



# Memorandum of Understanding



## Introduction and Context

The Children and Social Work Act 2017 and its accompanying guidance Working Together to Safeguard Children 2018 place a shared and equal duty on the statutory safeguarding partners to make arrangements to work together to safeguard and promote the welfare of all children in a local area.

The Cumbria Safeguarding Children Partnership believes that effective safeguarding is founded on practitioners, developing lasting and trusting relationships with the children and families they work with and it will look beyond organisational constraints and boundaries to build a culture which improve outcomes for all.

The Cumbria Safeguarding Children Partnership Plan (link) sets out the arrangements for safeguarding and protecting children. It emphasises that effective safeguarding is achieved by putting children at the centre of the system and by every individual and agency playing their full part. Organisations, agencies and practitioners should be aware of, and comply with, the arrangements as set out by the safeguarding partners.

Partnership working is at the centre of the arrangements and there is a commitment to working together to improve outcomes for children in Cumbria. This Memorandum of Understanding outlines the commitment of local safeguarding partners to fulfil their statutory duties to work together to safeguard children in Cumbria.

This Memorandum of Understanding provides clarity regarding:

- the safeguarding partners;
- local values and principles;
- safeguarding partners roles and responsibilities;
- funding responsibilities;
- dispute resolution and escalation processes;
- partnership arrangements including relationships with wider partnerships and boards.

This Memorandum of Understanding will be reviewed on an annual basis, or sooner if required.

## Safeguarding Partners

As defined in the Children Act 2004 (as amended by the Children and Social Work 2017) the lead representatives of the safeguarding partners are:

- The Chief Executive of the local authority.
- The Accountable Officer for the clinical commissioning group for an area, any part of which falls within the local authority area.
- The chief officer of police for an area, any part of which falls within the local authority area.

In Cumbria, the lead representatives have delegated their responsibilities for the safeguarding arrangements to:

- Cumbria Constabulary - Andrew Slattery, Assistant Chief Constable.
- Cumbria County Council - Nick Jarman, Interim Executive Director People.
- Morecambe Bay Clinical Commissioning Group - Margaret Williams, Chief Nurse.
- North Cumbria Clinical Commissioning Group - Anna Stabler, Director of Nursing and Quality and Deputy System Chief Nurse.

The safeguarding partners have equal and joint responsibility for local safeguarding arrangements, which is underpinned by equitable and proportionate funding including through any contributions from relevant agencies. Delegated representatives have the responsibility and authority for ensuring full participation with the safeguarding arrangements.

Although the lead representatives have delegated their responsibilities to those named above they remain accountable for any action or decisions taken on behalf of their respective agency.

## Roles and Responsibilities

### Safeguarding Partners

All safeguarding partners have equal and joint responsibility for local safeguarding arrangements underpinned by equitable and proportionate funding.

The lead representatives and those they have delegated their authority to, are able to:

- Speak with authority for the safeguarding partner they represent.
- Take decisions on behalf of their organisation or agency and commit them on policy, resourcing and practice matters.
- Hold their own organisation or agency to account on how effectively they participate and implement the local arrangements.

Safeguarding partners will agree on ways to co-ordinate their safeguarding services, act as a strategic executive in supporting and engaging others and implement local and national learning including from serious safeguarding incidents. To fulfil this role, the safeguarding partners must set out how they will work together with any relevant agencies. The relevant agencies in Cumbria are set out in the Cumbria Safeguarding Children Partnership Plan ([link](#)).

The safeguarding partners are responsible for:

### Leadership

- In the event that an issue arises which requires a clear, single point of leadership, decide on who would take the lead on issues that arise (this would be agreed at the Lead Safeguarding Partners Group or virtually by the safeguarding partners, depending on the urgency and circumstances involved).

### Relationships and resolution

- Build positive relationships with all partners and other relevant bodies to ensure that information is shared in a timely and proportionate way.
- Have in place a quick and straightforward means of resolving differences of opinion.

### Relationships with Relevant Agencies

- Make sure the relevant agencies are aware of the expectations placed on them by the Cumbria Safeguarding Children Partnership arrangements.
- Consult with relevant agencies in developing the safeguarding arrangements to make sure the expectations take account of an agency's structure and statutory obligations.
- Be clear how they will assure themselves about the quality of safeguarding practice and that relevant agencies have appropriate, robust safeguarding policies and procedures in place.
- Provide a framework for effective information sharing amongst all relevant agencies and safeguarding partners.
- Be clear on how agencies with a national remit should collaborate and take account of that agency's individual responsibilities and potential contributions towards a number of safeguarding arrangements.

### Information and Communication

- Be aware of their own responsibilities under the relevant information law and have regard to guidance provided by the Information Commissioner's Office when issuing and responding to requests for information.
- Communicate regularly with their relevant agencies and others they expect to work with them.

### Individual agencies and roles

- Consider how they will secure the clinical expertise of designated health professionals for safeguarding within their arrangements.

- Make arrangements to allow all schools, colleges, early years settings and other educational providers in the local area to be fully engaged, involved and included in the safeguarding arrangements.

