

The protection of children in England: action plan The Government's response to Lord Laming

HM Government

A briefing paper from the National Council for Voluntary Youth Services (NCVYS)

May 2009

1. Introduction

In May 2009, HM Government published *The protection of children in England: action plan – The Government's response to Lord Laming*. The action plan sets out Government's detailed response to the recommendations in Lord Laming's report, *The protection of children in England: A progress report* (March 2009)¹.

This briefing paper summarises the action plan, but first highlights potential issues for the voluntary and community youth sector arising from the publication.

2. Potential issues for the voluntary and community youth sector (VCYS)

Safeguarding is an important area of all our work with young people and NCVYS was pleased to submit a response in consultation with members to Lord Laming's inquiry in December 2008 followed by representation from the Chief Executive at a stakeholder meeting held to inform Lord Laming's report.

The action plan which forms Government's response to the report is vital at a time of heightened awareness around safeguarding children and young people. The voluntary and community youth sector needs to keep up-to-date with developments to enable it to contribute effectively to national policy developments and to local safeguarding of children and young people. Developments around Children's Trusts and Local Safeguarding Children's Boards (LSCBs) are crucial to ensuring VCYS input into local strategic planning and offers an opportunity for the VCYS to raise its profile in this area, particularly in sharing its good practice and through partnership working.

¹ HM Government (2009) *The protection of children in England: action plan – The Government's response to Lord Laming* and Lord Laming (2009) *The protection of children in England: A progress report* are available via:
<http://www.everychildmatters.gov.uk/socialcare/safeguarding/>

3. The protection of children in England: action plan – The Government’s response to Lord Laming summary

This section provides a summary of the action plan, highlighting key, relevant points for the VCYS.

3.1 Introduction

This chapter sets out the process of the production of the action plan. Following a Ministerial request, Lord Laming published *The Protection of Children in England: A Progress Report* which stated that robust legislative, structural and policy foundations are in place and that Every Child Matters was a sound framework, however ‘there now needs to be a step change in the arrangements to protect children from harm’. Lord Laming’s report stressed the importance of placing the child at the centre of all that is done for children and young people.

3.2 The challenge

The action plan states that Government recognises that it, and local authorities, need to work with local partner organisations to provide strong national and local leadership to drive implementation forward to make a rapid and lasting difference to the most vulnerable children and improve confidence in the system. Government’s response to Lord Laming focuses on individual and collective action.

3.3 National leadership and accountability

The action plan highlights that Government agrees with Lord Laming’s recommendation that there needs to be ‘a sustained commitment to child protection and promoting the welfare of children at every level of government and in every one of the local services.

Stronger, central guidance

The action plan states that Government will revise the core statutory guidance, *Working Together to Safeguard Children*², to take account of Lord Laming’s recommendations to strengthen policy and practice, and to place a stronger focus on the perspective of the child by the end of 2009. Government will consult on this before issuing draft guidance for formal consultation this autumn.

Government plans a separate consultation in relation to Serious Case Reviews by July 2009. Ofsted has also confirmed that it will revise the evaluation framework for Serious Case Reviews to strengthen the focus on learning.

Chief Adviser on the Safety of Children

Sir Roger Singleton was appointed as Chief Adviser on the Safety of Children on 12 March 2009. The action plan describes the Chief Adviser’s role which will include advising Government on strategic priorities and the effective implementation of policy and report annually to Parliament on safeguarding progress. It is a three-year appointment and immediate priorities are:

- the development of Government’s action plan in response to Lord Laming; and
- the remit of the new National Safeguarding Delivery Unit and its mode of operation.

The Chief Adviser will submit his first annual report to Parliament in April 2010. He will be assisted by a new Chief Adviser’s Expert Group which includes representation from NSPCC, Centre for Excellence and Outcomes (C4EO) and Cafcass. The Chief Adviser is independent to Government.

² HM Government (2006) *Working Together to Safeguard Children* is available via: <http://www.everychildmatters.gov.uk/socialcare/safeguarding/workingtogether/>

National Safeguarding Delivery Unit

The action plan provides details of the new National Safeguarding Delivery Unit (NSDU). The Chief Adviser will advise Government on the establishment of a cross-Government NSDU which will comprise expert staff from the Department for Children, Schools and Families (DCSF), Home Office, Department of Health, Ministry of Justice, local agencies and the voluntary sector. The NSDU will:

- provide support and challenge to local authorities (LAs);
- promote dynamic learning and good practice development, including through sector-led approaches;
- act as a bridge between national policy development and local implementation; and
- support the development of explicit strategic priorities, and related national targets, where appropriate, for the protection of children and young people for all relevant frontline service.

