



# Constitution of the Warwickshire Safeguarding Children Board

---

## **Partner Relationships, Roles and Responsibilities**

Version Control: Version 8 – 02/11/2017  
Ratified by the WSCB: 02.11.2017  
Review Date: 02.11.2018 by Business Group

## Contents

Partner Relationships, Roles and Responsibilities.....	1
1. Introduction.....	3
2. Principles .....	3
3. Legislative Framework.....	3
4. Functions of WSCB.....	4
5. Serious Case Reviews and further functions relating to child deaths in Warwickshire: .....	4
6. Powers and Accountability .....	5
7. Governance and Strategic Relationships.....	5
8. WSCB Chair .....	5
9 WSCB Vice- Chair .....	6
10 WSCB Membership.....	6
11 Lay Members .....	8
12 Additional Members .....	8
13 Tenure.....	8
14 Induction of new Board Members.....	8
15 Function and management of the Board .....	9
16 The WSCB Business Group.....	9
17 WSCB Sub-committees .....	9
18 WSCB Task Groups.....	10
19 WSCB Business Plan and Annual Report .....	10
20 Agency Performance.....	10
21 Reporting Mechanisms .....	10
22 WSCB Board Decision Making and Voting .....	12
23 Quoracy .....	12
24 Urgent Matters .....	12
25 WSCB Performance Management Framework.....	12
26 Roles and Responsibilities of Individual Board Members .....	132
27 The Performance of Individual WSCB Members .....	13
28 Attendance by Individual WSCB Members .....	13
29 Written Agreement with Member Agencies.....	13
30 Confidentiality and Data Protection.....	143
31 Equal Opportunities/Discrimination/Human Rights.....	144
32 Dispute Resolution Process .....	14
33 Complaints.....	14
34 Resources and Budget .....	154
35 Review .....	15

## 1. Introduction

- 1.1. The purpose of this document is to set out the operation, reporting and governance arrangements for the Warwickshire Safeguarding Children Board (the 'WSCB').

## 2. Principles

The WSCB makes the following pledge:

*Working together for Warwickshire, we are committed to modelling a trusting culture of information sharing and focused action to increase resilience and reduce risk for those who are, or may become vulnerable in our county, making best use of resources. In this way we shall meet our statutory purpose of safeguarding and promoting the welfare of children and young people in Warwickshire.<sup>1</sup>*

- 2.1 The WSCB will be guided by the principle that children have a right to be safe and live without fear. This principle is characterised by the following factors:
- (a) The safeguarding and welfare of children is the WSCB's main purpose; and
  - (b) Children are valued, which means that:
    - Their rights will be respected;
    - They will be provided with services openly and honestly;
    - They will be listened to with understanding; and
    - They will be given information, explanations and choices.
- 2.2 While developing strong working relationships with wider strategic partnerships in Warwickshire, the WSCB will exercise its strategic role and have a distinct identity within local arrangements by:-
- Forming a view of the quality of local activity in safeguarding
  - Challenging organisations as necessary
  - Speaking with an independent voice.

## 3. Legislative Framework

- 3.1 The WSCB operates in accordance with a regulatory framework set out in the Children Act 2004, the Local Safeguarding Children Board Regulations 2006 and the statutory guidance (currently *Working Together to Safeguard Children: A guide to inter-agency working to safeguard children and promote the welfare of children (March 2015)* ('WT2015')).<sup>2</sup>

---

<sup>1</sup> S14 Children Act 2004

<sup>2</sup> Legislation mandates that each statutory partner, in exercising their functions relating to Local Safeguarding Children Boards, must take the statutory guidance into account, and if they decide to depart from it, they must have clear reasons for doing so (s7 Local Authority Social Services Act 1970 and s16 Children Act 2004)

3.2 Section 14 of the Children Act 2004 sets out the objectives of the WSCB:

- (a) to coordinate what is done by each person or body represented on the Board for the purposes of safeguarding and promoting the welfare of children in Warwickshire, and;
- (b) to ensure the effectiveness of what is done by each such person or body for those purposes.

