



# Constitution

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## Introduction

The Constitution of the Bromley Safeguarding Children Board (BSCB) has been developed in line with the Children Act 2004, Local Safeguarding Children Board Regulations 2006 and statutory guidance contained within Working Together to Safeguard Children 2015.

It sets out the fundamental principles under which the BSCB operates and how it is governed.

***Our vision is that “children and young people in Bromley are seen, heard and helped; they are effectively safeguarded, properly supported and their lives improved by everyone working together”***

As leaders across a range of organisations, our commitment is to work together to make the lives of children safer by protecting them from harm; preventing impairment to their health and/or development, ensuring they receive safe and effective care; and ensuring a safe and nurturing environment for them to live in.

All the partners on the BSCB want to make sure that everyone who works with children across Bromley has the protection of vulnerable children and young people at the heart of what they do. In practice, this means **children are seen, heard and helped**.

Our aim is to ensure our child protection practice and outcomes for children and young people are at least good, and that staff in every agency, at every level, know what they need to do to keep children protected, and communicate effectively to ensure this happens. All of our activity is underpinned by the following **principles** of the Board itself:

- Safeguarding is everyone’s responsibility.
- At the core of our safeguarding and child protection work is the commitment to understand the quality of a child’s experience of local services
- To learn from individual experiences and have a positive impact upon young lives
- To champion and protect the safeguarding needs of vulnerable children and young people
- Our work is characterised by an attitude of constructive professional challenge
- To foster a culture of continuous review and learning with evidence based practice
- To foster a single child-centred culture, focussed on the needs of children, young people and their families
- To capitalise on the unique opportunities presented by a dual-borough board.

Jim Gamble  
BSCB Independent Chair



Doug Patterson  
Chief Executive LBB

# 1. Statutory Framework

1.1 The Children Act 2004 (s.13) places a duty on Local Authorities to establish a Local Safeguarding Children Board.

1.2 The core objectives of the Board as provided for by section 14 of Children Act 2004 are to:

(a) **Co-ordinate** what is done by each person or body represented on the Board for the purpose of safeguarding and promoting the welfare of children in the area of the authority by which it is established; and

(b) **Ensure the effectiveness** of what is done by each such person or body for those purposes

1.3 In the fulfilment of this objective the Board requires statutory partners to work together and individually in compliance with two additional Children Act '04 duties:

- The duty to promote co-operation with each other as well as with any other relevant bodies, with a view to improving the wellbeing of children (section 10); and,
- The duty to ensure that in discharging their functions they have regard to the need to safeguard and promote the welfare of children (section 11).

1.4 'Safeguarding' is defined as:

- Protecting children from maltreatment.
- Preventing impairment of children's health or development.
- Ensuring children are growing up in circumstances consistent with the provision of safe and effective care.
- Undertaking that role so as to enable those children to have optimum life chances and enter adulthood successfully

1.5 The functions of the Board in relation to its core objectives are set out in the Local Safeguarding Children Board Regulations (2006) and laid out in (a) to (f):

a. The **development of policies and procedures** for safeguarding and promoting the welfare of children, including those in relation to:

