



**Constitution and
Terms of Reference
of the
Norfolk Safeguarding
Children Board**

Underpinning principle

Partner agencies' representatives at the Board should leave representation of their agencies to one side and focus on how they can work together to improve safeguarding

1. Interpretation

In the following document, "a board partner" is one of the corporate bodies making up the Norfolk Safeguarding Children Board (NSCB), "a representative" is the person appointed by a board partner as its representative for the purposes of the Board and "the Board" means the board partners acting through their representatives in the discharge of the business of the Norfolk Safeguarding Children Board.

The Constitution and Terms of Reference are underpinned by the Board's Governance Handbook.

2. Statutory Basis

The NSCB is established under Section 13 of the Children Act 2004 and in conjunction with Section 11 will provide the statutory basis for achieving the vision of safeguarding set out in the Joint Chief Inspectors' report Safeguarding Children 2002:

"All agencies working with children, young people and their families take reasonable measures to ensure that the risks of harm to children's welfare are minimised: and

Where there are concerns about children and young people's welfare, all agencies take appropriate action to address these concerns, working to agreed local policies and procedures in full partnership with other agencies".

3. Objectives

- 3.1 The core objectives of the Local Safeguarding Children Board are set out in the Children Act 2004, s.14(1):
 - (a) To co-ordinate what is done by each person or body represented on the Board for the purposes of safeguarding and

promoting the welfare of children in the area of the authority;
and

- (b) To ensure the effectiveness of what is done by each such person or body for that purpose.

3.2 Safeguarding and promoting welfare the welfare of children and young people includes:

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

3.3 The Board will set the strategic direction to achieve the objectives and will monitor and review that work. The Board will be supported by a Leadership Group to assist with business coordination and planning and a Performance, Improvement & Quality Assurance Group to ensure the effectiveness of the Board's activities. Further sub-groups with specific responsibilities for discrete tasks report to the Board.

4. Functions

4.1 The functions of the NSCB in relation to its objectives are:

- (a) Developing policies and procedures for safeguarding and promoting the welfare of children in the area of the authority, including policies and procedures in relation to –

The action to be taken where there are concerns about a child's safety or welfare, including thresholds for intervention.

Training of people who work with children or in services affecting the safety and welfare of children.

Recruitment and supervision of people who work with children.

Investigation of allegations concerning people who work with children.

Safety and welfare of children who are privately fostered.

Co-operation with neighbouring children's services authorities and their Board partners.

- (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 Local Authority and Board partners individually and collectively to safeguard and promote the welfare of children, and advising them on ways to improve compliance with Section 11 of the Children Act 2004..
- (d) Participating in the planning and commissioning of services for children to ensure they take safeguarding and promoting the welfare of children into account.
- (e) Undertaking reviews of serious cases and advising the authority and their Board partners on lessons to be learned.

4.2 The Board will have in place the following functions in relation to the deaths of children normally resident in Norfolk -

- (a) Collecting and analysing, and reporting as required, information about each death with a view to identifying –

Any case giving rise to the need for a Serious Case Review.

Any matters of concern affecting the safety and welfare of children in the area of the authority; and

Any wider public health or safety concerns arising from a particular death or from a pattern of deaths in that area; and

- (b) Putting in place procedures for ensuring that there is a co-ordinated response by the authority, their Board partners and other relevant persons to an unexpected death of a child.

4.3 The Board will publish an annual report. The report will provide a rigorous and transparent assessment of the partnership's performance and the effectiveness of local services. The report will identify any areas of weakness, the causes of those weaknesses, evaluates and where necessary it will challenge the action(s) being taken.

5. Membership and Appointment of Representatives

5.1 In addition to its statutory partners (Children Act 2004, s.10(4)), the Board shall determine which corporate bodies in Norfolk will be invited to appoint representatives to the Board, and the appointment of any individual Board members, taking into account relevant guidance issued by the Department for Education..

- 5.2 The Board shall determine from time to time the number of representatives each board partner shall be entitled to on the Board.
- 5.3 Each board partner shall appoint representatives to the Board in the number prescribed for it. The identity of a representative is a matter for the board partner and not the Board, however it is require that representatives will:
- Have a strategic role in relation to safeguarding and promoting the welfare of children within their organisation;
 - Be able to speak for and make decisions on behalf of, their organisation with authority;
 - Be able to commit their organisation on policy and practice matters; and
 - Be in a position where they can hold their organisation to account.
- 5.4 If a representative ceases to be a representative for any reason the Board shall as soon as reasonably practicable request the appointment by the relevant board partner of a new representative in their place.
- 5.5 If a representative is not available for a Board meeting they will be expected to nominate an appropriate deputy to attend.