3.3 The WSCB brings together representatives of each of the main agencies and professionals responsible for safeguarding and promoting the welfare of children and young people. It is an inter-agency forum for agreeing how the different services and professional groups should co-operate towards this purpose throughout Warwickshire and for making sure that arrangements work effectively to promote better outcomes for children.

3.4 **Safeguarding children and promoting their welfare** means:

- Protecting children from maltreatment;
- Preventing impairment of health and development;
- Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care; and
- Taking action to enable all children to have the best outcomes.

3.4 **Child protection** is the activity that is undertaken to protect specific children who are suffering, or are likely to suffer significant harm<sup>3</sup>.

#### 4. **Functions of WSCB**

4.1 The WSCB will operate in accordance with the Local Safeguarding Children Board Regulations 2006 at regulation 5 and in ways which facilitate, or are conducive to, the achievement of its objectives.

#### 5. **Serious Case Reviews and further functions relating to child deaths in Warwickshire:**

5.1 The WSCB will ensure that all unexpected child deaths in Warwickshire are responded to in a timely, thorough and sensitive manner and in accordance with best practice.

5.2 To this end the WSCB will ensure that a review of each death of a child normally resident in Warwickshire is undertaken by a Child Death Overview Panel (a 'CDOP'). The CDOP will make recommendations as it thinks fit locally and nationally with a view to improving outcomes for children and young people.

5.3 The Chair of the WSCB<sup>4</sup> will decide if the death of a child or other serious incident meets the criteria for a SCR. This decision will normally be made within one month of notification of the incident. The Chair will be advised in relation to this by the Special Cases Sub-Committee and will take legal advice where necessary.

5.4 The WSCB must advise Ofsted and the National Panel of Independent Experts on SCRs of the decision. The WSCB will provide information to the national panel if requested to inform its deliberations and the WSCB Chair will attend in person to give evidence to the National SCR Panel if requested.

---

<sup>3</sup> WT2015: Appendix A: Glossary

<sup>4</sup> WT2015, page 20 para 76

5.5 Where a SCR is not being undertaken the Special Cases Sub-Committee may arrange a local case review.

## **6. Powers and Accountability**

6.1 Whilst the WSCB has a role in coordinating and ensuring the effectiveness of local work to safeguard and promote the welfare of children by individuals and organisations, it is not accountable for their operational work.<sup>5</sup>

6.2 Each WSCB partner retains their existing lines of accountability for this area of work within their own services. Under s14B of the Children Act 2004 the WSCB has the power to request reasonable and proportionate information about individuals in order to carry out its statutory responsibilities.'

## **7. Governance and Strategic Relationships**

7.1 The governance and oversight arrangements between the WSCB, JCB, the HWB and other key partnerships will be set out in a protocol agreed between these partnership bodies.

7.2 The WCC Chief Executive is responsible for holding the WSCB Chair to account for the effective working of the WSCB.

7.3 The Lead Member for Children's Services is politically accountable for WCC's Children's Social Care Services.

7.4 The WSCB Independent Chair works closely with WCC's Director for Children's Services (DCS), who has the statutory responsibility for improving outcomes for children and for delivering high quality children's social care functions.

7.5 Ofsted reviews the effectiveness of the WSCB.

7.6 The WSCB Business Plan will be agreed by the Board and made available to all relevant partner members on an annual basis.

7.7 The role of partner members is to hold their organisation and its officers to account for their contribution to the effective functioning of the WSCB.

## **8. WSCB Chair**

8.1 It is the responsibility of the WCC Chief Executive to appoint or remove the independent Chair of the WSCB with the agreement of a panel of WSCB partners and lay members. Each WSCB Chair's initial tenure will be 3 years, with the option of renewing after this period if both parties are in agreement.

8.2 The WSCB Chair will be of sufficient standing and expertise to command the respect and support of all partners, and they will act objectively to promote an effective strategic safeguarding 'challenge and assurance' body which promotes a sense of equal partnership amongst its members.

8.3 The WSCB Chair is accountable to WCC via the Chief Executive. The WSCB Chair will maintain regular contact with WCC's statutory DCS, WCC's Head of Safeguarding and the WSCB Manager and will fulfil their duties in accordance with their agreed role and responsibilities.

