

A review of current arrangements for the operation of Local Safeguarding Children Boards

SUMMARY REPORT

Background

The *Children Act 2004* placed a statutory duty on local authorities (LA) to establish Local Safeguarding Children Boards (LSCBs) to ensure, at a local level, key agencies work together to safeguard and promote the welfare of children. Over the intervening years the nature and scope of their responsibilities has changed. *Working Together to Safeguard Children 2013* (WT 2013) emphasised the role of LSCBs in ensuring effective local arrangements were in place and in holding partners to account but it also added a number of significant responsibilities. These included oversight of early help arrangements, clarifying thresholds, and developing a local framework for learning and development.

The Local Government Association (LGA) commissioned Research in Practice to conduct research into the current arrangements for the operation of LSCBs. The research was designed to:

- > provide baseline data on how LSCBs are responding to the changes introduced by WT 2013
- > establish the key criteria required for the effective operation of LSCBs
- > examine current arrangements to provide a model that is fit for purpose in fulfilling the expectations of policy makers and regulators
- > contribute to a national debate on future arrangements for the operation of LSCBs with a particular focus on funding, staffing capacity and workload.

There were three phases to this mixed methods research project:

1. In November 2014 a survey was sent to the Chairs working in all English LSCBs plus the Chairs of both the Guernsey and Jersey LSCBs. Given that some oversee more than one LSCB this produced a potential recipient list of 102 independent Chairs then in post.¹ Replies were received from 89 Chairs (87 per cent) representing 130 of the 148 LSCBs (88 per cent) surveyed.
2. Three case studies were conducted in three LSCBs (given the following pseudonyms to maintain their anonymity): Midshire (county council area); Buffton (a unitary authority) and Marston (a London borough). These case studies were conducted during January and early February 2015.
3. Five discussion groups, bringing together representatives from agencies and organisations that work with, or whose work is relevant to, LSCBs, were held during January and early February 2015.

The high response rate to the survey and the quality of data collected through the case studies and discussion groups allows a high level of confidence to be placed in the findings, though it is worth noting that a degree of divergence emerged across the rich data gathered and it would be erroneous to force conformity across the data.

There were many positive messages from this research: there was broad consensus that significant progress has been made in the last two years in engaging partner agencies, establishing effective governance arrangements and raising the profile of the LSCB. A strong commitment to further developing the work monitoring safeguarding arrangements and to ongoing learning and improvement was also evident throughout the research.

Key findings

The messages that are most relevant to those engaged in debate around LSCBs and their effectiveness centred around four themes. These can be summarised as:

- a) **a lack of clarity on the role and expectations of LSCBs**, linked closely to the perceived increase of responsibilities together with the emergence of new strategic bodies whose work interacts with that of LSCBs
- b) **the pressure on LSCB resources**, in terms of funding, partner contributions, staffing capacity and the impact of SCRs; the widespread uncertainty around resources was seen to be having an impact on effectiveness
- c) **the dissonance between the degree to which LSCBs are held accountable and the level of power and authority they have** to exercise their responsibilities and in particular hold partners to account
- d) **the pivotal importance of LSCB Chairs**; the skills and qualities of the individual Chair is a vital element in determining Board effectiveness, which poses some risk in light of the limited amount of paid time available to Chairs.

These messages are intertwined, contextual and indeed may not be the experience of all LSCBs. A more detailed analysis of the research findings is offered on the following pages.

¹ One LSCB did not have a Chair in place

1. LSCB Chairs: Backgrounds, accountability, skills and funding

The dominant professional background of Chairs responding to the survey was social work (44 per cent), followed by police (27 per cent), only one had an exclusively education background. Similar data were collected over five years ago by France and colleagues (2009), before the requirement for an *independent* Chair was introduced. At that time many respondents to that survey had a professional background in education as in social work and very few came from a police background.

Over a third of respondents chaired more than one LSCB and more than a quarter also chaired one adult safeguarding board (ASB). Over a quarter of Boards were chaired by someone with over three years' experience of that Board, two-fifths had Chairs who had served for between one and three years, and a third had a Chair who had been in position for less than one year - but of course some of these may have had experience of chairing other Boards. The majority (85 per cent) also had regular contact with other Chairs and LSCBs across their region, with most of the others having similar types of contact but did not describe them as *regular*, in most cases occurring a couple of times a year.

