

SAFEGUARDING ACCOUNTABILITY FRAMEWORK

October 2017

This following version supersedes the November 2015 version

SAFEGUARDING: RESPONSIBILITIES AND GOVERNANCE FRAMEWORK

Introduction

Safeguarding adults and children is everyone's responsibility. Safeguarding and promoting safeguarding 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 those children to have optimum life chances and to enter adulthood successfully
- Prevention of harm or abuse through the provision of high quality care
- Effective responses to allegations of harm and abuse in line with local guidance
- Using learning to improve services

Purpose of this Framework and Statutory Duties, Legislation and Guidance

For children and young people, the key legislation includes the Children Act 1989 and the Children Act 2004. Sections 11 and 13 of the 2004 Act have been amended so that the NHS England and clinical commissioning groups have identical duties to those previously applying to Primary Care Trusts (PCTs) and Strategic Health Authorities – ie to have regard to the need to safeguard and promote the welfare of children and to be members of Local Safeguarding Children Boards. The revised edition of Working Together to Safeguard Children (2015) sets out expectations as to how these duties should be fulfilled. Additionally, NHS England have published a framework in 2013, revised in 2015 which clearly articulates the expectations of CCG's

The Care Act 2014 sets out requirements with respect to safeguarding adults, including membership of Safeguarding Adults Boards and the expectation that all organisation will have a Designated Manager for Safeguarding Adults.

This framework is intended to support NHS Bury CCG to fulfil their statutory safeguarding duties as set out in

- Working Together to Safeguard Children 2015
- Statutory Guidance on Promoting the Health and Well-being of Looked After Children
- The Care Act 2014
- Safeguarding Vulnerable People in the Reformed NHS Accountability and Assurance Framework (June 2015)

Roles and Responsibilities of Bury CCG

The CCGs are statutory NHS bodies with a range of statutory duties, including for safeguarding children. NHS Bury CCG is a membership organisation that brings together general practices to commission services for the registered populations of Bury and for unregistered patients who live in their area.

Co-commissioning of primary Care Services

Co-commissioning arrangements are being introduced from April 2015 and provide a number of different models for involving CCGs in the commissioning of primary care services – greater involvement of CCGs, joint commissioning or delegated arrangements.

Under delegated arrangements, CCGs will be responsible for ensuring that the GP services commissioned have effective safeguarding arrangements and are compliant with the MCA. NHS England will require assurance that such arrangements are in place before CCGs take on such responsibility. The overall effectiveness of CCGs in discharging their safeguarding and MCA duties will also be monitored as part of the CCG assurance process.

Bury CCG needs to demonstrate that they are meeting their statutory responsibilities to safeguard and to promote the welfare of children. In addition they need to demonstrate they are supporting and complying with Bury Safeguarding Children Board procedures.

The CCG had to demonstrate that there are appropriate systems in place for discharging their responsibilities in respect of safeguarding prior to authorisation, including

- Plans to train their staff in recognising and reporting safeguarding issues
- A clear line of accountability for safeguarding, properly reflected in the CCG governance arrangements
- Appropriate arrangements to co-operate with local authorities in the operation of LSCBs, SABs and health and wellbeing boards
- Ensuring effective arrangements for information sharing
- Securing the expertise of designated doctors and nurses for safeguarding children and for looked after children and a designated paediatrician for unexpected deaths in childhood
- Having a safeguarding adults lead and a lead for the Mental Capacity Act, supported by the relevant policies and training.

Governance Arrangements in Bury CCG

Safeguarding arrangements are an integral part of the CCG's Quality and Governance Frameworks and, as such, will be managed in accordance with the Frameworks and their supporting policies. Bury CCG will be expected to have a clear line of accountability within the organisation for safeguarding. As such ultimate accountability for safeguarding children will be with the Chief Operating Officer.

In order to ensure the duties related to this accountability are discharged and to secure significant senior level management and Governing Body leadership, Bury CCG's Executive Governing Body Lead for Safeguarding will be responsible for ensuring the CCG has the correct procedures and capacity in place and that Bury CCG is fulfilling in full any partnership duties.

The CCG will ensure that there continue to be arrangements in place to have access to the designated safeguarding expertise for adults and children via Designated Professionals Bury CCG has both Designated Nurses and Doctor working within the local safeguarding arrangements and offers expertise to the CCG. Additionally the CCG is required to employ and Named GP for

Safeguarding. The Governing Body and Governing Body lead will work closely with the designated leads for safeguarding.