---

<sup>5</sup> WT2015, page 20 para 3

- 8.4 The WSCB Chair will meet as required and at least quarterly with the WCC Chief.
- 8.5 The Chair will also meet as required with the chief executives of all member agencies to ensure commitment to safeguarding children remains a priority and to discuss the effectiveness of this in Warwickshire.
- 8.6 The Vice-Chair will act on behalf of the WSCB Chair's in their absence.

## **9 WSCB Vice-Chair**

- 9.1 The Vice Chair of the WSCB will be an existing Board member who is selected via nominations (including self-nominations). If there is more than one nomination then a secret ballot will be conducted at the next available WSCB meeting. If more than one candidate receives the same number of votes then the WSCB Chair will have the casting vote.
- 9.2 The Vice-Chair will hold office for two years, with the possibility of extending the tenure for one further year.

## **10 WSCB Membership**

- 10.1 The membership of the WSCB and the sub-committees will be drawn from each of the relevant statutory and partner agencies responsible for safeguarding children and young people, including two lay members from the local community.<sup>6</sup>
- 10.2 Non-lay members of the WSCB will be individuals with particular knowledge and expertise in specific areas of safeguarding work. They will have strategic responsibilities for safeguarding and promoting welfare of children and young people within their organisation and able to establish clear arrangements for communicating the decisions of the WSCB to their organisation. Members will be able to:-
- (a) Speak for their organisation with authority;
  - (b) Commit their organisation on policy and practice matters;
  - (c) Hold their own organisation to account and hold others to account; and
  - (d) Provide management information to demonstrate effectiveness.<sup>7</sup>
- 10.3 The membership of the WSCB will be kept under review to ensure compliance with statutory requirements and meet additional local requirements as identified by the WSCB.
- 10.4 The **Membership of WSCB** is:
- WCC - five members (to include the Director of Children's Services, the Head of Service for Education and Learning, the Principal Social Worker, the Head of Children and Families)

---

<sup>6</sup> See WT2015 and s13 Children Act 2004

<sup>7</sup> See WT2015 p67

- Warwickshire (and West Mercia) Police – two members (representing child abuse investigations and territorial policing)
- National Probation Service and Community Rehabilitation (one member for each)
- NHS England (one member)
- Clinical Commissioning Groups (one member for each)
- Youth Justice Service (one member)
- Public Health (one member)
- NHS Trusts and NHS Foundation Trusts<sup>8</sup> (one member for each Trust operating in the area)
- CAF/CASS (one member)
- District and Borough Councils (one member for each)
- Head teacher or senior DSL who is a member of the Schools and Learning subcommittee<sup>9</sup>
- Lay members (two members)
- Voluntary and community sector (one member)

10.5 Professional advisors will attend meetings in a consultative capacity where this will assist the WSCB in its work:

- Designated Doctor and Nurse for Child Protection
- A senior lawyer from WCC's legal service
- The Violence Against Women and Girls Development Manager
- The Education Safeguarding Manager
- Professional staff in the WSCB business team
- Any other person identified and agreed by the WSCB as being a suitable advisor to the Board.

10.6 WCC's Lead Member for Children is a participating, non-voting observer and is entitled to attend all meetings of the WSCB. The Lead Member will have a particular focus on how WCC fulfils its responsibilities to safeguard and promote the welfare of children and will hold the DCS to account.

10.7 A named *designated deputy* will be appointed from each agency to attend any meeting of the Board or its sub-committees, when the member is not available. The *designated deputy* must be similarly authorised to contribute to the decision making process. The *designated deputy* must be fully briefed by the relevant member prior to any meeting they attend on their behalf.

10.8 Agencies must ensure that members have appropriate resources and time to undertake their roles and responsibilities effectively.

10.9 Continued engagement from all agencies with the WSCB is essential and this must be promoted by all

---

<sup>8</sup> Coventry and Warwickshire Partnership Trust, South Warwickshire Foundation NHS Trust, George Eliot Hospitals NHS Trust and UHCW NHS Trust.

agencies at Board level and through to the sub-committee structure.