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In 2013 *Working Together* made it the responsibility of the local authority Chief Executive to appoint or remove the LSCB Chair with the agreement of a panel including LSCB partners and lay members *and* to hold the Chair to account for the effective working of the LSCB. Most Chairs were content with the arrangements although only a minority (16 per cent) thought they had sufficient authority in relation to their Chief Executives. The Chairs in the three case study areas approved of this level of accountability in principle, as long as key partners were actively involved in the process because, they argued, the decision had to be taken somewhere and Chief Executives had a significant level of responsibility for what happens across the authority.

Respondents were also asked to consider the key skills, knowledge and attributes needed by a Chair. These centred around four areas, with leadership skills emerging as the most important, followed by the ability to challenge others, the ability to establish and maintain good relationships across agencies and the ability to maintain independence.

The number of days for which Chairs were paid varied considerably and was not related to type or size of authority. Some Chairs were also working to flexible contracts so they had more days to support a specific situation, such as an authority being 'in intervention' following an Ofsted inspection. However, 80 of the 89 Chairs (90 per cent) responding to the survey were devoting more time than they were paid for the task; this ranged from half a day to six days a month in additional, unpaid time; one third reported that they were spending double the amount of time for which they were paid. Some said they were prepared to make this voluntary contribution and/or were able to due to personal financial circumstances that allowed it, whilst others wondered how sustainable the role would be without considerably more resources and in the face of escalating demands:

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“ Figures reflect invoiced time and do not reflect time spent reading, emails, telephone. Figures quoted are an average and can increase with unexpected issues such as peer consultations, SCRs, Ofsted preparation. Priorities are determined from month to month and reflect 'safeguarding' and 'political' imperatives - and there are more national priorities.

(Chair responding to survey)

Nearly three-fifths of Chairs surveyed considered the under-resourcing of LSCBs, including the number of days allocated to Chairs, to be one of the most severe constraints on the effectiveness of LSCBs.

This point was articulated by a Chair in a case study area:

“ From the national perspective of the Government and everybody, you the independent Chair, you're the face of the LSCB and the driving force, the responsible individual; to expect anyone to do that on 20 days a year, as is the case in some places, is ridiculous.

2. Membership

The study in general and the survey of Chairs specifically, provided the opportunity to understand the extent to which other agencies were engaging in the work of LSCBs. Despite the reported pressures on the Boards and on other agencies over the past two years, in over 50 per cent of LSCBs partner engagement was said to have improved and in another 15 per cent it was largely unchanged.

Not surprisingly local authorities were represented on every Board. Their representatives were said to attend regularly, although in a small number of Boards there was an issue over the consistency of the senior representative attending. Clinical commissioning groups (CCGs), NHS provider trusts, youth

offending services and police were all said to be represented at a sufficiently senior level in most LSCBs. This was despite the pressures on police and health agencies to attend multiple LSCBs when their boundaries did not match those of local authorities. In just under three-fifths of LSCBs, NHS England's representation was also said to be consistently strong. However, in one-fifth of Boards, NHS England's attendance was irregular or sporadic and in one-fifth no representative ever attended. This may help to account for the fact that, despite the high level of engagement of some parts of the health sector, three-quarters of Chairs believed that the restructuring of public and national health delivery since 2013 had meant significant challenges in maintaining engagement with local health partners.

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Half of all Chairs considered the lack of fit between the configuration of clinical commissioning groups and LSCBs had also made monitoring and influencing safeguarding practice more difficult. Another consequence emerged clearly in the course of the case studies and discussion groups where the introduction of CCGs and NHS England was reported to have had led to confusion across LSCBs over a number of issues including how responsibilities were divided between their area teams. The reorganisation had also resulted in the number of representatives from the health sector having grown considerably over the past two years:

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“ If any organisation dominates our Board, I would say that is health, because we haven't grappled with representation in terms of commissioners within health and provider services within health, so out of the 28 members, eight or nine of them are from health.

(Discussion group participant)

The Boards were adopting strategies to address this imbalance that sometimes involved asking the agencies themselves to decide on an appropriate level of representation or in a Board itself establishing a 'health group' that allowed a far larger number of representatives from the health sector to contribute to the work than attended the main board meetings.

After local authorities, probation was the service that was most strongly represented on Boards, with a senior representative attending regularly in three-quarters of LSCBs. In 15 per cent of LSCBs, probation's representation was said to be sporadic or irregular and in areas where the service reorganisation had already had a chance to embed there were reports that engagement was beginning to prove more difficult. However, of all the statutory agencies Cafcass' representation was the lowest of all. The survey data showed its representatives attending regularly, and at a sufficiently senior level, in just under half of all LSCBs. This was also the experience in the case study areas and of many attending the discussion groups. This was not necessarily seen to be a problem; rather it led some to question why Cafcass needed to be at LSCB meetings at all, and calls to identify other ways of communicating and engaging with that agency.