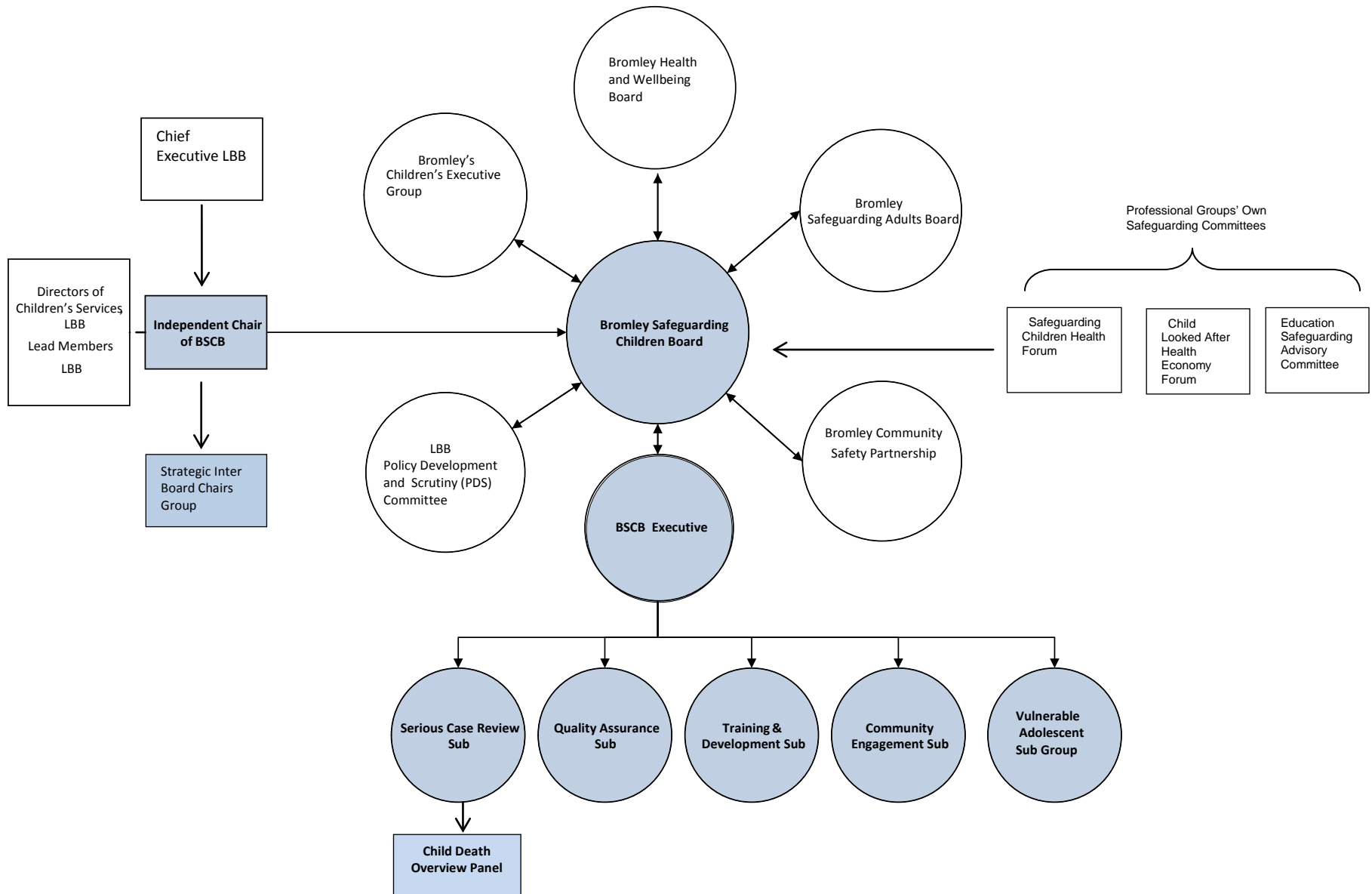
- The action to be taken where there are concerns about a child's safety or welfare, including thresholds for intervention;
- Training of persons who work with children or in services affecting the safety and welfare of children;
- Recruitment and supervision of persons who work with children;
- Investigation of allegations concerning persons who work with children;
- Safety and welfare of children who are privately fostered;

- Co-operation with neighbouring children's services authorities and with the agreed pan-London agenda
    - b. **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;
    - c. **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;
    - d. **Participating** in the planning of services for children in the area of the authority;
    - e. **Undertaking reviews** of serious cases and advising the authority and Board partners on lessons to be learned;
    - f. **Conducting and analysing information** about all deaths in the geographic area covered by the authority by utilising the Child Death Overview Panel (CDOP) process
- 1.6 The Board may also engage in any other activity that facilitates, or is conducive to, the achievement of its objectives.
- 1.7 The Board will be responsible for the negotiation and management of a pooled budget including the setting of a minimum level. The BSCB budget will be held by the Local Authority on behalf of the contributing agencies.
- 1.8 The Board may at its discretion delegate decisions on individual issues to an individual, to the Executive Group or to another Sub-Group.