Regional Government Office staff will work as part of the NDSU towards negotiation with LAs on appropriate targets for safeguarding, to be set out in the Children and Young People's Plan (CYPP), and challenge the quality of local needs analysis.

The NDSU will work with Minister, LAs, other national partners and Government regional offices to challenge and support every Children's trust in the country to deliver the best possible arrangements for keeping children safe. Expectations on every Children's Trust include a thorough needs assessment of their local population as part of the CYPP and to make improvements in leadership, staffing, training, supervision and practice across all services.

A Partnership Network will be established to work with the NSDU and the Chief Adviser to pursue specific issues impacting on effective frontline safeguarding practice. Government will invite partners to join the Network during May 2009.

The NSDU will publish a detailed work programme in September 2009 and will support the Chief Adviser in preparing his annual report to Parliament. The NSDU will be operational by 1 July 2009, hosted within the DCSF and will report the Cabinet Sub-Committee on Families, Children and Young People through a new Ministerial sub-group comprising Secretaries of State from DCSF, Home Office, Department of Health and the Ministry of Justice.

Inspection framework

The action plan describes progress within inspection frameworks. Ofsted has designed more rigorous inspection arrangements for safeguarding and will shortly be publishing a new framework for a rolling programme of inspections of safeguarding and looked after children in all areas and covering the role of all partners, on a three-year cycle. Ofsted has also designed a new school inspection framework which will apply from September 2009 so that it will have a stronger focus on safeguarding. Ofsted will ensure that inspectors have the appropriate skills and expertise, share copies of Serious Case Reviews in confidence with partner inspectorates and produce six-monthly reports covering the lessons of Serious Case Reviews.

The Care Quality Commission (CQC) is committed to working in partnership with Ofsted to inspect and assess the health-related elements of its programme and ensure its inspection framework is sound, workable and adaptable. CQC will ensure that all staff inspecting children's services are suitably experienced and qualified.

Her Majesty's Inspectorate of Constabulary (HMIC) is currently reviewing its inspection methodology and is moving to Rounded Assessment. Child abuse investigations and safeguarding children will be included under Protection from Serious Harm. Her Majesty's Inspectorate of Prisons (HMIP) will build on existing practice that promotes the inspection of actual work involved in safeguarding and public protection.

3.4 Local leadership and accountability

The Apprenticeships, Skills, Children and Learners Bill³ (ASCL Bill), currently before Parliament, sets out Government's proposals to strengthen Children's Trusts⁴. Every Children's Trust should have a Board on which the partners and the local community are represented. The ASCL Bill proposes that the Children's Trust Board will have responsibility for producing a CYPP informed by a needs analysis and full consultation. The CYPP will cover strengths and weaknesses in the area, what has been achieved in the last year and what more needs to be done by each partner to improve outcomes in safeguarding. The CYPP should also include clear targets for improving outcomes for keeping children safe. Government will work with partners to review the range of safeguarding indicators and will publish a new set of indicators by the end of September 2009 which will form the basis of the targets set by Children's Trusts. Furthermore, Government has brought forward amendments to the ASCL Bill to allow for the Secretary of State to amend the set of statutory targets which apply to all areas.

The action plan states that Government accepted Lord Laming's recommendations on the respective roles and responsibilities of Local Safeguarding Children's Boards (LSCBs) and Children's Trusts. LSCBs should include membership from the senior decision-makers from all safeguarding partners. Children's Trusts and LSCBs should not be chaired by the same person and that the LSCB chair should be selected by a group of multi-agency partners and should have access to training to support them in their role. There will be a presumption that the LSCB chair is independent of local agencies so that the LSCB can exercise its local challenge function effectively.

Furthermore, Government is taking action to ensure that:

- the Children's Trust and LSCB have important but distinctive roles. The Children's Trust is accountable for ensuring that services deliver better outcomes and the LSCB should be responsible for challenging every member of the Children's Trust on their success in ensuring that children and young people are kept safe;
- the LSCB should publish an annual report on the effectiveness of local arrangements, the contribution and activities of each partner;
- Directors of Children's Services (DCSs) have a lead responsibility for improving outcomes for children in their area, they are politically accountable for ensuring that the LA fulfils its legal responsibilities for safeguarding and promoting the welfare of children and young people, and should provide political leadership needed for the effective co-ordination of work with other relevant agencies;
- Lead Members for Children's Services should take steps to ensure that effective quality assurance systems for safeguarding are in place and functioning effectively.
- both the DCS and the Lead Member should be members of both the Children's Trust Board and the LSCB.
- every year the local LA Chief Executive and Leader of the Council should make an assessment of the effectiveness of local governance and partnership arrangements for improving outcomes for children and young people and supporting the best possible standards for safeguarding children;
- Government believes that LSCB arrangements should be opened up to wider public scrutiny through the appointment of two lay members drawn from the local community to the LSCB and it has brought forward an amendment to the ASCL Bill to require this.