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Three-quarters of Chairs responding to the survey considered that the increasing independence of schools had made it harder to engage the education sector in the work of LSCBs.

Local authority schools are regularly represented at a senior level on over four-fifths of LSCBs, while non-local authority schools were represented in under half of all LSCBs, and academies were represented at a senior level on only one-fifth of Boards. A great deal of effort was being applied to re-thinking arrangements

following the major shifts in responsibility for schools away from local authorities and the introduction of new types of schools such as academies and free schools. This was an issue that was raised on numerous occasions in all three case study areas and in the discussion groups, with many describing the reduced responsibilities of local authorities in relation to schools leaving LSCBs with 'very few levers to pull'. Although representatives of schools on the LSCBs were recognised

as very experienced people, they were often viewed as a rather inefficient conduit between the LSCB and a large number of schools, as the representatives did not have the time and opportunities to do all that was necessary. However, in discussions with representatives of schools, a somewhat different picture emerged. One head teacher in Marston had been involved in explaining to schools what would be involved in a Section 175 audit of 16 schools.² In doing this, s/he had found a lack of awareness amongst Board members of the safeguarding auditing that takes place in schools by school improvement officers and by Ofsted.

One issue that emerged frequently in relation to Board membership was the potential for conflict between the priorities of Boards and those of partner agencies, leaving members in the middle either to follow their Board or employer. For example, the police were seen to be a highly engaged partner but one with a strong alternative chain of command. It meant the representatives not only received orders from their superiors, but they were subject to priorities other than those of the Boards, all of which made it harder to hold them to account. In discussions with members of Boards it was evident that many members faced similar dilemmas, often speaking of contributing to their LSCB's work or reporting to the Board rather than of owning the work or acting on the Board's behalf.

In some discussion groups, the views expressed on representation led to a debate on whether the model on which LSCBs was founded is still the right one, given the decentralisation of key partners:

“ In effect there's no such thing as an education system and we are getting close to that with health ... the concept of partnership has been strained beyond breaking point so maybe we don't have an appropriate model to achieve what we need.

(Discussion group 5)

These types of arguments were used to support the suggestion that Board membership should be examined from time to time to make sure that the agencies needed at the table – and in the sub-groups - were given the opportunity to be there, and other means were adopted to engage with others.

The *Apprenticeships, Skills, Children and Learning Act 2009* had provided for the appointment of two representatives of the local community (generally termed 'lay members') to each LSCB in England but only with *Working Together 2013* were local authorities required to take reasonable steps to ensure that it happened. The fact that it is such a new requirement may account for the fact that only 13 per cent of Chairs responding to the survey assessed lay members as having made a significant impact on their Boards, and where they had this was usually linked to the skills and experience which individuals brought to the role. *Working Together 2013* also stated that lead members should be participating observers and that a Board should include or be able to draw on appropriate expertise and advice from other agencies and frontline professionals. Lead members were reported to be actively involved in over 90 per cent of Boards and in many cases they were viewed as an asset to the work of the Board. As far as the engagement of other agencies and professions was concerned, the highest level of engagement was with designated nurses and designated doctors, followed by Directors of Public Health and Children's Trust Boards. However, only a fifth of boards were engaging well with other frontline practitioners and very few with general practitioners.

There were two other groups where there was a clear need to improve engagement. In over a third of LSCBs, arrangements with the voluntary sector were either not yet working well or were still being established. Where someone represented the sector, for instance by virtue of coming from an umbrella body, the sector was so diverse and widely distributed that in reality it was often considered impossible to achieve true representation. This was not reported as a reflection on the commitment or efforts of the individuals acting as voluntary sector representatives, but rather of wider concerns at how little oversight LSCBs and others bodies could have of a sector that was described by one participant as 'the unmanaged and unregulated economy'.

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In only 13 per cent of LSCBs were the voices of children and young people said to be influencing the Boards to a 'large' or 'very large extent'. This arguably represents a lost opportunity, particularly in light of the contribution which children and young people were reported to be making to the effectiveness of Boards in the three case study areas. However, it is worth noting that alongside the oft-expressed desire to improve engagement of children and young people, there were some who questioned whether this could be done meaningfully by Boards and whether it should be a LSCB responsibility.

² Section 175 of the *Education Act 2002* requires school governing bodies to make arrangements to safeguard and promote the welfare of children. There is a statutory requirement for each governing/responsible body to ensure that their statutory duties in relation to safeguarding are robust and fit for purpose. The method of demonstrating this is a Section 175 Audit.

