

# Safeguarding Arrangements January 2024

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## **Contents Page**

**Purpose: Page 3**

**Background: Page 3**

**New Responsibilities: Page 4**

- *Safeguarding Partner (Accountable Officers)*
- *Responsible Ministers*
- *Relevant Providers (Safeguarding Partners)*

**Developing New Safeguarding Arrangements: Page 6**

- *Arrangements to identify and respond to children or young people whose welfare appears to need safeguarding*
- *Arrangements for planning, reviewing and improving safeguarding practice to protect and promote the welfare of children or young people.*
- *Arrangements for procuring professional advice on safeguarding the welfare of children or young people.*
- *Arrangements as to the disclosure of information between Safeguarding Partners (Accountable Officers) and relevant providers*
- *Arrangements for scrutiny by an independent person of the effectiveness of the arrangements*

**Supporting Infrastructure: Page 10**

- *Operational Safeguarding Group*
- *Programme Workstreams*
- *Quality Assurance-Child Safeguarding*
- *Learning and Development Group*
- *Learning from Reviews Group*
- *Child Death Overview Panel*

**Safeguarding Business Support Team: Page 11**

**Summary: Page 12**

## **Purpose**

This document sets out how Safeguarding Partners (Accountable Officers) identified in the Children and Young People (Jersey) Law (2022) will make arrangements to safeguard the welfare of children and young people in Jersey. The document is prepared in preparation for the new Children and Young People (Jersey) Law 2022<sup>1</sup> (the new law) which will bring new responsibilities for named Chief Officers and Ministers.

## **Background**

The new law is being enacted as part of a commitment to update Jersey's legislative framework in response to the 2017 Independent Jersey Care Inquiry<sup>2</sup> and aims to strengthen strategic planning for children and young people and introduces specific measures to promote the wellbeing of and safeguarding of children and young people.

Jersey has had a Safeguarding Partnership Board<sup>3</sup> in place for children and adults since 2013 with responsibility to promote understanding of safeguarding, help agencies to work together to safeguard children and adults at risk and monitor how effectively agencies are undertaking this role. Historically, the work of the Safeguarding Partnership Board has not been on a statutory footing with no regulatory requirement for agencies to co-operate in the interest of safeguarding children and young people.

The new law will change this and provide clear responsibilities for named Chief Officers and Ministers to achieve a step change in multi-agency and cross Government working in the interest of safeguarding children and young people. This change along with wider aspects of the law enables Jersey to provide an effective safeguarding system underpinned with improved practice standards and performance.

Whilst the new law relates to children and young people, there is also a clear commitment to adults at risk and this is reflected in the Governments proposed commitment to progress new Safeguarding Partnership legislation for adults<sup>4</sup>.

Over recent months in preparation for the new law, an Extended Leadership Group of senior leaders across the safeguarding system have been meeting regularly to consider the whole system changes needed to address the needs of some of the most vulnerable children and young people.

Key workstreams for reform and improvement needing multiagency focus include; the support needed for families to stay together, reshaping provision for children looked after, recruitment and retention, developing multi-agency working, support for young people leaving care and aligning leadership and governance to maximise delivery of reform.

## **New Responsibilities**

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<sup>1</sup> [Children and Young People \(Jersey\) Law 2022](#)

<sup>2</sup> [Final Report Independent Jersey Care Inquiry \(2017\)](#)

<sup>3</sup> [Safeguarding Partnership Board – Safeguarding Children](#)

<sup>4</sup> [Ministerial Plans 2023 p.29](#)

The new law introduces responsibilities for named individuals in public services who have a leadership role in safeguarding children and young people.

### *Safeguarding Partner (Accountable Officers)*

The Safeguarding Partners named in the new law are:

- The Chief Executive Officer
- Chief Officer for Children, Young People, Education and Skills
- Chief Officer for Health and Community Services
- Chief Officer for Justice and Home Affairs
- Chief Officer of the States of Jersey Police Force

The role of Safeguarding Partners (Accountable Officers) is to provide strategic direction, setting the system “conditions” for effective safeguarding, ensuring there are clear annual safeguarding priorities with measurable outcomes and ensuring arrangements are in place to meet core responsibilities with effective assurance mechanisms.

