Business Plan;
  - iii. Use feedback from children, young people, parents and carers to inform their work.
  - iv. Contribute to the development of the Annual Report by submitting a report to the Independent Chair by the end of April each year on the work of the group, including examples of impact, during the previous year.
  - v. Contribute to the development the agenda for the DSCB meetings by highlighting areas of concern or for celebration through the Executive.
  - vi. Develop and approve policies, procedures and tools that support practitioners to exercise professional judgment and develop implementation plans.

- vii. The Executive group will be chaired by the Independent Chair.
- viii. The Chairs of each sub group will become members of the Executive.
- ix. The Chair will be responsible for chairing meetings and the functioning and co-ordination of each sub group. S/he will report directly to DSCB Executive on plans and progress achieved.
- x. Each sub-group will appoint a Vice Chair to chair meetings in the absence of the Chairperson. If neither the Chair or Vice Chair are present at a meeting the members present will appoint a Chair. The name of the Chair and Vice Chair will be recorded within the terms of reference for each group.
- xi. DSCB members will nominate professional(s) with the relevant knowledge, skills and delegated responsibility from their organisation to be members of the sub groups. They will be expected to act on behalf of their organisation and have sufficient authority to make decisions and be able to allocate resources.
- xii. In the event that a nominated representative is unable to attend any particular meeting of a group, a substitute may attend in their absence.
- xiii. The quorum for a meeting of a sub group shall be that at least three individual organisations are represented.
- xiv. In the event that members of a sub group are unable to achieve consensus in making a decision the matter will be decided by a simple majority of members present. In the event of a tie, the person acting as chair of the meeting will have a second and casting vote.
- xv. If a DSCB member misses two of the previous three sub group meetings without ensuring an appropriate deputy is able to attend, the sub group Chairperson, on behalf of the Independent Chairperson, may write to that member to remind them of their obligation to attend meetings. If non-attendance continues, the Chair will write to the senior officer of that agency requiring a permanent replacement.

## 13 Lay Members

- 13.1 The DSCB has recruited lay members to sit on and contribute to the work of the Board. Lay members should promote the work of the Board within the wider community and bring a 'lay' perspective to the Board. Lay members will help to:
- i. Support stronger public engagement in local safeguarding children issues and contribute to an improved understanding of the role and work of the DSCB within the wider community;
  - ii. Challenge the DSCB on the accessibility, clarity and transparency of its plans, priorities and achieved outcomes to children and the public;
  - iii. Help to improve working relationships between the DSCB and community groups.



## **14 Data Protection, Confidentiality and Freedom of Information**

- 14.1 Members will ensure that their own organisation's Data Protection Registration, where appropriate, covers their involvement in the activities of the DSCB.
- 14.2 All members will adhere to the provisions of the Data Protection Act 1998 and all other legal provisions relating to confidentiality and data security and maintain confidentiality at all times, other than where a specific exemption under that Act or other legal provision applies. This principle will apply during a member's participation in the DSCB and will continue after the individual is no longer a member, or following the DSCB's dissolution.
- 14.3 If any member who has access to confidential information or data knowingly breaches the law relating to particularly (but not limited to) the unauthorised disclosure of confidential information, they may be personally liable. The DSCB as a partnership body is not the subject to the requirements of the Freedom of Information Act 2000 however acknowledges that public authorities represented on our partnership board are. It is therefore the responsibility of individual partners of the Board to make appropriate arrangements to ensure that the provisions of the Act are properly complied with.
- 14.4 All partners will be expected to agree, sign and comply with the DSCB Confidentiality Agreement (Appendix 5).

## **15 Finance and Staffing**

- 15.1 To support the work of the DSCB, a Business Unit will be maintained, funded by contributions from the statutory partners and other partner agencies.
- 15.2 No later than December in each year, DSCB will determine a budget for the forthcoming financial year.
- 15.3 The Statutory Members will contribute to the budgeted cost of maintaining DSCB in proportions to be agreed by the Board at its January meeting.
- 15.4 In the event that in any financial year, the actual costs exceed the budgeted amount, the difference will be met by the statutory agencies in the same proportions. Where the budgeted amount exceeds the actual cost, the difference will be carried forward to put towards expenditure for the following year.