## **11 Lay Members**

11.1 Lay members will:

- Support stronger public engagement in local safeguarding children issues and contribute to an improved understanding of the role and work of the WSCB within the wider community;
- Challenge the WSCB on the accessibility, clarity and transparency of its plans, priorities and achieved outcomes to children and the public;
- Help to improve working relationships between the WSCB and community groups.
- Sit on one or more sub -groups

## **12 Additional Members**

12.1 Any change to the membership of the Board or business group will be agreed at the Board or Business Group respectively. Membership of sub-committees or the Panels will be agreed at the relevant meetings. Any changes will be carefully considered in order to ensure that there is an appropriate balance kept between the need to engage relevant agencies, and ensuring that meetings actively progress the business of the Board and are focused.

## **13 Tenure**

13.1 Any Board members, advisers and observers appointed by virtue of the post or role they hold in their agency will remain as long as are in that post or role.

13.2 For other board members, advisers and observers appointed to represent particular constituent agencies may be replaced by their agency provided written notice is given to the Safeguarding Children Business Manager.

13.3 Lay members will be appointed by the WSCB Chair for 4 years; subject to annual review.

## **14 Induction of new Board Members**

14.1 All new Board members will undertake an induction to include:

- meetings with the Chair of the Board and business manager, who will outline the member's role, responsibility and expectations as set out in this constitution
- the provision of local context setting and key information about the work of the WSCB including particular areas of priorities for the WSCB
- buddying up with a more experienced member of the Board for the first six months who will meet prior to a Board meeting to discuss the agenda and documents circulated.

14.2 All WSCB members will evidence, upon appointment, that they have been the subject of a disclosure check by their agency. The lay members' disclosure check will be processed by the WSCB Manager.

## **15 Function and management of the Board**

- 15.1 Board meetings will take place quarterly for half a day.
- 15.2 The agenda will be drafted by the Business Manager and the final version agreed by the WSCB Chair.
- 15.3 All papers for the Board will be available to members one week prior to the meeting and minutes will be circulated within 6 working days of the meeting.
- 15.4 Board members should have read the papers prior to their attendance at the Board, to help to promote their full understanding and involvement within Board discussions and the decision-making processes.
- 15.5 Draft minutes of Board meetings will be distributed to members within 2 weeks of the meeting. An actions log and challenge log will be held by the WSCB support unit. The accuracy of the minutes will be agreed at the next Board meeting (with any amendments).
- 15.6 The Business Manager is strategically responsible to the WSCB Chair and is line-managed by a senior manager within WCC with no operational responsibility for safeguarding. The Business Manager is responsible for supporting and coordinating the delivery of the WSCB business plan, and learning and improvement activity.

## **16 The WSCB Business Group**

- 16.1 WSCB will be supported by a Business Group, sub-committees and additional task groups.
- 16.2 The WSCB Chair will chair the Business Group. Other members of the Business Group will comprise all of the chairs of the WSCB Sub-committees, the lay member, the Vice Chair and any other Board members identified as being required to attend by the WSCB Chair.
- 16.3 The Business Group will evaluate the performance of the sub-committees and Task & Finish Groups in carrying out their functions. Where the Business Group considers that any Sub-committee or Task Group needs assistance to fulfil their role in a key area the WSCB Chair agree an appropriate process for providing this with the WSCB Business Manager.

## **17 WSCB Sub-committees**

- 17.1 The Chair, in consultation with the Board, will establish such standing sub-committees as are required to support the work of the Board.
- 17.2 The standing sub-committees should be chaired by a Board member of WSCB or professional advisor agreed by the Board. Consideration should be given to ensure the stability of the group when choosing a Chair. The selection process will follow that outlined above for the selection of the Vice Chair of the WSCB.
- 17.3 It is the responsibility of the Chair of the sub-committee to help to establish, monitor and drive the work-plans and to provide a bi-monthly written update to the Business Group on any key developments of the group and on any exception reports.
- 17.4 Members of the sub-committees are appointed by the relevant sub-committee Chair in

negotiation with the Business Manager and the relevant agency.

