

Protocol Agreement
between
West Mercia and Warwickshire Safeguarding Children
Boards, Warwickshire and West Mercia Community
Rehabilitation Company and
National Probation Service Midlands Division

1. Purpose of the Protocol

1.1 In July 2014, the government's Transforming Rehabilitation programme split the 35 Probation Trusts into two parts - a National Probation Service (NPS) and 21 Community Rehabilitation Companies (CRCs). Warwickshire and West Mercia merged to become Warwickshire and West Mercia Community Rehabilitation Company (WWMCRC) and this will be duly privatised. The NPS structured into divisions and a Midlands Division was created (this covers West Mercia, West Midlands, Staffordshire, Warwickshire, Nottinghamshire, Leicestershire and Rutland, and Derbyshire). In view of these significant changes to the delivery of probation services, it is important to clarify the new arrangements in respect of probation's engagement and role with West Mercia/Warwickshire Safeguarding Children Boards.

1.2 The purpose of this Protocol is therefore to define how West Mercia/Warwickshire Safeguarding Children Boards (WMWSCBs) and Warwickshire and West Mercia Community Rehabilitation Company (WWMCRC) and the Midlands National Probation Service (NPS) will work together in order to fulfil their statutory responsibility to safeguard and promote the welfare of children and young people in West Mercia. It sets out expectations of WWMCRC and the NPS as important statutory partners of WMWSCBs at a strategic level. It is expected that staff in all agencies will work together effectively at operational level to properly protect and safeguard children.

2. Statutory Requirements

2.1 West Mercia and Warwickshire Safeguarding Children Boards

2.1.1 Section 13 of the Children Act 2004 requires each local authority to establish a Local Safeguarding Children Board (LSCB) for their area and specifies the organisations and individuals (other than the local authority) that should be represented on LSCBs. Under Section 10 of the Act, agencies are required to be involved in inter-agency co-operation to improve the well-being of children, and under Section 11 to have suitable arrangements to safeguard children with an expectation that this is audited.

2.1.2 Section 14 of the Act sets out the objectives of LSCBs which are:

- 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, and
- to ensure the effectiveness of what is done by each such person or body for those purposes

2.1.3 LSCBs are therefore the key statutory mechanism for agreeing how partnership organisations will co-operate to safeguard and promote the welfare of children and young people in their areas. Boards are responsible for scrutinising and challenging the work of agencies both individually and collectively to ensure the effectiveness of safeguarding arrangements. WMWSCBs do not have power to direct other organisations, and each Board partner retains their own lines of accountability.

2.1.4 The key objectives of the WMWSCBs are set out in 'Working Together 2013' (*HM Government: Working Together to Safeguard Children, March 2013. A guide to inter-agency working to safeguard and promote the welfare of children*) and include:-

- Developing local policies and standards for safeguarding and promoting the welfare of children
- Co-ordinating the work undertaken by each representative body and the effectiveness of practice
- Undertaking pro-active work that aims to target particular groups

2.2 Warwickshire and West Mercia Community Rehabilitation Company (WWMCRC) and National Probation Service (NPS)

2.2.1 The Offender Rehabilitation Bill received Royal Assent on 13 March 2014, resulting in virtually all offenders receiving at least 12 months supervision in the community on release from custody. The provisions in the Act will be implemented as part of the Transforming Rehabilitation reforms.

2.2.2 Probation is named in Working Together 2013 as a Statutory Board Partner, requiring them to provide a representative to the Board. This is recognised in the Ministry of Justice's "Statutory Partnerships and Responsibilities" guidance document issued in November 2013. This states the following: "Safeguarding children is a key public protection issue and both the NPS and CRCs will be expected to have in place arrangements that reflect the importance of safeguarding and promoting the welfare of children. This expectation will be reflected in the NPS Service Level Agreement (SLA) and the contracts of CRCs".