Safeguarding Partners (Accountable Officers) will have vertical accountability for safeguarding within their own directorate / organisation and horizontal responsibility across the safeguarding system.

At least once in every 12 months, Safeguarding Partners (Accountable Officers) will prepare a report on activity they and Relevant Providers (Safeguarding Partnership) have completed in line with the previously published safeguarding arrangements, reporting on how effective the arrangements have been in practice. This report will be reviewed by the Independent Chair/Independent Scrutineer before being presented to the Ministerial Safeguarding Group and published.

Going forward, it is proposed that Safeguarding Partners (Accountable Officers) will meet as a Children and Young People Safeguarding Accountable Officers Group on a two monthly basis with co-opted membership of the Independent Chair/ Scrutineer. They will drive a programme of improvement, monitor and take decisions on delivery of effective safeguarding arrangements.

The following sections set out the arrangements which will enable Safeguarding Partners (Accountable Officers) to work with Relevant Providers (Safeguarding Partnership) to realise effective child safeguarding.

## *Responsible Ministers*

The Responsible Ministers are:

- Minister for Children and Education
- Minister for Health and Social Services
- Minister for Justice and Home Affairs
- Minister for Housing and Communities

The role of Responsible Ministers is to provide political oversight of safeguarding and ensure accountability for the effectiveness of these arrangements. This includes corporate parenting responsibilities where Ministers must ensure the needs of children looked after are assessed, appropriate support is available to meet their needs so that children can thrive and are prepared for adulthood. The Corporate Parenting Board has oversight of how families are supported to stay together and where this is not possible, that loving and stable homes are provided for all children who are in the care of the Minister for Children and Education.

In the past year, a Ministerial Safeguarding Group has been formed which reports to the Council of Ministers and provides a valuable forum to consider a range of safeguarding matters for children and adults at risk including those that require cross Government working. This group will continue to play an important role within the overall governance structure for safeguarding including monitoring the outcomes of the Care Inquiry Report 2017.

## *Relevant Providers (Safeguarding Childrens Partnership)*

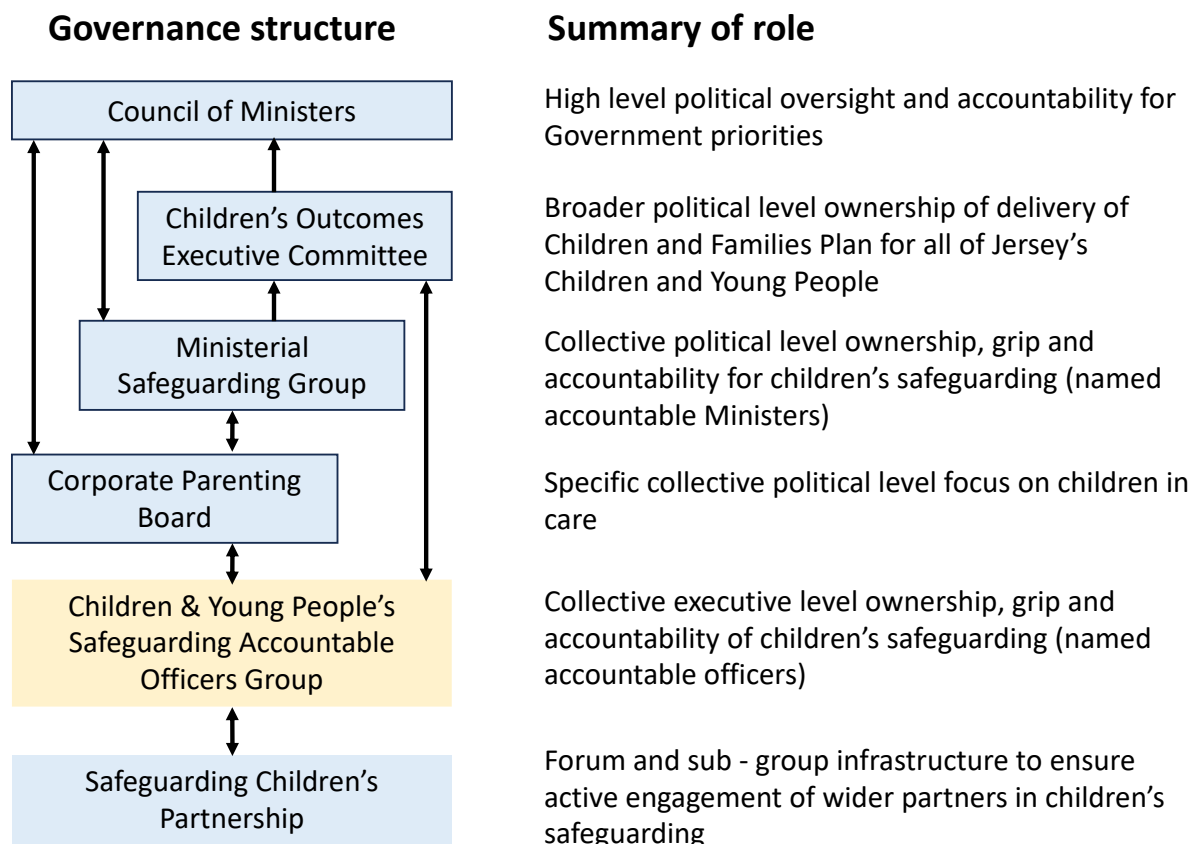
Relevant Providers are providers of services to children and young people or providers of related services and form the wider Safeguarding Childrens Partnership. These organisations play a vital multi-agency role in delivery of joined up safeguarding support to keep children and young people safe.