## 16 Complaints

- 16.1 Local Safeguarding Children Boards are not identified as having a statutory function in relation to the investigation of complaints. Complaints concerning a decision or recommendation made at a child protection conference, will be dealt with as defined in the West Midlands Safeguarding Procedures: <http://westmidlands.procedures.org.uk/> and use the DSCB escalation process. Complaints from children or their parents should be addressed to the independent Chair who will liaise with the appropriate local authority staff.

## 17 Review of the Constitution of the DSCB

- 17.1 Any changes to this DSCB Constitution shall be ratified by members of the Board. Any Board member may request a review of this Constitution by writing to the DSCB Chair giving reasons for their request and the desired outcome. The DSCB Chair will then notify the members of the Board and ensure the item is placed on the agenda for consideration. This document will be reviewed on an annual basis to ensure that it reflects national and local developments and that it remains fit for purpose.

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## Appendices

- Appendix 1 - Partnership protocol
- Appendix 2 – DSCB relationship with other partnership bodies
- Appendix 3 – DSCB Structure Chart
- Appendix 4 – Sub group terms of reference
- Appendix 5 – DSCB membership agreement
- Appendix 6 – Confidentiality Guidance and Agreement

## **APPENDIX 1: DUDLEY PROTOCOL BETWEEN HEALTH AND WELLBEING BOARD, COMMUNITY SAFETY PARTNERSHIP, CHILDREN AND YOUNG PEOPLE'S ALLIANCE, LOCAL SAFEGUARDING CHILDREN BOARD AND ADULT SAFEGUARDING BOARD**

### **1. Introduction**

- 1.1 This protocol defines how the Dudley Children and Young People's Alliance (CYPA), Dudley Health and Wellbeing Board (HWBB) and the Dudley Community Safety Partnership Board (CSP) work together with the Dudley Safeguarding Children Board (DSCB) and the Dudley Safeguarding Adults Board (DSAB) in the pursuit of safeguarding and promoting the health and wellbeing of children, young people and adults at risk. Appendix 1A sets out the wider partnership structure that operates in Dudley.
- 1.2 The specific functions of each Board are set out in their respective Terms of Reference. This protocol sets out the principles underpinning how the five Boards work across their defined remits, how communication and engagement will be secured across the Boards and the practical means by which effective co-ordination and coherence between the Boards will be secured.
- 1.3 The role of the DSCB and DSAB in relation to the CYPA, HWBB and the CSP is one of equal partners underpinned by this protocol. However, the Safeguarding Boards have a distinct function to influence and assure as well as to challenge and hold partners to account for their work to safeguard children, young people and adults at risk, as set out in statute. This is promoted by the protocol.

### **2. Principles**

- 2.1 This protocol seeks to clarify the discrete responsibilities of each Board. Its focus is on ensuring that the following simple principles underpin how the five Boards should operate:
  - Safeguarding is the business of all Boards;
  - The Boards should know each other's business;
  - A culture of scrutiny and challenge should exist across all the Boards;
  - The Boards should work together to avoid duplication, and ensure consistency, clarity and best use of resources;
  - Each Board should focus on improving outcomes for children, young people and adults, contributing from its own specific perspective.

### **3. Board Functions**

#### **3.1 The Health and Wellbeing Board**

- 3.2 Health and Wellbeing Boards (HWBBs) were established by the Health and Social Care Act 2012. They are a forum where key leaders from the health and wellbeing system work together to improve the health and wellbeing of their local population and reduce health inequalities.
- 3.3 Board members collaborate to understand their local community's needs, agree priorities and encourage commissioners to work in a more joined up way. This includes overseeing the completion of the Joint Strategic Needs Assessment (JSNA), which identifies the needs

of the local population, and of the Joint Health and Wellbeing Strategy, which guides and informs the commissioning of local services by the partners on the Board. As a result, residents and services are better able to understand how they can promote and protect their own wellbeing and patients and the public should experience more joined-up services from the NHS, local councils and the wide range of community, voluntary sector and private providers.