6. Accountabilities of Board partners

- 6.1 All board partners of the NSCB are accountable for safeguarding, however the statutory partners have specific responsibilities to:
- Ensure that the duty to co-operate is understood and acted upon within their own agency
 - Ensure the policies, procedures, practice and culture of board partner organisations are effective in safeguarding and promoting the welfare of children
 - Ensure designated staff within their organisations who have contact with children are aware of their responsibilities and are supported to comply with child protection policies and procedures
 - Actively promote and support the work of NSCB within their own organisation
 - Ensure staff are aware of their responsibilities in respect of information sharing to safeguard children
 - Work with partner agencies to support and promote the work of the NSCB.

7. Responsibilities of Board partners

- 7.1 In addition to the expectations laid out in the Governance Handbook, the NSCB expects its board partners to:
- Be an active and effective partner in safeguarding and promoting the welfare of children
 - Contribute to the NSCB financially and by providing staff for particular tasks
 - Collate and provide management information as required by the NSCB and contribute to quality assurance arrangements
 - Share information to safeguard children in line with NSCB information sharing arrangements and ensure that staff are familiar with, and act on, information sharing policies.
 - Identify and support staff to participate in the interagency activities of the NSCB such as policy development, scrutiny of practice, training, Serious Case Reviews, practice development and new initiatives
 - Ensure that NSCB policies and procedures are disseminated in an effective way within their own organisations and are acted upon
 - Represent the NSCB and its activities within their own organisation
 - Report difficulties with own organisation and between organisations to the NSCB and work with partners to find effective solutions.

8. Calling and notice of meetings

- 8.1 The Board meetings will be held quarterly on dates agreed in advance.
- 8.2 The Chair may call an extra-ordinary meeting at any time.
- 8.3 A board partner may call an extra-ordinary meeting of the Board by submitting to the Chair a written request which is supported by the written agreement of two voting members;
- 8.4 Such extraordinary meetings will normally be held within 28 days of the request being received by the chair.
- 8.5 The notice shall be given to all board partners but the accidental omission to give notice to, or the non-receipt of notice of any meeting by, any person entitled to receive notice shall not invalidate the proceedings at that meeting.

- 8.6 The notice shall specify the time and the place of the meeting and the general nature of the business to be transacted. No other business shall be transacted at the extra-ordinary meeting.

9. Confidentiality

- 9.1 All agendas, reports and other documents and all proceedings of the Board shall be treated as confidential unless and until they become public in the ordinary course of the Board's business or are authorised to be communicated to and are available for publication by the press or other news media or are published on the NSCB website in accordance with a formal decision of the Board.

10. Quorum

- 10.1 No business shall be transacted at any meeting unless a quorum is present. Representatives of six board partners shall be a quorum. Children's Services, Police and Health Services must be represented.
- 10.2 If such quorum is not present within half an hour from the time appointed for the meeting, or if during a meeting such a quorum ceases to be present, the meeting shall stand adjourned.

11. Chairperson

- 11.1 An independent Chairperson shall be appointed by the Local Authority, following consultation with Board members, in accordance with Working Together to Safeguard Children 2013.
- 11.2 The Board will appoint a Vice Chair on an annual basis.
- 11.3 The Board may delegate to the Chair the power to act on behalf of the Board between meetings.

12. Voting

- 12.1 Where the Board seeks to carry out a vote, the procedure shall be as follows.
- (a) A resolution put to the vote of the meeting shall be determined by a majority of representatives present and the method of voting shall be by a show of hands unless the meeting decides otherwise.

Board members with participant observer status may not vote

- (b) The decision of the Chairperson (having taken the advice of the Business Manager) as to the right of any person to vote shall be final.
- (c) A declaration by the Chairperson that a resolution has been carried or carried unanimously, or by a particular majority, or lost, or not carried by a particular majority and an entry to that effect in the minutes of the meeting shall be conclusive evidence of the fact without proof of the number or proportion of votes recorded in favour of or against the resolution.
- (d) Any representative dissenting from a resolution passed by the Board or abstaining from voting shall be entitled to have their name recorded in the minutes.
- (e) All acts done by a meeting of the Board or by a person acting as a representative shall, notwithstanding that it is afterwards discovered that there was a defect in the appointment of the representative or that any of them were disqualified from holding office, or had vacated office, or were not entitled to vote, be as valid as if every such person had been duly appointed and was qualified and had continued to be a representative and had been entitled to vote.