3. Role and expectations of LSCBs

There were two issues on the role of LSCBs that ran through the various stages of the research. One focused on the breadth of the focus of LSCBs, the other on the extent to which it could be said Boards were truly independent.

Since the formation of LSCBs there has been a debate over whether LSCBs have the capacity to engage in a broader safeguarding role as opposed to a more specific child protection one. Most Chairs were in favour of maintaining the broader vision but the survey did not produce a definitive view on this. Just under a third of Chairs wanted to see an exclusive focus on child

protection, and one in five Chairs were undecided. The majority of those interviewed in the three case studies were also in favour of a broader safeguarding response, although concerns were expressed over the ability of Boards to be able to do this without significantly more resources. There was a widespread commitment to protecting children and young people from abuse or neglect, to ensuring that the right support was in place as early as possible and to creating an environment in which all children and young people felt safe and healthy. However, this was suggested to require too much of LSCBs, given the number of agencies that would be involved and the limited resources available to the Board. It led one Board member in a case study area to wonder if 'lower end' safeguarding responsibilities would sit more appropriately with health and well-being boards (HWBs). The minority, taking the view that LSCBs should concentrate on their responsibilities for child protection, tended to explain this was because the alternative meant that their Boards had to respond to too many agendas and priorities.

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The majority of Chairs also thought that Boards should be able to focus on safeguarding principles outlined in the *Working Together* statutory guidance and not be expected to respond immediately to new Government priorities driven by national news stories. However, many of the same Chairs also found it helpful when specific issues were highlighted as a national priority (eg, Child sexual exploitation/female genital mutilation/neglect) as it helped Boards to encourage local and regional partners to adopt a shared focus.

On the second issue, that of independence, there was a debate across the case studies and discussion groups on whether this was a reality or 'an illusion'. All LSCBs had an independent Chair but it was not clear to what extent the Boards were able to be independent of their constituent agencies. The agency LSCBs are closest to, and from which they effectively emerged on the demise of Area Child Protection Committees (ACPCs), are local authorities and specifically the children's services function of authorities.

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There was a strong feeling across all three case study areas that real independence could only be achieved when two conditions were met. The first being that all members felt accountable and responsible for their Boards and made this a reality by enabling adequate resources to support the Board's work. The second was to match calls for independence with giving LSCBs more powers.

There was very little appetite for taking independence to the point of designing a structure that sat outside all the agencies. Only a minority of contributors to this study would have liked to see a different model, possibly one which brought police, health and social care together as equal partners to support a similar infrastructure to the existing one but which would distance it from what they considered to be an over-identification with children's social care.

There were also fears that unrealistic expectations, alongside 'political interference', were changing the nature of both LSCBs and the role of the Chair.

Some respondents believed that LSCBs were changing from an enabling organisation that challenged all agencies to work together and gain an understanding of the local issues, to an auditing and quasi-inspectorial body; they feared this would lead to being distrusted rather than trusted. There were also those that considered the role of the Chair to be in danger of becoming more of a political role, not considered likely to provide better protection or support for frontline staff.

4. Challenges and enablers to effectiveness

Nearly all Chairs reported that the work of LSCBs had grown over the past two years, with three-quarters saying that this growth had been considerable. For some the experience or expectation of an Ofsted inspection was said to be shaping how they now operated. In the survey the majority of Chairs thought their Boards were fulfilling their statutory duties to coordinate what was happening in relation to safeguarding and promoting the welfare of children, with only three per cent saying they were doing it 'poorly'. There was a little less confidence, however, in their ability to ensure effectiveness. Although the overwhelming majority said they were doing this to a reasonable level, 14 per cent were said to be doing so 'poorly' or 'very poorly'.

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Overall the survey responses suggested that effectiveness was linked to one or more of these factors:

- > The commitment and participation of partner agencies, demonstrated by attending and contributing to meetings, contributing resources and pursuing improvement.
- > Strategic coherence and agreed accountabilities, often supported by regular meetings between senior managers or Chairs of other strategic groups and the involvement of key Board members on sub-groups.
- > Performance management frameworks, such as regular Section 11 multi-agency audit³ procedures to capture key performance and audit data, agreement on a clear set of priorities and outcome indicators and challenge/peer review arrangements.

The same factors emerged in interviews and discussion groups, with further discussion around the 'human element' - discussed later in this summary.