2.2.3 This guidance also states that: "The NPS will continue to sit on child safeguarding boards. This is consistent with the Section 11 guidance (which says that as they deal with advice for court and transition issues they are well placed to identify offenders who pose a risk of harm to children as well as children who may be at heightened risk of involvement in (or exposure to) criminal or anti-social behaviour and of other poor outcomes due to the offending behaviour of their parent/carer(s)). CRCs will also be designated as 'board partners', who as such must provide a representative for the Board. In transition we expect the NPS to have a representative to sit on the safeguarding board and for the CRC to also have a representative to sit on the safeguarding board."

2.2.4 Membership and engagement with WMWSCBs by both organisations will be crucial to the effective safeguarding of children because offenders being supervised by either organisation could present a risk to children in varying degrees. It is also essential that all probation staff are well informed and suitably trained to recognise potential risks, and to "Think Family" at all times.

3. Working Arrangements

3.1 Strategic level

In respect of strategic arrangements, the following have been agreed:

- Both the NPS and CRC will nominate suitable members who will regularly attend and support the work of the Board at meetings and relevant sub-groups
- Current funding arrangements for WMWSCBs are based on a proportional split between all member agencies. The NPS and WWMCRC will agree how to divide probation's contribution between themselves
- NPS and WWMCRC will work to assure Board partners of the effectiveness of safeguarding children arrangements within and between their two organisations and with all other partners
- WMSCBs will adjust to working with WWMCRC and NPS under their new arrangements
- Information sharing between the Boards and WWMCRC will be agreed once the contract has been let
- Each party will establish and maintain regular communication to ensure that their strategies, policies and protocols, services or practice are aligned
- NPS and WWMCRC will assure the Board that all staff are properly trained in child protection

3.2 Operational level

- NPS and WWMCRC will provide information promptly when asked about who holds responsibility for specific cases
- LSCB member agencies will provide timely information on safeguarding checks when asked by the NPS and WWMCRC
- NPS and WWMCRC will establish a means of informing appropriate agencies/persons about the transfer of relevant cases between each organisation
- New communication systems will be established regarding, for example, domestic abuse cases

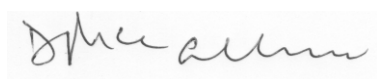
4. Resolution Process

Where there is concern that this protocol is not succeeding in ensuring strong governance and effective partnership working to safeguard children and young people, resolution should be sought through discussions between the Chair(s) of the respective WMWSCBs, the Chief Executive of WWMCRC and the NPS Midlands Deputy Director

5. Review

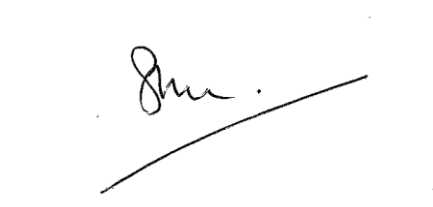
This protocol will be reviewed annually as part of the annual reporting process of the WMWSCBs.

6. Signatures



Date: 24th December 2014

David McCallum, Independent Chair, Hereford Safeguarding Children Board



Date: 16th December 2014

Sally Halls, Independent Chair, Shropshire Safeguarding Children Board



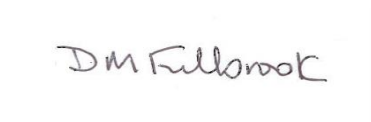
Date: 30th March 2015

Andrew Mason, Independent Chair, Telford and Wrekin Safeguarding Children Board



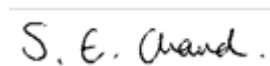
Date: 8th January 2015

David Peplow, Independent Chair, Warwickshire Safeguarding Children Board



Date: 24th December 2014

Diana Fulbrook, Independent Chair, Worcestershire Safeguarding Children Board



Date: 13th April 2015

Sarah Chand, Deputy Director Midlands, National Probation Service



Date: 6th January, 2015

Liz Stafford, Chief Executive, Warwickshire and West Mercia Community Rehabilitation Company