- 3.4 The HWBB agrees its top priorities on an annual basis and these can be found at <http://www.dudley.gov.uk/community/initiatives/health-wellbeing>

### **3.5 The Children and Young People's Alliance**

- 3.6 Dudley Children and Young People's Alliance (CYPA) oversees the delivery of the Health and Wellbeing Strategy priorities in relation to children and young people. The Alliance is a combination of commissioners and providers who are responsible for developing and promoting a child and family-centred outcome-led vision. The vision, priorities, activity and intended impact of the Alliance are set out in the Children and Young People' Alliance Delivery Plan.

- 3.7 The Alliance is intended to promote strong joint planning and effective commissioning of services. It identifies the priorities for children and young people, clearly informed by their views and those of their parents/carers and a comprehensive needs analysis, informed by the JSNA.

- 3.8 The Children and Young People's Alliance Delivery Plan is currently under development and a draft version will be available mid April 2016.

### **3.9 The Community Safety Partnership Board**

- 3.10 Community Safety Partnerships (CSPs) are statutory bodies under the Crime and Disorder Act 1998 and made up of representatives from the police, local authorities, fire and rescue authorities, probation service and health. The CSP ensures agencies work together to protect their local communities from crime and to help people feel safer. They work out how to deal with local issues like crime, domestic abuse, antisocial behaviour, substance misuse and offending behaviour. The CSP carries out a strategic assessment on annual basis which highlights the priorities for the CSP and other partnerships.

- 3.11 The above three boards have a much wider focus than safeguarding; however these boards must ensure that there is appropriate commissioning and provision of services which have an impact on reducing safeguarding risks or on addressing the impact of safeguarding concerns on individuals and communities.

### **3.12 Dudley Safeguarding Children Board**

- 3.13 As set out in the Children Act 2004, the Dudley Safeguarding Children Board (DSCB) is the statutory body for agreeing how organisations co-operate to safeguard and promote the welfare of children and young people and for ensuring the effectiveness of what they do. The DSCB is chaired by an Independent Chairperson and has a key role to scrutinise and challenge safeguarding performance.

- 3.14 The DSCB does not commission or deliver direct frontline services though it does provide training. While the LSCB does not have the power to direct other organisations it does have a role in making clear where improvement is needed. Each Board partner retains its own existing line of accountability for safeguarding.

### **3.15 The Dudley Safeguarding Adult Board**

3.16 Dudley Safeguarding Adult Board (DSAB) is a statutory partnership board as per the requirements of the Care Act 2014. The overarching purpose of the DSAB is to help and safeguard adults with care and support needs. The DSAB must lead adult safeguarding arrangements across the borough and oversee and coordinate the effectiveness of the safeguarding work of its member and partner agencies. The DSAB is chaired by an Independent Chairperson and has a key role to scrutinise and challenge safeguarding performance. Whilst not a commissioning body, it should concern itself with a range of issues which can contribute to the wellbeing of its community and the prevention of abuse and neglect, such as:

- The safety of people who use services in local health settings, including mental health;
- The safety of adults with care and support needs living in social housing;
- Effective interventions with adults who self-neglect, for whatever reason;
- The quality of local care and support services;
- Making connections between adult safeguarding and domestic abuse.

## **4. Communications and Engagement**

4.1 Everyone has a responsibility for safeguarding, whether commissioner, statutory provider, third party provider, voluntary or community group or advocate.

4.2 All key strategic plans, whether they are formulated by individual agencies or by partnerships, should include safeguarding as a cross-cutting theme to ensure that existing strategies, commissioning plans and service delivery, as well as emerging plans for service change and improvement, include effective safeguarding arrangements that ensure that people in Dudley are safe and their wellbeing is protected.

4.3 **The three main strategic plans are:**

- The Health and Wellbeing Strategy;
- The Children and Young People's Alliance Delivery Plan
- The Community Safety Plan.

4.4 The above plans inform and influence local commissioning and service delivery. The two Safeguarding Boards also produce strategic plans and an annual business plan; these are informed by local needs analysis as well as the Boards own scrutiny and assurance work. These plans relate to the delivery of the Board's statutory functions including improving the quality of safeguarding arrangements through embedding local and national learning.