## **2. Governance and Accountability**

- 2.1 The responsibilities of the Board in relation to other local strategic partnerships will be clearly delineated, taking into account the role of the Board to influence, challenge and evaluate the impact of strategic decision-making around the safety and welfare of children in Bromley.
- 2.2 The Board will hold partner agencies to account for their performance in safeguarding children and will maintain relevant strategic links across a variety of forums to ensure this happens. This will ensure that the Board provides influence and challenge to organisations in respect of their safeguarding responsibilities, effecting change where required and ensuring that the safety of children and young people does not get lost in wider strategic conversations. The Governance arrangements are set out in the diagram below.
- 2.3 Where the Board considers that a Partner is failing to meet its safeguarding commitments the Independent Chair will inform the Chief Executive (LBB), the DCS and will liaise with the agency in question in order to remedy such failings.
- 2.4 If the above does not remedy the performance issue the Chair/Chief Executive / DCS may then if appropriate, explain the concerns of the Board to the relevant inspectorate and if necessary, Government department.

### 3. BSCB Governance Map



## 4. Membership

4.1 In accordance with the Children Act 2004 and 2006 LSCB Regulations the following organisations are members of the Board as of right:

- London Borough of Bromley Children's Children Services
- London Borough of Bromley Education Services
- Metropolitan Police - including Borough Police and the Child Abuse Investigation Team (CAIT)
- Bromley Youth Offending Service
- NHS England
- Bromley Clinical Commissioning Group
- Oxleas NHS Foundation Trust
- Bromley Healthcare
- Kings College Hospital NHS Foundation Trust
- Bromley Schools
- Children & Family Court Advisory and Support Service (CAFCASS)
- National Probation Service / London Community Rehabilitation Company

4.2 In addition, the Lead Member for Bromley is a member of the BSCB.

4.3 The Board has also exercised its discretion under Regulations to extend membership to the following organisations and post-holders:

- Consultant in Public Health Medicine
- GPs – through a designated representative as a sub group member
- Chair of the Children and Families Voluntary Sector Forum
- Change, Grow, Live Manager
- Designated Dr and Designated Nurse

4.4 Two lay members participate on the board as full members. The role of lay members is to make links between the Board and community groups, support stronger public engagement in local child safety issues and to develop an improved public understanding of the Board's child protection and safeguarding work.

4.5 Responsibility for deciding who represents an agency on the Board rests with that agency. Representatives must be of sufficient seniority to ensure that the expectations set out below can be fulfilled. Agencies must ensure that they allow sufficient time and resources for their representative(s) to fully engage with and participate in the work of the Board.

- 4.6 Representatives are appointed to personally discharge the functions of the Board on behalf of their organisation; therefore, the representative may only send a substitute to a Board meeting with the consent of the independent Chair.

## **5. The Independent Chair**

- 5.1 The Independent Chair shall not be a member of any LSCB partner organisation during the period of their appointment as Chair.
- 5.2 The Independent Chair acts as Chair for the Board and will chair the Serious Case Review Sub Group unless the Board agrees otherwise.
- 5.3 The role of Independent Chair is undertaken on behalf of London Borough of Bromley. The Chair is accountable to the Chief Executive for the London Borough of Bromley. The role works closely with the Director of Children Services.
- 5.4 The Independent Chair has the authority to hold both agency and representative(s) to account.
- 5.5 Arrangements regarding recruitment, payroll and other employment-related matters including terms and conditions of contract, will be agreed in writing separately by the Chief Executive of the LBB on behalf of the Bromley Safeguarding Children Board.
- 5.6 The Independent Chair is appointed to oversee the functioning of the Board. He/she will chair the quarterly Board meetings, the Executive Group and the Serious Case Review sub group, as detailed below. In addition, the Independent Chair will be a “champion” in Bromley on safeguarding issues and will be a member of Bromley’s Health & Wellbeing Board. There will be defined arrangements to ensure the Independent Chair provides direct influence across a range of other strategic partnerships, including the Safeguarding Adults Board and the Community Safety Partnership.