The case studies and discussion groups highlighted three other factors that were seen as contributing to effectiveness:

- > Organisational factors that included task and finish groups, using partner expertise and appraisal type exercises with all Board members.
- > Sufficient resources in order to hold partner agencies to account for their safeguarding work.
- > The involvement of children and young people, either through direct participation and/or by Boards taking greater note of their views.

In terms of how structures and processes could affect LSCBs' effectiveness, there emerged no one-size-fits-all solution. Different arrangements - for example the use of an Executive Group and sub-groups - are being implemented across the country and depend on local context. The discussion groups, in particular, highlighted how the split between the work of the Executive Group and/or sub-groups and that of the full LSCB could enable - and in some instances impede - cohesion and engagement. Participants noted the importance of balancing efficiency against democracy/shared ownership, and of concluding the Board's business without distancing some Board members yet avoiding LSCB meetings becoming repetitive which risks members becoming disengaged.

In the survey, Chairs also identified factors that challenged their Boards' effectiveness. The most frequently mentioned were:

- > the under-resourcing and turnover of staff at every level in their partner agencies
- > a training offer that was not strong enough and limited evaluation of the effectiveness of that training
- > negativity/dissonance arising from conflicting cultures across the partner agencies.

It is, furthermore, important to draw attention to responses received at all stages of this work on the failure to reach agreement on data sets, indicators and outcomes to measure effectiveness of partners' safeguarding activity. Responding to local safeguarding needs requires not only the engagement of partner agencies but also good intelligence and data (identified as facilitators of effectiveness, above). In the survey three-quarters of Chairs *disagreed* with the statement "We have limited/no data to identify local priorities", yet in the case study areas, and indeed in many of the comments made by Chairs in the survey, there were numerous references to the challenges of establishing a performance framework, and to data sets that were incomplete and/or did not contain comparable information. This failure made attempts to measure outcomes extremely difficult, if not impossible. For example, Midshire's dashboard of the top 20 indicators had 12 that were informed solely by social care data and partner agencies had not yet even been able to agree on a shared data set. Part of

³ Section 11 of the *Children Act 2004* places duties on a range of organisations and individuals to ensure their functions, and any services that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children.

the problem around data was, however, attributed to the failure in all three areas to have secured analysts' time to support this work which, in turn, linked with the reported pressures on resources.

Lastly, there was much discussion across all phases of the research about the human elements that underpin effectiveness: Effectively fulfilling LSCB responsibilities was considered to require a judicious mix of challenge and collaboration that relied heavily on the interpersonal skills of their Chairs. Chairs may have been reluctant to be seen to acknowledge their own contributions, but interviewees and discussion group participants identified strong leadership from the Chair as being a crucial part of an effective Board. When asked what was meant by 'strong', participants in discussion groups defined it as the ability to hold the partnership together by persuasion and negotiation; being able to move people from one position to another by argument and evidence rather than by threat and exposure. However, it was also recognised that a Chair could not make a Board effective on his or her own and that it also needed a strong group of members who were prepared, in the words of more than one participant, 'to roll their sleeves up and do

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At a time when partners were subjected to budgetary cuts and other restrictions, and when in reality LSCBs could not force agencies to do anything, it was recognised that a great deal was achieved because of a moral imperative to do the right thing, and that this shared moral compass is achieved in no small part through the attributes and efforts of individuals.

the job' and who shared a vision of what the Board was there to do and achieve. All three case study areas noted how fortunate they were to have a relatively low level of churn across their membership. The stability which went with this engendered a trust that led to what one member of Marston's Board described as a working situation that hinged on 'compliance through reputation'. This was seen as balancing the reality of the LSCBs having 'very little clout'.

5. Resourcing

Although the overwhelming majority of Chairs reported that the work of their Boards had increased in the past two years, very few had seen any additional resources to match this. The different levels of resourcing across Boards that were available to support Chairs was reflected more generally in the overall staffing and funding available to them.

Staffing: All the Chairs surveyed reported that their Boards had a Business Manager or equivalent - four-fifths of whom were full time – whom they regarded as ‘indispensable’. However, when the very largest and smallest authorities were excluded from the data, there was no significant difference between size of the child population of those LSCBs with a full-time Board Business Manager and those with a part-time post. In addition even though the post might be recorded as *full time*, that person was often drawn into other work or, as in an increasing number of cases, shared with other services, including adult safeguarding boards (ASBs). In very few instances was the Chair exclusively responsible for the line management of Board Business Managers. This was usually undertaken by a senior colleague in the local authority. Disadvantages of this arrangement were suggested to include:

- > making it easier to divert the post holder to other tasks
- > reinforcing the unhelpful perception that ‘safeguarding is mainly the job of social care’
- > some Board Business Managers experiencing conflicts of interest and competing priorities.