The new law deliberately doesn't name individual organisations as Relevant Providers to enable a flexible approach to engage and involve agencies, voluntary sector and community groups in safeguarding arrangements and as part of a reform programme.

As a starting point, Relevant Providers that are currently members of the Safeguarding Partnership Board will continue to meet as a Safeguarding Partnership on a quarterly basis to lead delivery and implementation. Membership is anticipated to change during the two year transition period to the new arrangements.

The following schematic outlines how accountabilities and responsibilities come together through different parts of the safeguarding governance system.

**Diagram 1: New Safeguarding Governance System**



**Developing New Children Safeguarding Partnership Arrangements**

Alongside planning to prepare for the new Children and Young People (Jersey) Law 2022, an Extended Leadership Group was formed in December 2022 involving Chief Officers who have analysed and directed work on a range of current priorities for safeguarding children and young people. As part of this work, Chief Officers have identified future potential governance mechanisms to ensure effective Safeguarding Childrens Partnership arrangements in support of the new law (see diagram above).

In addition, a Ministerial Safeguarding Group has been in place since September 2022 and has received regular updates from the Extended Leadership Group and Pan Island Independent Chair of the Safeguarding Partnership on current safeguarding priorities and preparations for the new law.

The current Safeguarding Partnership Board and Business Support Team has been engaged in discussions about future Safeguarding Children Partnership arrangements through its Board meetings and dedicated sessions.

The remainder of the document will be structured using the five areas of responsibility that Safeguarding Partners (Accountable Officers) must ensure are in place.

## **Arrangements to identify and respond to children or young people whose welfare appears to need safeguarding.**

As detailed above, over recent months, Safeguarding Partners (Accountable Officers) have been overseeing a programme of whole system reform to improve outcomes across the safeguarding system for some of the most vulnerable children and young people.

Going forward, the Children and Young People Safeguarding Accountable Officers Group will act as the Programme Board for further reform with clear programmes of work relating to current and emerging safeguarding risks, taking account of the island context whilst being open to learning from other jurisdictions. This will sit within an annual planning cycle which reflects the Government Plan, related strategies, demographic information, key data in relation to safeguarding, the experience of people requiring safeguarding support, feedback from practitioners and analysis of wider intelligence.

This will inform the priorities of the Safeguarding Childrens Partnership and work will be progressed through time limited programme groups chaired by Relevant Providers from various agencies. This work will be supported by a network of personnel in improvement and analytic roles including the Safeguarding Partnership Business Support Team. They will shape detailed work programmes, drawing from integrated data systems such as CLARE (Collect, Link, Assess, Report, Evaluate) with measurable outcomes and reporting through to the Children and Young People Safeguarding Accountable Officers Group.

## **Arrangements for planning, reviewing and improving safeguarding practice to protect and promote the welfare of children or young people.**

Safeguarding Partners (Accountable Officers) will ensure that core multi-agency safeguarding processes are working well, they have clear line of sight to front line practice and have an agreed programme for improving safeguarding outcomes.