4.5 In drawing up, delivering and evaluating these strategies and plans, there should be effective interchange between the HWBB, CYPA and the CSP, and with the two Safeguarding Boards.

4.6 To ensure this happens, there should be formal interfaces with the Safeguarding Boards at key points including:

- The development of needs analyses that drive the formulation of the annual priorities of the Health and Wellbeing Strategy, the Children and Young People's Alliance Delivery Plan the Community Safety Plan and the two Safeguarding Boards' Business Plans. These need to be reciprocal in nature ensuring that the Safeguarding Boards' needs analyses are fed into the Joint Strategic Needs Assessment (JSNA) and strategic assessment for the CSP and that the outcomes of the JSNA and CSP strategic assessment are fed back into Safeguarding Boards' planning;
- The development and finalisation of the plans to ensure the priorities are appropriately aligned and the activities and resources available are marshalled to ensure progress is made in improvement and tackling issues;
- Progress made in the implementation of the Health and Wellbeing Strategy, the CSP Plan, the Children and Young People's Alliance Delivery Plan and the individual Board business plans should be reported regularly to all of the Boards, in a context of mutual scrutiny, challenge and support;
- Annually reporting evaluations of performance on plans to provide the opportunity for reciprocal scrutiny, challenge and support and to enable all Boards to feed improvement and development needs into the planning process for future years' strategies and plans.

4.7 By having an effective formal working relationship between the five boards, the benefits should be:

- An integrated approach to the JSNA and CSP strategic analysis, ensuring comprehensive safeguarding data is included in both;
- Aligning the work of the DSCB and DSAB business plans with the HWB Strategy, Children and Young People's Alliance Delivery Plan and CSP Plan and related priority setting to achieve improved progress with improvement activity and service change;
- Ensuring safeguarding is everyone's responsibility, reflected in the public health agenda and related determinants of health strategies; together with community safety priorities and the short, medium and long term objectives of the CSP;
- An ability to evaluate the impact of the HWB Strategy, Children and Young People's Alliance Delivery Plan and CSP Plan on safeguarding outcomes, and of safeguarding on wider determinants of health and community safety outcomes;
- A coordinated approach to communication, learning and improvement, performance management, change and commissioning;
- Cross Board scrutiny and challenge and "holding to account": the HWBB, CYPA and CSP for embedding safeguarding, and the Safeguarding Boards for overall performance and contribution to the improved outcomes set out in the HWB Strategy, Children and Young People's Alliance Delivery Plan and CSP Plan.

## **5. Practical Arrangements to Secure Co-ordination**

5.1 The following arrangements detail the effective co-ordination and coherence in the work of the five Boards.

### **5.2 Quarterly**

5.3 Each quarter, the chairs and statutory officers of the 5 Boards will meet to ensure the coordination of leadership, the coherence of respective plans and to consider the strategic risks facing children, young people, families, adults at risk and communities.

### **5.4. Between September and December**

5.5 Each year, the Independent Chairs of the two Safeguarding Boards will present to the Health & Wellbeing Board, the Children and Young People's Alliance and the Community Safety Partnership Board their Annual Reports outlining performance against Business Plan objectives in the previous financial year.

5.6 This will be supplemented by a position statement on the Boards' performance in the current financial year.

5.7 This will provide the opportunity for the Health and Wellbeing Board, the Children and Young People's Alliance and the Community Safety Partnership Board to scrutinise the effectiveness of safeguarding arrangements across the borough, to draw across data to be included in the JSNA and CSP strategic analysis and to reflect on key issues that may need to be incorporated in the refresh of the Health and Wellbeing Strategy, Children and Young People's Plan and the CSP Strategy and their associated commissioning plans. It will also provide the opportunity to learn from successes and identify further development opportunities.

### **5.8 Between October and February**

5.9 The Health & Wellbeing Board, the Children and Young People's Alliance and the Community Safety Partnership Board will present to the Safeguarding Boards the review of their respective strategies including the refreshed JSNA and CSP analysis and the proposed priorities and objectives for each.

5.10 This will enable the Safeguarding Boards to scrutinise and challenge performance, including early help, and to ensure that the refreshed Safeguarding Board business plans appropriately reflect relevant priorities set by the HWWB, the CYPA and the CSP.