## **6. The Chief Executive**

- 6.1 It is the responsibility of the Chief Executive LBB to appoint or remove the BSCB Chair with the agreement of a panel including BSCB partners and lay members. The Chief Executive LBB, drawing on other LSCB partners, and where appropriate, the Lead member will hold the Chair to account for the effective working of the BSCB within the respective local authority areas.

## **7. The Director of Children’s Services**

- 7.1 The Director of Children’s Services (DCS) plays a key role in promoting the safeguarding and welfare of children across all agencies. The DCS has statutory responsibility for improving outcomes for children and young people in their areas under section 18 Children Act 2004 and in this context, the BSCB Chair will work with all partners and particularly closely with the DCS.



## **8. Officer Support to the Board**

- 8.1 The Board may make arrangements for the employment of the staff necessary to support its work. Such staff shall be employed by a member organisation for the purpose of working for the Board.

## **9. Expectations of Board Members**

### **9.1 Key Objective**

Bromley Safeguarding Children Board representatives share collective responsibility for ensuring the safety of children and young people in their local areas, through the effective collaborative working of the organisations they represent.

### **9.2 Roles and Responsibilities**

- To work together to ensure that the Board meets its statutory functions
- To attend all Board meetings and contribute to debate and decision-making;
- To represent an organisation and speak on its behalf with authority;
- To commit the organisation to agreed policy and practice matters;
- To promote/champion the safeguarding agenda within the organisation;
- To hold the organisation to account for the quality of its safeguarding work;
- To raise any general safeguarding issues for multi-agency discussion;
- To nominate appropriate staff to serve on sub-groups or working groups as required;
- To ensure the provision of quality assurance information about and on behalf of the organisation;
- To receive concerns raised by the audit or case review process and ensure these are acted on within the organisation;
- To act as a single point of contact for conflict resolution between agencies.

## **10. Board Meetings**

- 10.1 The Board will meet a minimum of four times a year.
- 10.2 The Independent Chair will chair each meeting except where there may be a conflict of interest under a particular item or if she/he is absent for any reason – in which case the Senior Professional Advisor (pending appointment) will substitute for that item and/or meeting.
- 10.3 The Board will hold an annual development meeting in which it considers and agrees the priorities for the BSCB Business Plan for the next financial year.
- 10.4 In discharging its statutory functions the Board shall take all reasonable steps to ensure that:

- The experiences of children and young people are understood and used to inform improved coordination and effectiveness of the safeguarding system.
- The broader safeguarding responsibilities are kept in focus;
- There is effective monitoring of core child protection work ;
- There is effective monitoring of the key safeguarding responsibilities;
- The Board's budget is kept under review by receiving an annual budget report and updates on an exception basis;
- A record of attendance at Board meetings will be kept in order for the Independent Chair to be able to hold representatives accountable.

## **11. BSCB Executive Groups**

- 11.1 The BSCB will operate an Executive Group. The Executive Group will meet at least every 8 weeks.
- 11.2 The Executive Group will be chaired by the Independent Chair and will include chairs of sub-groups established by the Board and representation from other key statutory partners.
- 11.3 The Board will hold the Executive Group to account for progressing the related work of the Board within Bromley.
- 11.4 The Executive Group will work to the following Terms of Reference
- a) To drive the work of the Board by:
- Annual review of its effectiveness and through this, drafting of associated sections for the BSCB Annual report and Business Plan;
  - Determining the BSCB response to new legislation and guidance and modifying the Business Plan to take account of these where necessary;
  - Ensuring that progress against related aspects of the Business Plan are achieved and that it is outcome-focussed;
  - Ensuring that key developments in safeguarding work are brought to the Board wherever these have implications for the work of the wider agencies represented on the Board;
  - Contributing to the planning the Board meetings
- b) To set and oversee the work of the Sub-Groups by:
- Agreeing and reviewing Terms of Reference and work plan for each sub-group;

- Assisting the Sub-Group Chairs to identify cross cutting issues and themes across subgroup activity,
  - Monitoring the work of the sub-groups and reporting annually to the Board in relation to work completed;
  - Planning the budget in line with business planning objectives.
- c) To be responsible for promoting constructive, open challenge by:
- Enabling discussion and providing an account of the progress of sub-group work plans;
  - Highlighting any areas of concern to the Chair and thereby to the full Board