- 17.5 As with Board members, any member of a sub-committee is responsible for appointing a named deputy of a similar status and authority, to carry out their role if they are unable to attend a meeting. This person should be fully briefed prior to the meeting and all relevant papers shared with them.

## **18 WSCB Task Groups**

- 18.1 WSCB Task Groups will be created in order to undertake a specific, time limited piece of work as directed by the WSCB Business Plan and priorities. The aim, work plan, where they report to and chair of these groups will be agreed by members of the WSCB Business Group as required.

## **19 WSCB Business Plan and Annual Report**

- 19.1 The WSCB is committed to ensuring that its work is properly planned and reviewed and that its priorities and objectives both inform and are informed by the Health and Wellbeing Board (HWB) Strategic Plan, the JSNA, Joint Commissioning Board's Strategic Priorities and any national trends or themes.
- 19.2 The WSCB will agree on a clearly defined business plan on an annual basis, which includes identified work streams, the responsible member(s) and sub-committees. A RAG (red, amber or green) progress rating for the sub-committee and task group activity will be managed via WSCB Business Plan monitoring tools.
- 19.3 Each year a WSCB Annual Report will be published. It will include an evaluation of the effectiveness of the safeguarding arrangements by all agencies within Warwickshire and will outline key achievements and the challenges that remain and need to be addressed by the HWB.
- 19.4 The report will be presented to the HWB in the autumn of each year to help to inform local planning. The WSCB Annual Report will be published on the WSCB website.
- 19.5 The WSCB will ratify an annual Business Plan, prepared by all members of the WSCB Business Group, in the fourth quarterly business planning period. This will detail all work streams required by the WSCB in order to fulfil its statutory functions, as well as areas for progression identified as a result of local needs analysis and/or national developments. The WSCB Business Plan will also be published on the WSCB website.

## **20 Agency Performance**

- 20.1 Where the Board identifies an issue of concern in relation to the performance of an agency with regard to their safeguarding responsibilities, the WSCB protocol for Managing Poor Performance will be followed.

## **21 Reporting Mechanisms**

- 21.1 The Business Group will meet 6 weekly and be responsible for managing the planning, development and resources functions of the WSCB. It is further responsible for monitoring the objectives of the Business Plan. It will receive quarterly reports from all sub-committees and make summary and exception reports to the main Board on a quarterly basis.

21.2 The WSCB Chair will present the WSCB Business Plan and WSCB Annual Report and a bi-annual report of other matters arising to the HWB Board and to the WCC Children and Young People Overview and Scrutiny Committee.

## **22 WSCB Board Decision Making and Voting**

22.1 Board members will operate according to the governance arrangements of their organisation. Some Board decisions can be made with the delegated authority that members hold on behalf of their agencies. Members will need to refer some matters into their own agency's decision-making frameworks.

22.2 Wherever possible, decisions will be made by consensus. Where this is not possible decisions will be taken by a majority vote. In the event of an equal number of votes cast the WSCB Chair, or, in their absence the WSCB Vice-Chair, will have a second *casting* vote, except in the circumstances set out in paragraph 22.3 below.

22.3 The Vice Chair shall not exercise his or her right to a casting vote where the decision relates to an area for which they have operational responsibility, as this may present a conflict of interest. In these cases the decision will be deferred to a future meeting when the WSCB Chair is able to attend.

22.4 All decisions must be recorded in the minutes.

22.5 Every decision which requires a change in practice will have an implementation date. The implementation date must give reasonable notice to partner agencies so they have the opportunity to consider the implications. Decisions will be implemented on the date given unless a partner agency sends written notice to all Board members before that date requesting a further meeting of the WSCB for the matter to be reconsidered, and gives the reasons why this is requested. Such notice will operate to suspend implementation of the decision pending a special meeting of the Board. The Board will decide whether the reconsidered decision is also to be subject to this process.

22.6 If a notice requiring reconsideration of a decision is received by the WSCB Chair, he or she shall give partners agencies fifteen working days' notice of a special meeting of the WSCB for the matter to be considered. Where the WSCB Chair considers the matter requires urgent consideration they can determine a shorter time period as required.

22.7 Any issues which require decisions by WSCB between meetings and which do not, in the opinion of the Chair, require a special meeting to be convened, shall be decided by the Chair and such decision will be submitted for ratification to the next meeting of WSCB.