### **5.11 Between April and May**

5.12 The refreshed plans will be formally shared with each Board.

### **As required**

5.13 In addition to the scheduled interface across all five Boards, it is expected that relevant learning arising from reviews (such as Domestic Homicide Reviews, Safeguarding Adult Reviews and Serious Case Reviews) is shared; and opportunities for coordinating consultations, communications and engagement are fully utilized.

## 6 Relationships between the Safeguarding Boards

6.1 There should be equally effective co-ordination and coherence between the two safeguarding boards. This will be achieved in part by the arrangements set out above. In addition, effective cross-working, scrutiny and challenge between the Safeguarding Boards and the sub-groups will be achieved by:

- Sharing annual plans during the formulation stages to enable co-ordination and coherence where there are overlaps in business.
- Ensuring that there is cross-Board representation to secure on-going communication.
- Working jointly on safeguarding initiatives that impact on both children and adults.

## 7 Implementation and Review

7.1 The DSCB and DSAB Chairperson will have a lead role in ensuring that the protocol is implemented in practice. They will be supported by Director of People who sits on the CSP, CYPA and HWBB as well as the two Safeguarding Boards.

7.2 The protocol will be agreed at full Board meetings of:  
HWBB on  
CSP on  
CYPA on  
DSAB on  
DSCB on

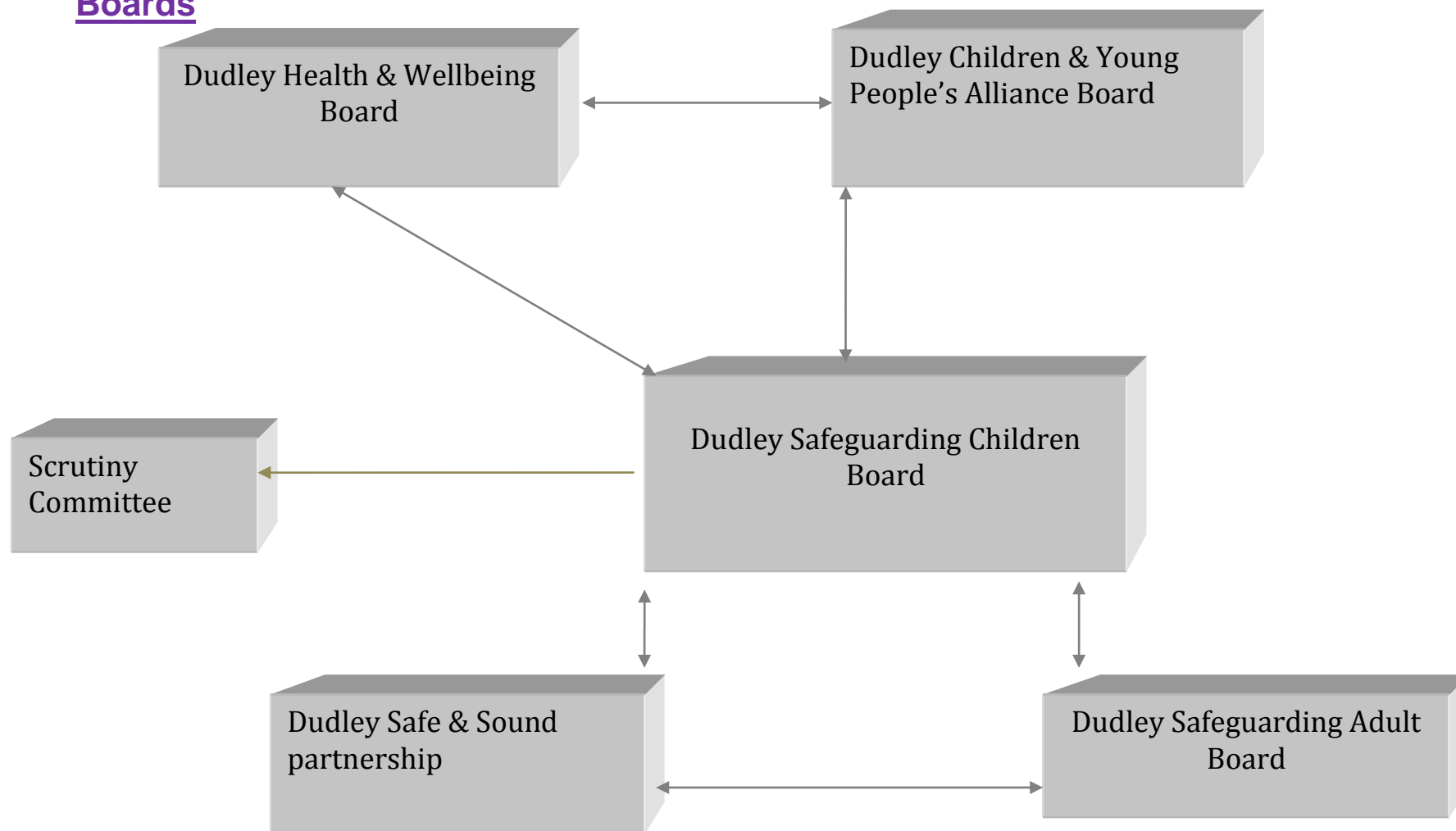
7.3 This protocol will be reviewed annually to ensure it remains up to date with changing policy and guidance.