## **12. Sub-Groups**

- 12.1 The Board shall have the power to create (and dissolve) the sub-groups it agrees as necessary for it to fulfil its functions.
- 12.2 The Board will also have the power to create 'task and finish' / working groups to manage key pieces of development work and/or a Panel to manage the process of a Serious Case Review. Each shall work to agreed terms of reference and the chairs will be drawn from the BSCB Executive Group.
- 12.3 The frequency of meetings will depend to a degree upon the nature of the work being undertaken but it is generally expected that sub-groups will meet between 6 – 8 times a year and no less than 4 times.
- 12.4 All sub-group minutes will be taken and circulated by the Board Business Support Officer to an agreed template.
- 12.5 Minutes for each meeting will be circulated to all sub-group members and to the independent Chair. With the exception of minutes of Serious Case Review Panels, all minutes are public documents.

## **13. Expectations of Sub-Group Members**

- 13.1 Bromley Safeguarding Children Board representatives at every level share collective responsibility for ensuring the safety of children and young people in their local areas, through the effective collaborative working of the organisations they represent.
- 13.2 Members of BSCB sub-groups have been selected to represent their service and/or organisation. As such:
- They should be at a senior enough level to have an awareness of current strategic and practice developments not only within their particular area of responsibility but for the service/organisation within which they sit.
  - They should be influential within their service/organisation.
  - The effective delivery of sub-group responsibility should be part of an individual's performance appraisal

- Changes to membership should be agreed with the Chair of the respective sub-group
- Membership of sub-groups will be reviewed annually by the BSCB Executive Group

## **14. Responsibilities of Sub-Group Members**

- To keep your organisation informed about the activities of the Board and the sub-group, championing the work of the Board and the safeguarding agenda within your organisation;
- To work constructively with partner agencies to ensure that the sub-group is an effective multi-agency forum;
- To help the Board identify and address its priorities and challenges in relation to safeguarding practice and contribute to an analysis of same in an annual report;
- To attend all sub-group meetings and contribute to debate and decision-making;
- To lead practice initiatives generated by the work of the sub-group;
- To be able to challenge others and the work of your own agency;
- To raise any general safeguarding issues for multi-agency discussion;
- To ensure the provision of quality assurance information about and on behalf of the organisation;
- To act on concerns raised by the learning and improvement process and in turn ensure these are acted on within the organisation;
- To act as a single point of contact for conflict resolution between agencies.

## **15. Conduct of Meetings**

15.1 The conduct of all meetings of the Board and Sub-Groups shall be undertaken, in addition to any matters otherwise set out in this constitution or otherwise agreed by two-thirds of Board members, in accordance with the following provisions:

- 'Agreement' by the Board or a Sub-Group shall be construed as agreement by majority of those members of that Board, or Sub-Group in attendance at the meeting;
- Notice of any meetings of the Board and Sub-Groups shall be provided in writing (whether by post, facsimile or email) to all members of that Board, or Sub-Group within a reasonable time prior to the meeting, and in any event normally no later than five working days prior to the meeting;
- All members of the Board and Sub-Group shall be provided with an agenda of the matters proposed to be discussed at a meeting of that Board, Executive Group or Sub-Group at least five working days prior to the meeting;

- Where, after two and a half hours after the time appointed for the start of a meeting, of the Board, or a Sub-Group, the business on the agenda has not been completed, all unfinished business shall be adjourned to the next meeting unless otherwise agreed by the members in attendance at that meeting; and,
- Quoracy will be determined by the presence at the meeting of a minimum of 3 statutory partners. In the absence of a quorum the power to makes decisions shall cease and the meeting adjourned to another date/time.
- Board meeting minutes will be published on the BSCB website.

## 16. Amendments to the Constitution

- 16.1 The Constitution may be amended by a resolution passed by no less than two-thirds of Board members present and voting at a meeting. No amendment may be made which conflicts with legislation or statutory guidance.

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| Approved by:               |  |
| Date Approved:             |  |
| Date revised /<br>adopted: |  |
| To be reviewed:            |  |
| Available:                 |  |