22.8 In the absence of the Chair, decisions as described above will be made by the Vice Chair.

22.9 WSCB members will have the delegated authority of their agencies to make decisions in the following areas:

- Policy of the Warwickshire Safeguarding Children Board
- Commitment of the agencies' staff and time
- Deployment of Warwickshire Safeguarding Children Board Budget
- Inter-agency Safeguarding Procedures
- Reviews and audits conducted under the Learning and Improvement Framework

22.10 Each Agency must have procedures for considering reports from its representatives so as to identify any necessary action.

## **23 Quoracy**

23.1 No business shall be transacted at a meeting unless eight members are present, representing at least five different agencies. One member present must be a qualified social worker.

## **24 Urgent Matters**

24.1 The WSCB Chair, or in their absence the WSCB Vice-Chair, is authorised to speak on behalf of the WSCB in relation to all urgent matters, after liaison as far as practicable with all other available WSCB members. In all cases this would include liaison with WCC's Director of Children's Services the WSCB Manager.

24.2 In exceptional circumstances the WSCB Chair may call an extraordinary meeting of the Board or Business Group. A Board or Business Group member may call a meeting by submitting to the chair a written request which is supported by at least two voting members. Such extraordinary meetings will be held within fifteen working days of the request being received by the WSCB Chair.

## **25 WSCB Performance Management Framework**

25.1 The performance arrangement of the Board is critical to assessing the effectiveness of what is done by the Local Authority and Board partners to safeguard children. The WSCB therefore has a wide remit for monitoring and evaluation from both internal and external perspectives.

25.2 The WSCB aims to ensure the achievement of high standards in safeguarding and promoting welfare across all partner agencies.

25.3 The WSCB will include in its monitoring arrangements, accountability from those individuals and organisations that have a duty under Section 11 of the Children Act 2004 or Section 175 or 157 of the Education Act 2002 and Section 43 of the Childcare Act 2006. Self-evaluations on the effectiveness of safeguarding arrangements from partner agencies will be sent to the Board and reported on annually.

25.4 Multi-agency work will be subject to quality assurance, case-file audits and peer review, which will assess quality of work undertaken and enable learning to be shared with all relevant agencies.

25.5 Any external review or inspection will be reported to the Board.

25.6 The WSCB is committed to continuous improvement and will therefore make recommendations for developments and wherever possible, assist relevant organisations to improve their practice. Such recommendations are likely to arise from any of the monitoring functions outlined above.

## **26 Roles and Responsibilities of Individual Board Members**

26.1 Each member of the WCCB has an individual responsibility to contribute to the strategic direction and effective work of the Board. Members are accountable to each other and to the organisation that they represent for the work of the WSCB, Sub -groups, Task Groups and Panels.

26.2 Board members are collectively responsible for coordinating local agencies safeguarding children arrangements and in order to:

- Focus agency activity on delivering improved outcomes for children in the priorities outlined in the WCC Children and Families Plan; WSCB Strategic Plan and WSCB Business Plan and;

- To ensure the delivery of safeguarding arrangements through the implementation of the annual WSCB Business Plan.

26.3 Each Board member has a responsibility for ensuring that their agency's representatives on sub-groups are appropriately knowledgeable and sufficiently skilled to contribute to the relevant subject area.

## **27 The Performance of Individual WSCB Members**

27.1 Where it is identified that a member needs assistance to fulfil their role in a key area the WSCB Chair will delegate initial responsibility for resolving the issue to the WSCB Manager, who will report back directly to the WSCB Chair within two weeks. If the matter remains unresolved the WSCB Chair will liaise directly with the identified member within two weeks.

27.2 Where the matter remains unresolved, or there is no plan in place that will lead to it being resolved, the WSCB Chair will liaise directly with the Chief Executive or equivalent, of the member's agency.

## **28 Attendance by Individual WSCB Members**

28.1 Regular attendance is expected of all representatives.

28.2 Members are expected to attend all Board meetings and should only send their *designated deputy* in unavoidable circumstances. Non-attendance of the Board member or their *designated deputy* for two consecutive meetings will be highlighted to the WSCB Chair who will consider appropriate actions to be taken.