<b>Signed</b>	<b>Designation</b>
	Chair of Health and Wellbeing Board
	Chair of Children and Young People's Alliance
	Chair of Community Safety Partnership
	Independent Chair of Dudley Safeguarding Children Board and Dudley Safeguarding Adult Board



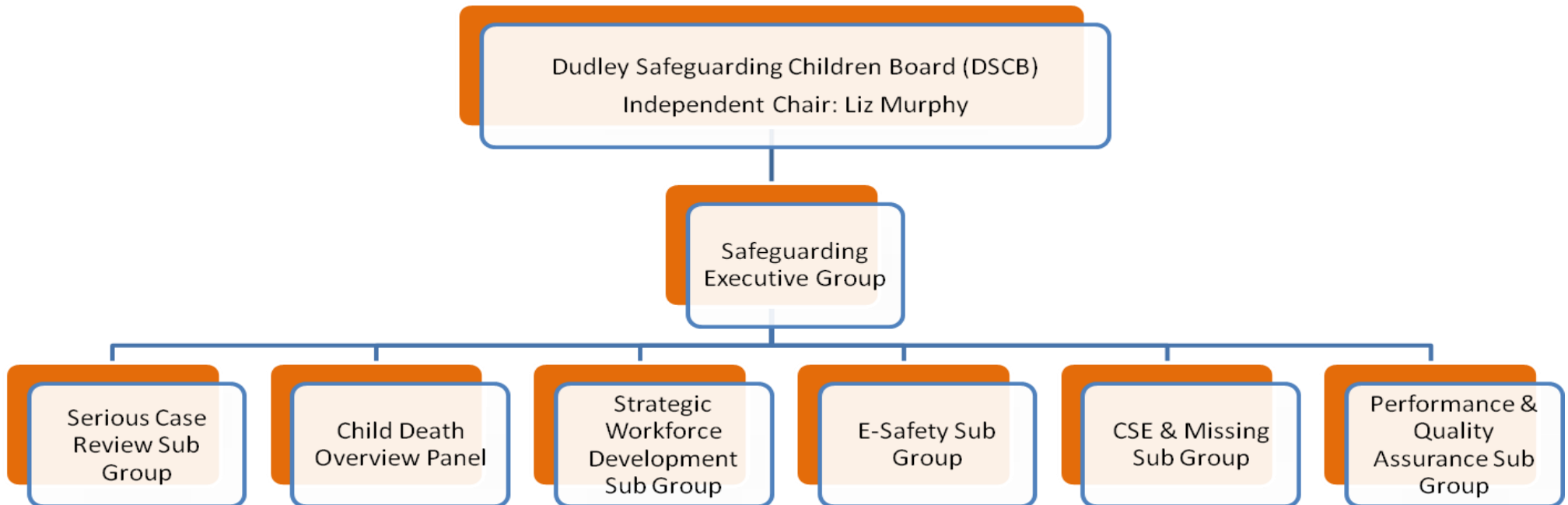


## Appendix 2 Dudley Safeguarding Children Board Relationship with local Partnership Boards



**In order to provide effective scrutiny, DSCB is not subordinate to, or subsumed within, any of the local strategic partnership bodies.**