While most Boards had training leads or an equivalent there was significantly more variation over other posts such as administrators and policy advisers.

Funding arrangements: WT 2013 makes it clear that members should share financial responsibility for the LSCB in such a way that a disproportionate burden does not fall on a small number of partner agencies. The data that emerged from the survey showed that Chairs considered their funding arrangements to be working ‘well enough’ in

60 per cent and ‘very well’ in 8 per cent of LSCBs, often attributed to the generosity of partners. But it was also said that such arrangements could change quickly if budgets were cut dramatically and/or safeguarding was not prioritised. It follows that in just under a third of Boards (32%) funding arrangements were not working well, the study suggests this usually resulted in the local authority meeting the shortfall. This was the situation in two case study areas where the LSCB budget had not increased in one area for five years and in the other for nine years.

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Over three-quarters of Chairs wanted to see a defined national formula to determine the contributions made and the enthusiasm for this was reflected amongst those participating in the case studies and discussion groups where it was viewed by many as the only way to achieve parity across LSCBs. It

was also seen as a way of reducing both the need for annual negotiations over partner contributions – described by one Board member as akin to ‘taking a begging bowl around the agencies’ - and the significant financial risk which fell disproportionately to local authorities, particularly in the current fiscal climate. Those who took an opposing view and who rejected a national formula, broadly did so either because they thought the current commissioning arrangements were too complex to make a formula work, or because they wanted to see Boards funded directly by the Government in the hope that it would give them the security they needed.

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Even those who were not in favour of funding from a central purse wanted to see additional money allocated to address priorities that the government identified nationally, such as child sexual exploitation, rather than expecting LSCBs to find the means to respond. This was partly linked

to a concern, running through much of the study, around the uncertainty and impact of further cuts to the public sector and the consequences of these for the contributions, both financial and in kind, made by partner agencies.

There were calls made for additional money to address national priorities rather than expect LSCBs to find the means to respond.

6. Serious Case Reviews

Serious Case Reviews (SCRs) attracted a number of comments throughout the research, often connected to the issue of strained resources. Figures published by Ofsted show that 143 SCRs were initiated between April 2013 and March 2014 – a 53 per cent increase on 2012/13, when there were 93. Since April 2014, according to the survey, 150 SCRs had been commenced but these were not evenly spread across the country; 17 LSCBs having had no SCRs and others conducting up to seven or eight. In over two-fifths of Boards, Chairs considered that SCRs were having a considerable impact on their work, either because of the number of SCRs and/or their complexity. In two case study areas the rising number of SCRs was noted as a cause for concern.

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Two-thirds of Chairs surveyed reported that undertaking SCRs was a useful means of improving safeguarding locally, providing valuable learning. In contrast however, there were those, at all stages in the research, who questioned the usefulness of SCRs. Others reflected on the focus that has been placed on SCRs by government, suggesting this might be interpreted as a tendency to use SCRs to cast blame rather than learn lessons.

Some have suggested the government's focus on SCRs could be interpreted as a tendency to use SCRs to cast blame rather than learn lessons.

“*The quality of SCR investigators and their ability to manage their business is very variable... Some SCRs distract leaders in organisations from the longer-term improvement because of the distorted weight put on SCRs by Government, Ofsted and the media.*

In both the case studies and discussion groups, four messages were consistently expressed in relation to SCRs:

- > The absence of an effective means of disseminating and understanding the messages in a more intelligent and analytic way than was currently commonplace.
- > The use of the term ‘industry’ to describe the processes that surrounded SCRs. LSCBs have used or investigated some of the newer methodologies applied to SCRs including the Welsh and systems methods, with mixed experiences.
- > The high cost involved in commissioning SCRs. As the number of SCRs increased so did the costs attached to them. In some cases partner agencies made additional contributions to offset the shortfall, elsewhere attempts were made to fund out of income from training and/or from accumulated resources.
- > The shortage of highly skilled authors able to analyse material and write well in any methodology. There were a number of accounts of the consequences of poorly written reports that lacked the required analysis and focus (and on some occasions fell short of basic writing standards) which were then linked to the difficulties involved in learning lessons.

A number of those interviewed in the case study areas expressed some unease about the report from the National Panel of Independent Experts on Serious Case Reviews (2014).⁴ In addition to a lack of clarity over the proposal to commission some SCRs centrally, there were concerns that in the absence of adequate resourcing and independence the proposal would not lead to any improvement and could lead to decisions being taken in a vacuum without paying attention to local conditions and intelligence.