Government will produce revised statutory guidance on the roles of DCSs and Lead Members in June 2009. This will be incorporated in the revised *Working Together to Safeguard Children* guidance published by the end of the year, subject to passage of legislation. Revised statutory

³ Further information on the Bill is available via: <http://services.parliament.uk/bills/2008-09/apprenticeshipsskillschildrenandlearning.html>

⁴ NCVYS briefings and consultation responses around Children's Trusts are available via: <http://www.ncvys.org.uk/index.php?page=265>

guidance for Children's Trust Boards and CYPPs will be prepared following the passage of the ASCL Bill and will be published in spring 2010.

Supporting local leaders

The National College of School Leadership (NCSL) will be extending its remit to support DCSs, aspirant DCSs and school and children's centre leaders across the children's services sector, including a new leadership programme for DCSs which will begin this autumn with a first intake of 24. The NCSL is consulting stakeholders on changing its name to reflect its new broader remit.

Government has asked the Children's Workforce Development Council (CWDC) to develop a programme of intensive support and coaching for social work team leaders and first line managers. Government expects NCSL to be involved in this. Government has also asked the C4EO⁵ to undertake an additional strand of its programme on *Protecting children living in families where they are at risk of abuse, harm or neglect*.

3.4 Supporting the front line

This section sets out Government's expectations of support for people working on the front line with children and young people. It includes:

- early intervention in schools and children's centres – in Government's forthcoming 21st Century Schools White Paper it will set out a national framework for early intervention to meet children's additional needs which will set out the roles and responsibilities of schools and other services;
- information sharing and assessment – organisations should have in place appropriate and consistent governance frameworks to promote and support good practice in information sharing as well as ensuring that the guidance is embedded in training and education for frontline staff and their managers. ContactPoint⁶ is being phased in across England and CWDC will shortly be issuing updated guidance on the Common Assessment Framework (CAF) and have developed a web-based material to help LAs and their Children's Trust partners to implement CAF as part of the development of integrated working locally;
- the police – the Home Office will be developing a new Strategic Framework for delivering Protective Services which will feature Child Protection as one of its first priorities and the National Police Improvement Agency will continue to develop the Specialist Child Abuse Investigators' Development Programme;
- health services – measure include the Department of Health is working to develop new statutory targets and their indicators. *Healthy lives, brighter futures*⁷, the joint strategy for children and young people's health, sets out a series of commitments to support and strengthen the child health workforce.

The action plan sets out Government's plans around social work reform which has included the establishment of the Social Work Task Force to conduct a review of the social work profession and to look at how frontline social work practice needs to be improved. The Task Force will report to Government in October 2009. The action plan also describes the Integrated Children's System (ICS) which will provide an effective IT approach.

Government is already investing £73 million in social work reform and is now announcing an additional £57.8 million to create a Social Work Transformation Fund which will increase the capacity of the system to train and support social workers, and implement change in the immediate term.

⁵ Further information on the C4EO is available via: <http://www.c4eo.org.uk/>

⁶ Further information on ContactPoint is available via: <http://www.everychildmatters.gov.uk/contactpoint/>

⁷ HM Government (2009) *Healthy lives, brighter futures* is available via: <http://publications.dcsf.gov.uk>

3.5 Reducing delay in care proceedings and court fees

The action plan describes how the Ministry of Justice is working with the DCSF to establish a system-wide target for reducing delays that draws in all participants within the care proceedings system. The intention is to have an overarching objective, related to the timetable for the completion of care proceedings for an individual child, supported by a suite of Key Performance Indicators owned by individual participants in the system. An announcement will be made later this year.

The Ministry of Justice has appointed Francis Plowden to conduct a review of court fees, and to establish whether or not to commence care proceedings.

3.5 Conclusion and action plan

The action plan states that Government is determined to act on Lord Laming's recommendations swiftly and decisively. A table is provided setting out Lord Laming's recommendations, what Government's response is and the timeline for action.

For more information on any element of this paper, please contact NCVYS's Policy Officer, Hannah Dobbin, E: hannah@ncvys.org.uk or T: 020 7278 1041.

If you are interested in developing your safeguarding practice NCVYS's *Keeping It Safe* toolkit and Sound Systems accreditation scheme could be just what you need, please see <http://www.ncvys.org.uk/index.php?page=621>. For more information around this contact Development Officer for Safeguarding, Chris Brewster on E: chris@ncvys.org.uk or T: 07971 054925.