## Appendix 3 DSCB structure chart



## Appendix 4 – Sub group terms of reference

### DUDLEY SAFEGUARDING CHILDREN BOARD XXXX SUB GROUP TERMS OF REFERENCE

#### REMIT

#### CORE AIM

#### MEMBERSHIP

The sub-group will:

- Comprise of named representatives of constituent agencies of the main Board, including education, children’s social care, health providers and police representatives.
- Extend to other organisations by the agreement of the Board.
- Elect a chairperson and vice-chairperson, with the chairperson being a member or an officer of the main Board.

The agreed membership is:

TO BE INSERTED/SET OUT AS APPENDIX

#### ACCOUNTABILITY AND REPORTING

- The sub-group is accountable via the chair/vice-chair to the DSCB Executive Group.
- The chair/vice-chair is also accountable to the main Board.

The XXX Sub-group will:

- Meet XX times a year.
- Provide minutes of meetings for the attention of the Board.
- Provide the Board Manager with a planned agenda two weeks in advance of each meeting.
- Provide accounts of its activity on a quarterly basis or more frequently as required for the scrutiny and endorsement of the Executive/main Board.
- Contribute to the DSCB Annual Report

#### PROCESSES

The XXX Sub-group will:

#### PRINCIPLES

The sub-group will:

#### REVIEW

These terms of reference will be reviewed after 1 year.

#### DOCUMENT CONTROL

Author:

Edition	Date Ratified	Ratified by	Review date
1			

## Appendix 5: Dudley LSCB Membership Agreement

### 1. Duty to Safeguard

This membership agreement represents an agreement between Dudley Council as the body with the statutory duty under Section 13(1) Children Act 2004 and its Board partners as defined in Section 13(3) of the Act, together with relevant persons and bodies as defined in Section 13(4) to (6) of the Act. It also recognises the explicit two way duty of co-operation between the Council as the Local Authority establishing Dudley Local Safeguarding Children Board (DSCB) and each Board partner, as set out in Section 13(7) of the Act.

### 2. Purpose

The agencies and organisations represented on the DSCB share a statutory commitment under the Children Act 2004 to co-operate and work together to safeguard and promote the welfare of children. It is each member's responsibility and duty to contribute to steering the strategic direction of the DSCB and to ensure implementation of both Working Together Guidance and Standard 5 of the National Services framework for children, young people and maternity services.

The LSCB is responsible for co-ordinating local agencies' arrangements and has a collective responsibility for ensuring the effectiveness of local arrangements and services of all agencies working to safeguard children in Dudley.

### 3. Expectations of Members

All Board members will share the responsibility for ensuring that the DSCB objectives are delivered. Chairpersons of each individual sub-group will be responsible and accountable for agreeing their terms of reference and supporting plans within their remit.

Each Board partner accepts the responsibility to:

- Strive to be represented with 100% attendance of which no more than 20% should be by an alternative named representative;
- Be responsible for their agency's contribution to safeguarding children whether this is agency resources, financial, human or in kind; and to ensure they are utilised to meet DSCB objectives. Any shortfalls should be brought to the attention of their agency and the Board;
- Act as a channel of communication between their own agency and the Board and to be the named advocate for safeguarding in all matters relating to the DSCB within their agency/professional body;
- Accept responsibility for challenging and monitoring the effectiveness of arrangements, to contribute to and examine data and analysis on individual and joint agency performance;
- For those members who represent more than one agency e.g. Voluntary Sector representative and schools, to ensure effective communication with the partners they represent.

#### 4. Terms and Conditions

- It is expected that the DSCB representatives will be senior managers within their organisation. Members should be able to commit their agency/professional body to joint working and in some cases allocate and/or reshape resources to support the work of the DSCB.
- No fees will be paid by the DSCB for agency time or expenses for attendance at meetings.
- Agencies will be expected to respect any DSCB shared information as confidential and will be expected to sign and confidentiality agreement.