⁴ In June 2013 the then Education Secretary Michael Gove established a new independent panel to help ensure that lessons are learned when a child dies or is seriously harmed and there are signs of abuse or neglect.

7. Relationships with other strategic bodies

LSCBs are one structure amongst many that exist in local areas. There is a complex framework of partnerships and other structures including health and well-being boards (HWBs), local family justice boards (LFJBs), community safety partnerships (CSP), adult safeguarding boards (ASBs), children and young people's partnerships (CYPP), and where they still exist, children's trusts. The challenges associated with clarifying and then nurturing the LSCB's relationship with these other strategic bodies was explored throughout the study.

Overall there appeared to be a relatively low level of engagement between LSCBs and HWBs; in nearly a third of LSCBs, according to the survey, arrangements for HWBs were reported to be in place but not yet fully operational. Approximately a third of Chairs thought that HWBs were a useful development that brought benefits to the work of LSCBs, a third disagreed with this, and the rest were undecided. There was not, interestingly, a clear correlation between opinions on HWBs' usefulness and whether a clear relationship had been established between that participant's HWB and LSCB.

Many of those interviewed in the case study areas and in the discussion groups struggled to reach a clear understanding of how these strategic bodies all related to each other and, of course, where the LSCB fitted. In all three areas, interviewees said they were unclear about aspects of the relationships and/or about expectations of what the relationships should be. There were some attempts being made to work out where HWBs' remit interfaced with that of LSCBs, echoing Ofsted's emphasis on 'good strategic links between partners' objectives... those of other key decision making bodies, such as the local health and well-being boards⁵. These 'strategic links' were not interpreted by the groups as meaning the LSCB Chair must sit on the HWB; indeed there was a degree of bemusement at the fact that several recent Ofsted reports had criticised LSCBs on the grounds that the Chair was not a member of the HWB:

Many struggled to reach a clear understanding of how these strategic bodies all related to each other and where the LSCB fitted.

“ We did not know where that came from....it's not specified anywhere that the LSCB Chair should sit on the HWB. The issue of cost is important because, for every day the LSCB Chair is there we obviously have to pay for that...

And one of the Chairs who had been directed to do so said:

“ Three very strong members of my Board sit on the HWB; I don't have a shadow of a doubt that if there were issues about children they would deal with them effectively. I have a protocol that says I have an open door, if I want to take an issue to the HWB I can take it. All Ofsted said was, was I sitting at the table? ...It is totally ridiculous.

The 46 local family justice boards (LFJBs) are relatively new, having been introduced in 2012 as a result of the Family Justice Review in 2011 (Norgrove, 2011). So it is perhaps not surprising that they were not fully engaged with the majority of LSCBs, although they were reported to be in 14 per cent of areas. It was perhaps more surprising that there were no arrangements in place to engage with LFJBs in 42 per cent of Boards. In contrast to the relatively new LFJBs, community safety

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partnerships (CSPs) have been in existence for over 15 years, yet arrangements between LSCBs and CSPs were only reported to be working well in fewer than two-fifths of areas. There were very few comments from Chairs to explain the ways in which these relationships were or were not working or being developed. It was evident that work was being undertaken to address the challenges to bring about greater coherence, but the limited time available for Chairs to undertake this work was said to be a major reason why the pace of change was slower than desired.

Greater clarity around the relationship between LSCBs and other strategic bodies would be welcomed by many, with a degree of confusion often being expressed:

“ One of my first experiences of ... meeting with the Police and Crime Commissioner was presenting the annual report and the challenges to the police. But the police officers present were very unclear because they thought their job was to hold the Chair of the LSCB to account for what the Safeguarding Board was doing.

The situation was in some cases further confused where many of the same people sat on multiple Boards, though this also brought some benefits. Steps were being taken to minimise the burden or to use their multiple Board roles as a way of making sure the LSCB agenda was firmly planted in other Boards.

⁵ Ofsted (2015a) The report of Her Majesty's Chief Inspector of Education, Children's Services and Skills 2013-14: Social care. London: Ofsted

8. Inspection

The issue of inspection was one that generated a great deal of debate. In the survey, over a third (40 per cent) of Chairs 'agreed' or 'strongly agreed' with the statement that 'The current Ofsted inspection framework of LSCBs is helpful in driving up performance and increasing the profile of LSCB activity'. A small number of other relatively positive comments were shared in the discussion groups by those who were able to point to improved audits and processes precisely because they had to face an inspection. There were also a few who mentioned, somewhat apologetically, that they had been able to improve practice in other agencies by 'waving the stick' that Ofsted was coming or by pointing to a criticism in an inspection report and using this to leverage action.