The existing Operational Safeguarding Group which is made up of senior operational managers/professionals will be reformed as the main mechanism to provide a real time picture of how effectively multi-agency safeguarding arrangements are working and alerting Safeguarding Partners (Accountable Officers) of key challenges and emerging priorities.

Learning and improvement will be part of the culture of the Safeguarding Childrens Partnership with periodic peer reviews and audits of the effectiveness of safeguarding across Relevant Providers. The existing Quality Assurance Child Safeguarding Group will continue to progress a programme of audit and review that will advise Safeguarding Partners (Accountable Officers) on matters relating to current practice.

Safeguarding Partners (Accountable Officers) have a responsibility to review serious child safeguarding incidents where the abuse or neglect of a child is known or suspected and the child has died or been seriously harmed. In recent years, Jersey has followed the practice of other jurisdictions with an initial Rapid Review of such cases which informs a decision about whether a Serious Case Review should be commissioned. A peer review of these arrangements is underway with other islands including the Isle of Man and Guernsey and

recommendations from this will be reflected in updated arrangements when this reports in early 2024. In the meantime, the Chair of a proposed Learning from Reviews group will coordinate views and make recommendations to Safeguarding Partners (Accountable Officers) on whether a Rapid Review should be scheduled and subsequently consider any recommendation to progress to a Serious Case Review.

Nurturing professional curiosity and challenge is a healthy sign of effective multi agency working and is to be encouraged. Where conflicts arise, these need to be resolved at the earliest opportunity. Safeguarding Partners (Accountable Officers) will actively promote and confirm the operational arrangements within their own organisation for the *Safeguarding Partnership Resolving Professional Differences/Escalation Policy*<sup>5</sup>.

### **Arrangements for procuring professional advice on safeguarding the welfare of children or young people.**

Safeguarding requires leadership, expertise and access to professional advice to ensure that all front-line staff are trained, competent and confident to make professional decisions-often when under pressure or where there are complex circumstances.

Safeguarding Partners (Accountable Officers) will access professional advice from a variety of sources including complex parts of the safeguarding system such as health services. Designated Professionals play a key role in ensuring effective communication and understanding of safeguarding roles across primary and secondary care and their advice will be sought in relevant operational and strategic discussions.

Within Children and Adult Social Care, Chief Social Workers are the professional leads for social work practice and driving practice improvements, acting as a source of expertise in interpreting legal frameworks and providing advice in risk assessments and risk management.

There needs to be close alignment between Public Health activity and the safeguarding agenda with regular advice sought from the Director of Public Health who also chairs the Pan Island Child Death Review Panel<sup>6</sup>.

Access to legal advice through the Law Officers Department and Criminal Division will ensure decisions of Safeguarding Partners (Accountable Officers) are legally sound.

### **Arrangements as to the disclosure of information between Safeguarding Partners (Accountable Officers) and relevant providers.**

Sharing information is a key part of safeguarding the welfare of children and young people and needs to be managed within the Data Protection (Jersey) Law 2018 which is the legal framework for sharing personal information in Jersey. Statutory Guidance<sup>7</sup> has been produced and published to support timely information sharing to safeguard children and

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<sup>5</sup> [Resolving Professional Differences/Escalation Policy](#)

<sup>6</sup> [Child Death Overview Panel](#)

<sup>7</sup> [Children and Young People \(Jersey\) Law Statutory Guidance](#)



young people. Historic serious case reviews in Jersey and other jurisdictions have highlighted the importance of information sharing to keep children and young people safe.

Safeguarding Partners (Accountable Officers) as leaders of the safeguarding system will actively promote information sharing as set out in the Statutory Guidance. They will do this by ensuring staff in their own organisations have an effective induction, attend mandatory training, in support of the Children and Young Peoples (Jersey) Law (2022), and have access to advice and support for professionals about information sharing.

In addition to sharing information for preventing harm to individuals on a case-by-case basis, Safeguarding Partners (Accountable Officers) will review data collection and data sharing across the safeguarding system to identify safeguarding needs and risks in order to target actions in priority areas.