##### **DSCB Agency Representative:**

Safeguarding and promoting the welfare of children requires effective co-operation amongst all those who work with or who are involved with children in Dudley. **By signing this DSCB Membership Agreement you are stating your intention to fulfil your obligations as a DSCB member, as detailed within the DSCB Constitution.**

Name of Agency: \_\_\_\_\_

Name of Agency's DSCB Representative: \_\_\_\_\_

Signature of Agency's Representative: \_\_\_\_\_ Date: \_\_\_\_\_

##### **Chief Executive of Agency:**

The person named above has been designated to represent your agency on Dudley Local Safeguarding Children Board.

Please confirm that they have a strategic role in relation to the safeguarding and promoting of welfare of Dudley children and young people and can:

Speak for your agency with authority;

- Commit your agency on policy and practice matters;
- Hold your agency to account.
- Ensure your organisation has adequate technical and organisational safeguards in place to protect information shared by the LSCB and other agencies.

Should the above named person be unable to attend the LSCB, the designated deputy for your agency has been identified as:

Name of Agency's Deputy DSCB Representative: \_\_\_\_\_

(This deputy will also be expected to meet the criteria outlined within the DSCB Terms of Reference.)

Name of Chief Executive of Agency: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

## Appendix 6: Confidentiality Guidance and Agreement

# Dudley Safeguarding Children Board Confidentiality Guidance and Agreement

The establishment and purpose of the LSCB is laid down in the Children Act 2004 and by virtue of the Boards functions, Board members will be privy to sensitive and confidential information including information about individual children and families.

In order to ensure that the LSCB is able to fulfil its statutory responsibilities, all relevant information needs to be shared with Board members. In order to preserve confidentiality, the DSCB will adopt a number of measures as set out below and will require individual DSCB members to sign a confidentiality agreement – see Appendix 5a.

## Guidance on managing LSCB Data / Information

### (i) Handling and Safekeeping of Documents

Board papers and any sensitive information including Serious Case Review reports will be sent to members 5 working days in advance of the meeting by secure email. No other form of communication will be used. DSCB members must ensure that any changes of email / addresses are notified to the DSCB Business Support Co-ordinator. Board Members should inform the Co-ordinator when Board papers have not been received in advance of meetings.

### (ii) Confidentiality of LSCB Documents

DSCB documents may take several forms and a number are highly confidential documents. In order to ensure that access to such documents is limited to those with authorised access, the Board administrator will include a protective marking standing [OFFICIAL] on such documents to highlight the confidential nature of them and to remind Board Members that such documents should not be shared or reproduced without the permission of the DSCB Chair. These documents will also be 'water marked'.

Board Members are expected to make certain that such documents that they receive are kept in good order, in a secure, private place, and **under no circumstances** shown, discussed or made available to third parties external to the individual Board Member's agency.

Such documents should not be photocopied or otherwise reproduced for member's own use or that of other parties. The Board Member should seek permission from the DSCB Chair to share or reproduce any such documents and s/he will need to have in place a system for maintaining confidentiality when information is shared.

### **(iii) Confidentiality of LSCB Discussions**

The DSCB must work co-operatively, efficiently and effectively and with the knowledge that its deliberations are confidential. The Board's business is of a highly confidential and sensitive nature and members must guard against wrongful disclosure. It is crucial for the interests of children and young people as well as the reputation of the DSCB, Dudley Council and its partner agencies that information that members receive as a Board Member, including information arising from DSCB discussions, is not divulged to outside parties other than for the need to conduct LSCB business including safeguarding children and young people.



## **Appendix 6a: Dudley Safeguarding Children Board Board Member's Confidentiality Agreement**

I have read and understood the DSCB's confidentiality guidance on the management of all DSCB information / data. I agree to follow those guidelines and the principles of good practice further stated below.

All information relating to individual children and young people is strictly confidential, and all information shared with members in written reports, notifications, in any presentation to the Board, or arising in discussion in the meetings will not be divulged other than for the need to conduct DSCB business including safeguarding children and young people.

All confidential material concerning the DSCB business which members receive must be kept confidential and in a safe place.

**Signed:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Agency:** \_\_\_\_\_

**Role:** \_\_\_\_\_

**Date:** \_\_\_\_\_