Overwhelmingly, however, the experience and perceptions of Ofsted were expressed in less positive terms.

Inspections were believed by some to be changing the nature of LSCBs, and making the task of Boards extremely difficult.

“ *The impact of Ofsted inspection on LSCBs has had the unintended consequence of distracting focus away from its core functions. LSCBs could - if supported effectively and with a realistic remit - do the job they were meant to do, but the ever increasing and unrealistic expectations of central Government to continue to do more with less and less makes the job feel at times impossible.*

The research also highlights a concern about the extent to which LSCBs are now being held to account by Ofsted and by Government for the practice of *all* agencies working with children and families. The requirement to 'ensure the effectiveness of what is done by each such person or body for the purposes of safeguarding and promoting the welfare of children' in their area, is a phrase that is open to wide interpretation. Overall the feeling in the groups seem to coalesce around a belief that Ofsted may be struggling to understand, and reach reliable judgments, when faced with what is, in effect, a partnership framework.

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The issue of LSCBs' authority was also linked to the discussions around inspection. Only one in five Chairs surveyed thought they had the necessary powers to hold partner agencies to account. It was articulated by many that LSCBs do not have the remit or resources to provide independent scrutiny mechanisms or to correct failings that were identified during Ofsted inspections and as such many believed they were being held to account for deficits that were beyond their power to correct. Obvious examples were excessive caseloads of social workers and the high level of turnover of staff across children's social care. While both were considered to have a significant impact on practice and, in turn, outcomes for children, LSCBs were considered to be powerless to do very much to address these challenges - particularly in the context of reduced resources across partners. This mirrors Ofsted's recent report⁶ which noted that:

Only one in five Chairs surveyed thought they had the necessary powers to hold partner agencies to account.

“ *LSCBs have limited authority and do not have powers to require agencies to act... There is no obligation on partner organisations to take account of the advice of the LSCB or to carry out any recommendations given by the LSCB.*

In general it was felt that the language used by Ofsted was very 'unhelpful' and 'destructive' as were the summary judgements attached to children's social care and LSCBs in isolation from the context within which they operated. It is worth noting that even those who had been through the process and had been judged to be 'good' did not think it was the most appropriate way to go about an external quality assurance process.

⁶ Ofsted (2015a) The report of Her Majesty's Chief Inspector of Education, Children's Services and Skills 2013-14: Social care. London: Ofsted

Reflections

In terms of the role the Boards believed they *were* designed to fulfil, the research indicates there is reason to believe that the majority met most if not all expectations (or were making demonstrable progress against doing so); it also showed that a minority were not able to do so, and in most of these cases Ofsted had already identified the same concerns. Throughout the research there were examples of excellent and committed partnership working, of strong leadership and of local partners doing their best to mitigate the impact of reduced resources. The contribution of the Chair to the overall effectiveness of LSCBs was universally acknowledged in the case studies and discussion groups, as was the importance of an effective Board Business Manager.

Whilst Boards clearly face many challenges, the research indicates that if LSCBs were afforded greater certainty and sustainability in their resourcing, alongside clear and proportionate expectations of their remit, the experience and expertise that they have accumulated mean that they could act as powerful, galvanising forces for good – as indeed some do. If, however, they are to be expected to provide an independent scrutiny mechanism across the whole of children's services then the purpose has outgrown the design.

At the present time there is a lack of clarity over their purpose which is producing an unhelpful level of insecurity across the sector and must be addressed cautiously. There was a concern amongst many of those who contributed to this study that a dominant discourse was emerging that 'there is a problem with LSCBs' without defining the problem or its causes. The solution might therefore be thought to lie in restructuring Boards or reforming the operating model in an attempt to correct the perceived failure. The research offers no evidence to suggest that a radical change in the current model will necessarily yield better results and, in fact, the more pressing issue seems to be that there is not a universally agreed and realistic set of results for LSCBs to achieve.

Expectations on LSCBs have increased significantly without accompanying additional powers and resources within a context of public sector budgetary constraint, increasing scrutiny on agencies in relation to safeguarding and the cross-cutting influences of different agency cultures and priorities. Structural or procedural reform that does not recognise these contextual issues is very unlikely to achieve its intended results. One important message from this research is that, where things are working well and/or improving, this often seems to rely on the purpose and passion of the individual people involved – personal qualities that are quite separate from issues of structure or procedure, and indeed hard to inspect for, but may be hugely salient in the discourse around LSCBs and their effectiveness.