13. Adjournment

- 13.1 The Chairperson may, with the consent of a meeting at which a quorum is present (and shall if so directed by the meeting) adjourn the meeting from time to time and from place to place, but no business shall be transacted at an adjourned meeting other than business which might properly have been transacted at the meeting had the adjournment not taken place.
- 13.2 When a meeting is adjourned for fourteen days or more, at least seven clear days notice shall be given specifying the time and place of the adjourned meeting and the general nature of the business to be transacted. Otherwise it shall not be necessary to give any such notice.

14. Representatives' interests

- 14.1 It shall be the duty of a representative who in any way has a direct or indirect pecuniary interest in a contract or proposed contract under consideration by the Board to declare the fact and the nature of his/her interest at a meeting of the Board.
- 14.2 The declaration shall be made at the meeting of the Board at which the contract or proposed contract is first taken into consideration, or, if the representative was not at that meeting, than at the next meeting of the Board held after he/she became so interested.

- 14.3 In a case where the representative becomes so interested after the contract is made following consideration by the Board, the declaration shall be made at the first Board meeting held after he/she becomes so interested.
- 14.4 For the purposes of this paragraph 14, a general notice given to the Board by a representative to the effect that:
- (a) He/she is a board partner of a specified company or firm and is to be regarded as interested in any contract which may, after the date of the notice, be made with that company or firm; or
 - (b) He/she is to be regarded as interested in any contract which may after the date of the notice be made with a specified connected person (as defined below) shall be deemed a sufficient declaration of interest in relation to any such contract.
- 14.5 No such notice shall be of effect unless it is either given at a meeting of the Board or the board partner takes reasonable steps to secure that it is brought up and read at the next meeting of the Board after it is given.
- 14.6 For the purposes of this paragraph 14:

A person shall be treated as having a pecuniary interest in a contract if he/she or any connected person or nominee of his/her (a) is a member of a company or other body with which the contract was made or is proposed to be made in the contract or (b) is a partner, or is in the employment, of a person with whom the contract was made or is proposed to be made or which has a direct pecuniary interest or who has a direct pecuniary interest in the contract

The term "contract" shall include any transaction or arrangement or course of action or inaction giving rise to a possibility of financial benefit to a representative beyond that of the general public

The term "connected persons" shall include the parents, siblings and spouse of the representative, blood-or step-descendants and any company or firm of which he/she or any of them is a director, shareholder, partner or employee and an interest of a connected person shall be deemed to be an interest of the board partner.

- 14.7 Provided that he/she has disclosed to the Board the nature and extent of any interest of his/her, a representative notwithstanding his office:

may be a party to, or otherwise interested in, any contract under consideration by the Board; and

shall not be accountable by reason of his/her office to any party for any benefit which he/she derives from such contract and no such contract shall be liable to be avoided on the ground of such benefit.

- 14.8 For the purposes of this paragraph 14, an interest of which the representative has no knowledge and of which it is unreasonable to expect him/her to have knowledge shall not be treated as an interest of theirs.
- 14.9 Notwithstanding that a representative has made a general disclosure under this paragraph 14, he/she shall orally disclose an interest and then withdraw from the meeting which the contract in which he/she has a pecuniary interest is under consideration by the Board unless the contract is under consideration by the Board as a matter of note and is not itself the subject of debate. If the meeting thereby becomes inquorate the contract shall not be discussed further at that meeting and the meeting shall move to the next business.
- 14.10 A representative who fails to comply with this paragraph 14 shall permanently cease to act as a representative on request by the Chairperson (having taken the advice of the Business Manager) and if the representative fails to do so the Chairperson may declare him/her excluded from meetings of the Board.
- 14.11 Nothing in this paragraph 14 shall prejudice the operation of any rule of law restricting representatives from having an interest in the contracts dealt with by this paragraph, nor of the standing orders of any board partner.