### **Arrangements for scrutiny by an independent person of the effectiveness of the arrangements.**

The role of independent scrutiny is to provide assurance in judging the effectiveness of multi-agency arrangements to safeguard and promote the welfare of all children. This is undertaken through objective scrutiny, acting as a constructive critical friend, promoting reflection to drive improvement, and considering how well Safeguarding Partners are providing strong leadership to fulfil their safeguarding children role.

Independent scrutiny of safeguarding arrangements will form part of a wider system of review which includes inspections from the Jersey Care Commission<sup>8</sup>, HMICFRCS<sup>9</sup>, periodic reviews from other independent specialists and engagement with the Office of the Children's Commissioner<sup>10</sup>.

Safeguarding Partners (Accountable Officers) will work with Responsible Ministers to secure independent scrutiny arrangements ahead of completion of the tenure of the Pan Island Chair -Safeguarding Partnerships.

### **Supporting Infrastructure**

In order to ensure the existing priorities and core responsibilities of the Safeguarding Childrens Partnership are delivered through clear programmes of work with measurable outcomes, a structure of programme groups and subgroups will be formed-some of which will transition from the former Safeguarding Partnership Board.

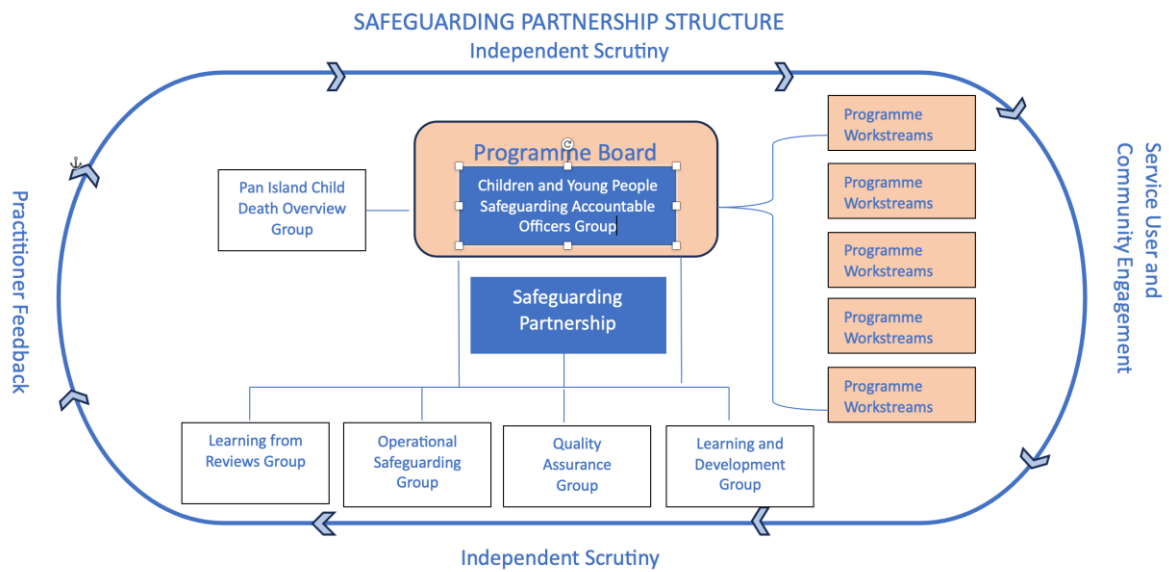
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<sup>8</sup> [Jersey Care Commission Standards](#)

<sup>9</sup> [His Majesty's Inspectorate of Constabulary and Fire and Rescue Services](#)

<sup>10</sup> [Office of the Childrens Commissioner](#)

**Diagram 2.**



The following provides a brief description of the functions of the groups referenced in the above schematic. Terms of reference for the sub groups and programme groups will be made available on the Safeguarding Partnership website.

*Improvement Programme Workstreams*

Future safeguarding improvement programme workstream groups will reflect the shared priorities of the Safeguarding Partners (Accountable Officers) with implementation led by key Relevant Providers (Safeguarding Childrens Partnership) that has a whole system focus.

During the transition to new safeguarding arrangements existing sub groups led by the previous Safeguarding Partnership Board will be incorporated into future priority setting. For example, Domestic Abuse, Child Sexual Abuse/Exploitation and Child Neglect.