28.3 Member attendance at Board meetings, sub-committees and the CDOP will be reported to the Board. Poor attendance is a performance issue (see 27 above).

## **29 Written Agreement with Member Agencies**

29.1 The responsibilities of member agencies and the expectations of the members personally and professionally will be set out in a written agreement.

29.2 The written agreement will reflect the statutory basis of the Board and its legal obligations and will be signed by each member agency's Chief Executive or equivalent as well as the Board member, where relevant.

## **30 Confidentiality and Data Protection**

30.1 Members of the Board shall ensure that their own organisation's Data Protection Registration, where appropriate, covers their involvement in the Board's activities.

30.2 All members will observe the common law duty of confidentiality relating to personal information they acquire in their role and will adhere to the provisions of the Data Protection Act 1998. They maintain confidentiality at all time, other than where a specific exemption under that Act arises: this principle will apply during a member's participation in the Board, and will continue after the individual is no longer a member of the Board, or following the Board's dissolution.

30.3 If any member who has access to confidential information or data knowingly breaches the law relating

to particularly (but not limited to) the unauthorised disclosure of confidential information, they may be personally liable.

- 30.4 All partners will be expected to agree, sign and comply with the WSCB Confidentiality Agreements; specifically including those relating to Serious Case Reviews

### **31 Equal Opportunities/Discrimination/Human Rights**

- 31.1 All members of the Board will adhere to equal opportunities principles and adopt and maintain anti-discriminatory practices in the Board's functions. All members of the Board will also adhere to the provisions of the Human Rights Act 1998. Equalities act and the Equality Act 2010.

### **32 Dispute Resolution Process**

- 32.1 All partner agencies have a responsibility to resolve any dispute between them promptly and amicably. Disputes that cannot be resolved between Board members in this manner will initially be resolved by discussion at a meeting of the Board. If no agreement can be reached the matter will be referred to an appropriate resolution mechanism determined by the Board taking account of the:

- Type of complaint; and
- The knowledge, expertise and seniority required in resolving the matter.

- 32.2 Where a dispute remains unresolved despite the above arrangements, it shall be referred to an independent professional adviser.

### **33 Complaints**

- 33.1 Local Safeguarding Children Boards are not identified as having a statutory function in relation to the investigation of complaints. Complaints concerning Child Protection Conferences reaching stage 2 will be dealt with as defined in Section 3(c) of the WSCB Inter-agency Safeguarding Children Procedures. Panels convened to consider complaints at stage two of that procedure will be identified on a case by case basis, as required.

- 33.2 Complaints made by members of the public about Board members' conduct may be dealt with under their own agency's complaints and representation processes.

### **34 Resources and Budget**

- 34.1 The Board is supported by member agency contributions to a WSCB budget.

- 34.2 Section 15 of the Children Act 2004 empowers statutory Board members to make payments towards expenditure incurred by, or for purposes connected with the WSCB. The WSCB requires an adequate budget and sufficient other resources to enable it to carry out its role and function effectively, to comply with guidance, and to meet inspection standards. The budget covers staffing costs, training costs, publishing costs and operational expenses.

- 34.3 Individual agency contributions will be based on an agreed local formula which will be reviewed by the Board from time to time.

- 34.4 The budget will be set annually (but may have to be revised throughout the year with the agreement of the relevant agency in response to any organisational change) at the discretion of the

Board according to the needs of the WSCB in order to fulfil its functions. The WSCB budget will be hosted by WCC. It will be managed by the WSCB Business and Training Managers. Budget reports will be provided to the Business Group on a biannual basis to promote transparency and accountability.

### **35 Review**

35.1 Any changes to this WSCB Constitution shall be ratified by members of the Board. Any Board member may request a review of this Constitution by writing to the WSCB Chair giving reasons for their request and the desired outcome. The WSCB Chair will then notify the members of the Board and ensure the item is placed on the agenda for consideration. This document will be reviewed by the Business Group on an annual basis to ensure that it reflects national and local developments and that it remains fit for purpose.