15. Minutes

- 15.1 The Board shall cause minutes to be recorded of all proceedings at meetings of the Board including the names of the representatives present at each meeting and the board partners so represented.
- 15.2 The Chairperson shall move that they be signed as a true record. No discussion shall then be allowed upon the minutes except as to their accuracy.
- 15.3 Immediately after confirmation, the minutes shall be signed by the Chairperson.
- 15.4 Unless the contrary is proved, a meeting of the Board, a minute of whose proceedings has been made and signed, shall be deemed to have been duly convened and held and all representatives present at that meeting shall be deemed to have been duly qualified.

16. Appointed representatives' decisions

- 16.1 Three representatives, comprising the Chairperson and vice Chairperson (or their nominees) and one other representative, are authorised to take action on behalf of the Board on matters of urgency, such action to be reported to the next meeting of the Board.

17. Signature of documents

- 17.1 Where the Board has by resolution authorised the signature of a document on behalf of the Board, each of the Chairperson, the vice Chairperson, Board Manager and any person nominated by them for this purpose shall be authorised to sign that document on behalf of the Board.
- 17.2 Where there is no such resolution but such signature is within the powers vested in the Board, then any two of the foregoing shall together constitute a signatory authorised to sign such document. I

18. Financial Regulation

- 18.1 In all matters pertaining to the receipt and expenditure of money by or on behalf of the Board, the Board and those authorised to act on its behalf shall conform to the Standing Orders of Norfolk County Council and subordinate documentation issued pursuant to those Standing Orders, including in particular the Procurement Standards and Guidelines

19. Sub Groups

- 19.1 To facilitate business coordination, ensure statutory functions are undertaken and effectively manage work streams the Board shall establish and oversee the following groups;

Leadership Group

Performance, Improvement & Quality Assurance Group

Workforce Development Group

Media & Communications Group

Vulnerable Children Group

Children at Risk of Child Sexual Exploitation Subgroup

Child Protection Group

Serious Case Review Group

Child Death Overview Panel

Policies and Procedures Group

Local Safeguarding Children Groups x3

Health Advisory Group

District Council Advisory Group

Education Advisory Group

- 19.2 The Board may resolve to alter the number and terms of reference of its sub-groups according to need.
- 19.3 Each should be chaired by a board partner unless otherwise directed by the Leadership Group.
- 19.3 Sub Groups can on a needs basis establish Task and Finish Groups to progress specific pieces of work. Such Groups will report to the appropriate Sub Group Chair who will remain responsible for the completion of that work stream. Working Groups will generally be time specific for a focused piece of work.
- 19.4 Chairs of Task and Finish Groups shall have delegated power to make decisions in relation to their delegated remit provided they are acting on the view of the majority of their group. In addition the chair shall;
- Lead and direct the work as set out in the business plan
 - Provide written reports for Board meetings
 - Contribute to the NSCB Annual Report that details the outcomes of the work identified in the business plan
 - Move forward the agenda set out in the business plan by taking chairs actions as required between meetings
 - Be accountable for actions agreed at meetings and the quality assurance of work
 - To work within the funding arrangements agreed for the work stream
 - Liaise with the NSCB Business Manager as appropriate in order to progress work.
- 19.5 Board partners will ensure suitable representation on Task and Finish Groups who shall;
- Play an active part in the groups activities
 - Represent their organisation and contribute to the work of the business plan as agreed.
 - Commit working time to taking forward the NSCB business plan. Ideally this should be included in the representative's job description and/or form part of their annual appraisal

- Be responsible for receiving, disseminating and collating information regarding safeguarding children and NSCB matters within their organisation relevant to their work stream.
- Communicate the work of the NSCB within their organisation as appropriate.

20. Relationships and Reporting

- 20.1 The Lead Member for Safeguarding has the lead role for safeguarding and promoting the welfare of children on behalf of Norfolk County Council and the Director for Children's Services has statutory responsibility.
- 20.2 The Independent Chair of the Norfolk Safeguarding Children Board is accountable to the Chief Executive of the County Council and Cabinet Members for the work of the Board and will provide regular briefings for the Lead Member.
- 20.3 The Independent Chair shall also attend Norfolk County Council Children's Services Overview and Scrutiny Panel as required to report on the work of the NSCB.
- 20.4 The Independent Chair shall also report to the Health and Well Being Board.
- 20.5 The annual report will be shared with the Chief Executive of the County Council, the Leader of the Council, the Chair of the Health and Well Being Board, and the Police Crime Commissioner

21. Liability

- 21.1 All partners represented on the Norfolk Safeguarding Children Board retain liability for their actions within their participating organisations. For the avoidance of doubt, membership of the Board will not confer any indemnity for the actions of board partners.