*Operational Safeguarding Group*

The group will act as the “engine room” for practice improvement and monitoring the effectiveness of multi-agency operational safeguarding arrangements across Relevant Providers. They will provide Safeguarding Partners (Accountable Officers) with an accurate picture of how well services are being delivered to address safeguarding needs and risks, the effectiveness of information sharing, application of the Continuum of Need framework and escalate issues where these cannot be resolved.

### *Quality Assurance-Child Safeguarding*

The group will coordinate the quality assurance function of the Safeguarding Partnership, ensuring high quality safeguarding practice is the norm across all agencies, there is an effective programme of audit and multi-agency policies and procedures are kept up to date.

Working closely with data analysts, the Quality Assurance Group will coordinate system wide data collection to provide regular reports to the Operational Safeguarding Group and Safeguarding Partners (Accountable Officers) to inform decision making about the effectiveness of the safeguarding system.

### *Learning and Development Group*

The Learning and Development Group will have the responsibility to identify multi-agency-safeguarding learning needs-reflecting the priorities of the Safeguarding Partnership, learning from reviews etc. They will commission and deliver high quality multi-agency safeguarding training and establish mechanisms to measure the impact of training.

### *Learning from Reviews Group*

The Learning from Reviews Group will provide the co ordinating point for requests for consideration of Serious Case Reviews and advise the Safeguarding Partners (Accountable Officers) when a Rapid Review should be established. The decision to commission a Serious Case Review rests with the Safeguarding Partners (Accountable Officers) who may seek an independent view from the Independent Chair/Independent Scrutineer.

The Learning from Reviews Group will have the lead role in tracking progress with delivery of actions from Rapid Reviews and Serious Case Reviews and identify relevant learning from reviews from other jurisdictions.

### *Child Death Overview Panel*

Safeguarding Partners (Accountable Officers) have a responsibility to review each death of a child normally resident in Jersey and for the review of deaths of a child normally resident in Jersey at the time of the death. A Pan Island (Jersey and Guernsey) Child Death Overview Panel is in place to analyse information about child deaths, identify modifiable factors and propose action to prevent future deaths. To ensure learning and trends can be reliably identified, it is necessary for a sufficient size population to be considered and since 2022, the Islands CDOP has a formalised arrangement with the Hampshire, Isle of Wight, Portsmouth and Southampton CDOP to achieve this.

### **Safeguarding Business Support Team**

The Safeguarding Business Support team is employed by the Government of Jersey and sits within SPPP alongside other arm's length bodies and is crucial to the efficient and effective running of the Safeguarding Partnership. The team comprises professionals with a variety of

backgrounds and provide skills in multi-agency working, relationship management, media campaign work, training, policy development, data analysis, quality assurance, programme design and delivery and change management.

The Safeguarding Business Support team will:

- provide secretariat support for the Children and Young People Safeguarding Accountable Officers Group.
- Work with allocated core group - chairpersons to coordinate the core groups (identified above) workplans reporting back key insights and recommendations to the Safeguarding Children and Young People Accountable Officers Group.
- Support the whole system safeguarding reform and transformation agenda.

## **Summary**

This document sets out how Safeguarding Partners (Accountable Officers) will safeguard the welfare and safety of children in line with responsibilities of the new Children and Young People (Jersey) Law 2022.

This includes outlining new accountabilities of Safeguarding Partners (Accountable Officers) , the role of Responsible Ministers and Relevant Partners- all of whom have a responsibility to make a positive difference to the lives of children and young people in Jersey.

This is set in the context of a whole system reform programme for safeguarding which builds on work of recent months by an Extended Leadership Group with collective leadership to address the most significant needs and risks of islanders.

The document provides detail of how Safeguard Partners will put in place arrangements to

- identify and respond to children or young people whose welfare appears to need safeguarding.
- plan, review and improve arrangements to safeguard the welfare of children or young people.
- procure professional advice on safeguarding the welfare of children or young people.
- disclose information between Safeguarding Partners (Accountable Officers) and relevant providers.
- Enable scrutiny by an independent person of the effectiveness of the arrangements.

Whilst the arrangements are triggered in preparation for the new Children and Young People (Jersey) Law 2022, there is a strong commitment to maintain a life course approach to safeguarding including addressing the needs of vulnerable adults.

A proposed structure is provided to enable core responsibilities and programmes of work linked to whole system reform to be delivered and supported by a Safeguarding Business Support Team.