

# Decision Pathway – Report



**PURPOSE:** Key decision

**MEETING:** Cabinet

**DATE:** 13<sup>th</sup> July 2021

<b>TITLE</b>	Amendments to the Keeping Bristol Safe Partnership Constitution		
<b>Ward(s)</b>	All		
<b>Author:</b> Ann James	<b>Job title:</b> Director for Children, Families and Safer Communities		
<b>Cabinet lead:</b> Helen Godwin	<b>Executive Director lead:</b> Hugh Evans		
<b>Proposal origin:</b> BCC Staff			
<b>Decision maker:</b> Mayor <b>Decision forum:</b> Cabinet			
<b>Purpose of Report:</b>  To note and accept the proposed amendments to the Keeping Bristol Safe Partnership Constitution by the Keeping Bristol Safe Executive as one of the partnership's three statutory partners.			
<b>Evidence Base:</b> <b>1. Background</b>  In June 2018, Working Together to Safeguard Children set out changes in the way agencies were required to work together to safeguard children and young people requiring implementation by September 2019. This statutory guidance reflected the changes brought into statute by the Children and Social Work Act 2017. Instead of each local authority being responsible for the running of a Safeguarding Children Board, the legislation requires each local authority area to have multi-agency safeguarding children's arrangements which enable agencies to work collaboratively to ensure the effectiveness of the child protection and safeguarding system. The government specified that these arrangements would be the joint responsibility of the area's: Chief Executive of the local authority, Chief Executive of the local clinical commissioning group, and the Chief Constable of the police force for the area.  Keeping Bristol Safe Partnership came into effect on September 2019. The Executive Board was established to oversee the new Multi-Agency Safeguarding Arrangements for children, Local Safeguarding Adults Board and Community Safety Partnership (CSP). The partnership is required to meet Bristol's statutory duties to: safeguard and promote the wellbeing of children as required by Working Together 2018; help and protect adults at risk of neglect and/or abuse as required by Care Act 2014; and to protect our local communities from crime and to help people feel safe in accordance with the Crime and Disorder Act 1998.  In Bristol, the launch of the new arrangements into a multi-agency integrated safeguarding and community safety partnership reflected Bristol's ambition to work collaboratively across local agencies and organisations to develop an equitable and robust partnership, and integrated whole-life course approach to protecting our most vulnerable children, families and communities. This Partnership came into existence on 29th September 2019 and the Constitution and Terms of Reference was approved by each single agency. In Bristol the Cabinet approved the Keeping Bristol Safe Constitution on the 3rd September 2019.  At the time the Board was constituted, the Council did not have a Chief Executive Officer so responsibility for the arrangements was agreed to be discharged by the Executive Director for People. The Constitution has now been			

updated to reflect changes to the leadership structure of Council and the Chief Executive Officer role.

## **2. Changes to the Constitution**

The following is a summary of the amendments to the Constitution. The numbers below relate to the relevant sections of the Constitution.

### **1. Establishment and Title**

**1.6** - The lead agency representatives responsible for discharge of their statutory functions in relation to Safeguarding Adults Board and Multi-agency Safeguarding Children Arrangement: The Executive Director of People, Bristol City Council has been replaced by the Chief Executive, Bristol City Council in line with national Guidance and legislation.

### **8. Decision making and commissioning for Statutory Reviews**

8.15-17 are new additions following learning where one partners disclosed information from a statutory review to a family member without the agreement of the Keeping Bristol Safe Partnership where the information is owned by the partnership not by the agency.

8.15 – The decision whether to disclose information from Statutory reviews will be taken by the Independent Chair in consultation with Statutory Partners, following the process and principles set out in Appendix 4 of the constitution

8.16 – Complaints received by the Board will be dealt with in line with the policy set out in Appendix 6 of the constitution

8.17 – All published reports will be available on the KBSP website.

### **10. Business Planning**

10.3 is a new addition reflecting the in-kind commitment of Bristol City Council Public Health Service to the Partnership.

10.3 - Bristol City Council Public Health will produce the annual strategic needs assessment on behalf of the KBSP and make recommendations on priorities to the Executive Board for approval. This is in line with previous agreement for the Public Health Service to provide the data analytic support for the Board as part of Bristol City Council's contributions to the partnership.