### Assessment and services

- Agree with their relevant agencies the levels for the different types of assessment and services to be commissioned and delivered.
- Publish a threshold document, which sets out the local criteria for action in a way that is transparent, accessible and easily understood.

### Data and intelligence

- Use data and intelligence to assess the effectiveness of help being provided to children at risk.
- Use the Joint Strategic Needs Assessment to help them understand the prevalence and contexts of need, which in turn should help shape services.

### Learning Reviews

- Commissioning reviews of serious safeguarding cases in order to identify improvements that can be made to safeguard and promote the welfare of children.

### Training

- Agree what training will be provided through the safeguarding arrangements and how they will monitor and evaluate the effectiveness of any training they commission.

### Scrutiny and Assurance

- Ensure scrutiny is objective, acts as a critical friend and promotes reflection to drive continuous improvement.
- Publish a report at least once in every 12 month period to set out what they have done as a result of the arrangements, including Child Safeguarding Practice Reviews and how effective these arrangements have been in practice.
- Agree arrangements for independent scrutiny of the report they must publish at least once per year.
- Make sure the report is published and made widely available.
- Report any updates to the published arrangements in their annual report and the proposed timescale for implementation.

### Information Sharing and Information Governance

- Safeguarding partners will play a strong role in supporting information sharing between and within organisations and addressing any barriers to information sharing. The partners will develop an Information Sharing Agreement that adheres to all relevant data protection and Freedom of Information legislation and that promotes and prioritises the protection of children at risk.



## Funding and resourcing

Working in partnership means organisations and agencies should collaborate on resourcing and financial management of the arrangements.

The safeguarding partners will make payments towards expenditure incurred in conjunction with the local arrangements for safeguarding and promoting the welfare of children at risk. Funding allocations are to be agreed by safeguarding partners through the Lead Safeguarding Partners Group and will be equitable and proportionate. The safeguarding partners will also provide in kind contributions to support the work of the local arrangements e.g. training capacity, venues, auditing.

The safeguarding partners have agreed their funding contributions for 2019/20. The safeguarding partners will provide through financial or in-kind contributions the resources required to deliver on their ambition for effective multi-agency safeguarding arrangements as set out in the Cumbria Safeguarding Children Partnership Plan.

The safeguarding partners will work with Relevant Agencies to agree any financial or in-kind contribution to the resources of the multi-agency safeguarding arrangements, given that they continue to benefit from the work of the partnership.

Funding arrangements will be subject to an annual review and there will be further consideration and discussion regarding future funding rounds.

If any safeguarding partners do not fulfil their funding responsibilities as identified in this Memorandum of Understanding, the dispute resolution process will be used.



## Dispute Resolution

### Cumbria Safeguarding Children Partnership - Dispute Resolution

Working collaboratively to safeguarding and promote the welfare of children and adults at risk is at the heart of our local arrangements. Through effective leadership, openness, transparency and effective professional challenge, there is a commitment to resolving any disputes locally between the safeguarding partners, relevant agencies and other organisations and agencies in a timely fashion.

If a clear, single point of leadership is required, safeguarding partners will agree the most appropriate partner, who will act on behalf of and in the interest of all three safeguarding partners. This will usually be done through a discussion at the Lead Safeguarding Partners Group although if the matter is urgent the partners may address it by other means.

The first point of resolution of issues would be through the three safeguarding partners. If this is not possible, the matter will be escalated to the Independent Chair of the CSCP Board who will engage with the Local Authority Chief Executive, the CCG Accountable Officers and the Chief Constable to resolve the issue.

If no resolution can be reached, consideration should be given by the three safeguarding partners in consultation with the Independent Chair to seek formal independent arbitration via a professional body such as the Chartered Institute of Arbitrators to reach an acceptable conclusion.

It is acknowledged that safeguarding partners that fail to comply with their statutory obligations are held to account through a variety of regulatory and inspection activity for example, Ofsted, HMIPFRS and CQC, NHSE/I.

Where necessary, legislation allows the Secretary of State to take enforcement action against any agency that is not meeting its statutory obligations as part of local safeguarding arrangements.

### Multi-Agency Practice Escalation Processes

All agencies work within different structures and from a variety of professional backgrounds and perspectives, though they should work co-operatively to safeguard and promote the welfare of children. This is reliant of all agencies complying with Working Together 2018 and the underpinning CSCP policies and procedures.

In the event of any disagreement between practitioners involved in the CSCP arrangements relating to multi-agency practice it is necessary to have in place a quick and straightforward means of ensuring safeguarding arrangements and resolving professional differences of opinion, as detailed in the CSCP Escalation Protocol ([link](#)).

## Partnership Arrangements

The Cumbria Safeguarding Children Partnership arrangements have been established in the context of wider partnership arrangements across Cumbria. As such, the Safeguarding Partnership links with other strategic partnership that support children and adults including the following:

- Local Safeguarding Adults Board.
- Health & Well Being Board.
- Safer Cumbria and Community Safety Partnerships.
- Children's Trust Board.
- Corporate Parenting Board.
- SEND Improvement Board.
- Prevent Board.
- Family Justice Board.
- Youth Justice Board.