The following appendices to the Keeping Bristol Safe Partnership Constitution have been reordered and appendix 4 updated to reflect additions of 8.15-17;

1. Code of conduct
2. Child Death Overview Panel
3. Agreement for provision of legal advice
4. Disclosure of Information from Statutory Reviews
5. Compliant Procedure for Statutory Review
6. Complaint Procedure
7. Compliant Acknowledgement template
8. Compliant response template

### **Independent Scrutiny**

Independent Scrutiny of multi-agency safeguarding children arrangements is required under the Children and Social Work Act 2017. The legislation and guidance does not set out how independent scrutiny is delivered. In Bristol this is currently delivered through a mixed arrangement of regional and local scrutiny activity such as regional audits and through the role of the Independent Chair of the Keeping Bristol Safe Partnership Executive. Work is currently underway to review the balance between regional and local scrutiny activity to increase local scrutiny through the Independent Chair's role as the partnership continues to develop. This is because the partnership has not been satisfied that the level of activity in the regionally hosted scrutiny arrangements has been sufficient to meet the requirements of the act. The regional scrutiny role is being re-evaluated by the statutory partners and in the interim the Independent Chair will undertake increased scrutiny and oversight. Arrangements are in place to ensure

that the Chair does not scrutinise any of their own decision-making functions and they are held to account by the Responsible officers and lead members of the Council. The Chair reports three times a year on their activity and findings.

The independent scrutiny work is of the Partnership not just council internal processes. The findings of the independent scrutiny will be available to the People Scrutiny Commission for consideration.

**Cabinet Member / Officer Recommendations:**

That Cabinet

1. Approve the updated Keeping Bristol Safe Partnership constitution
2. Note the further proposals to review and strengthen place based Independent Scrutiny arrangements

**Corporate Strategy alignment:**

This change ensures that Bristol is able to meet ‘Empowering and Caring’ Key Commitments through clear multi-agency partnership governance for safeguarding children.

**City Benefits:**

This change ensures that our governance is compliant with our legal requirements and duties in respect of multi-agency safeguarding children’s arrangements.

**Consultation Details:**

The changes to the constitution have been consulted on with multi-agency partners who form the Keeping Bristol Safe Executive.

**Background Documents:**

[Working Together 2018](#)

<b>Revenue Cost</b>	£0	<b>Source of Revenue Funding</b>	<i>Insert specific service budget</i>
<b>Capital Cost</b>	£0	<b>Source of Capital Funding</b>	<i>e.g. grant/ prudential borrowing etc.</i>
One off cost <input type="checkbox"/>	Ongoing cost <input type="checkbox"/>	Saving Proposal <input type="checkbox"/>	Income generation proposal <input type="checkbox"/>

**Required information to be completed by Financial/Legal/ICT/ HR partners:**

**1. Finance Advice:** There are no financial implications rising from this report

**Finance Business Partner:** Denise Hunt 25<sup>th</sup> May 2021

**2. Legal Advice:**

There are no direct legal implications arising from the report. The constitution provides for regular review and the amended constitution reflects learning from the initial phase of the operation of the partnership and is in line with Legislation and statutory guidance.

**Legal Team Leader:** Nancy Rollason, Head of Legal Service, 5<sup>th</sup> July 2021

**3. Implications on IT:**

No impact to IT Services.

**IT Team Leader:** Simon Oliver,

**4. HR Advice:** *The proposed changes to where the statutory responsibilities will sit does not have any significant HR implications for Bristol City Council employees.*

<b>HR Partner:</b> Lorna Laing People, HR Business Partner		
<b>EDM Sign-off</b>	Hugh Evans	12 <sup>th</sup> May 2021
<b>Cabinet Member sign-off</b>	Cllr. Godwin	25 <sup>th</sup> May 2021
<b>For Key Decisions - Mayor's Office sign-off</b>	Mayor's Office	14 <sup>th</sup> June 2021

<b>Appendix A – Further essential background / detail on the proposal</b> Revised Constitution of the KBSP with track changes	<b>YES</b>
<b>Appendix B – Details of consultation carried out - internal and external</b>	<b>NO</b>
<b>Appendix C – Summary of any engagement with scrutiny</b>	<b>NO</b>
<b>Appendix D – Risk assessment</b>	<b>NO</b>
<b>Appendix E – Equalities screening / impact assessment of proposal</b>	<b>YES</b>
<b>Appendix F – Eco-impact screening/ impact assessment of proposal</b>	<b>NO</b>
<b>Appendix G – Financial Advice</b>	<b>NO</b>
<b>Appendix H – Legal Advice</b>	<b>NO</b>
<b>Appendix I – Exempt Information</b>	<b>NO</b>
<b>Appendix J – HR advice</b>	<b>NO</b>
<b>Appendix K – ICT</b>	<b>NO</b>
<b>Appendix L – Procurement</b>	<b>NO</b>