Key Roles and responsibilities of the: CCG Governing Body, Clinical Chief Officer /Executive Governing Body Level lead as outlined in Section 11 of the Children Act 2004 and NHS accountability framework 2015

	Responsibility	Local arrangements	Lead
1	A clear line of accountability for safeguarding, properly reflected in the CCG governance arrangements, i.e. a named executive lead to take overall leadership responsibility for the organisation's safeguarding arrangements.	There will be an identified lead and clear governance arrangements(see appendix1)	The Executive lead for Safeguarding
2	Clear policies setting out their commitment, and approach, to safeguarding including safe recruitment practices and arrangements for dealing with allegations against people who work with children and adults as appropriate.	Policies will be updated as required to reflect new guidance and legislation and at an interval of no more than 3 years	Head of Safeguarding
3	Training their staff in recognising and reporting safeguarding issues, appropriate supervision and ensuring that their staff are competent to carry out their responsibilities for safeguarding.	All staff will be aware of the policy and guidance and attend safeguarding training as outlined in the training strategy Training figures will be reported to the Governing Body via the safeguarding dashboard All job descriptions will reflect safeguarding responsibilities	Deputy Director of Business Delivery and Head of Safeguarding
4	Effective inter-agency working with local authorities, the police and third sector organisations which includes appropriate arrangements to cooperate with local authorities in the operation of LSCBs, SABs and	The CCG will have membership of all 3 board at operational and strategic level The CCG co-operates with DHR's SCR and with all agencies listed	Executive Lead for Safeguarding

	Health and Wellbeing Boards.		
5	Ensuring effective arrangements for information sharing.	The CCG will have clear standards for information sharing within the safeguarding policy	Head of Safeguarding
6	Employing, or securing, the expertise of Designated Doctors and Nurses for Safeguarding Children and for Looked After Children and a Designated Paediatrician for unexpected deaths in childhood.	The CCG will have staff in place as required	Executive lead for Safeguarding
7	Having a Designated Adult Safeguarding Manager (DASM) which should include the Adult Safeguarding lead role and a lead for the MCA, supported by the relevant policies and training.	The CCG will appoint and a DSAM who will also lead on adult safeguarding and MCA Safeguarding policy and MCA policy will be in place for the organisation	Head of Safeguarding
8	Effective systems for responding to abuse and neglect of adults.	The safeguarding policy will reflect the systems for responding to abuse and neglect of adults	Designated Nurse for Safeguarding Adults
9	Supporting the development of a positive learning culture across partnerships for safeguarding adults to ensure that organisations are not unduly risk averse.	The CCG will have membership of strategic and operational Boards for Adult Safeguarding and provide support an challenge to health providers	Executive Lead for Safeguarding
10	Working with the local authority (LA) to enable access to community resources that can reduce social and physical isolation for adults.	The CCG will work collaboratively with the LA to achieve the aim	Director for Commissioning
11	CCG representatives at the LSCB must be accompanied by their Designated Professional to ensure their professional expertise is effectively linked into the local	The Designated Professionals are advisors to the both the adults and children's safeguarding boards	Executive Lead for Safeguarding

	safeguarding arrangements.	<p>The CCG safeguarding policy will link with the LSCB and the ASB and the CCG will be a signatory to the policies of both Boards</p> <p>The CCG will have active membership of both the adult and children's safeguarding board and the health and well being board</p>	
12	Designated Professionals are responsible for undertaking serious case reviews/ case management reviews/significant case reviews on behalf of health commissioners and for quality assuring the health content.	The CCG will contribute expertise to case reviews and quality assure health providers reports where appropriate	Head of Safeguarding
13	Designated Professionals must be consulted and able to influence at all points in the commissioning cycle to ensure all services commissioned meet the statutory requirement to safeguard and promote the welfare of children.	The CCG will ensure that safeguarding is considered at all points of the commissioning cycle	Director of Commissioning
14	Designated Professionals are responsible for providing expert advice to HEE and Local Education and Training Boards to ensure that the principles of safeguarding are integral to education and training curricula for health professionals.	On request the Designated Professionals will support and provide advice to the listed organisations	Head of Safeguarding
15	The Designated Professional must have direct access to the Executive (Board level) Lead to ensure that there is the right level of influence of safeguarding on the commissioning process.	The Designated Nurse for Child Protection (Head of Safeguarding and other members for the team have direct access to the Chief Officer	The Chief Officer

16	<p>The CCG Accountable Officer (or other executive level nominee) should meet regularly with the Designated Professional to review child safeguarding.</p>	<p>The Head of Safeguarding will have formal meetings quarterly with the Chief Officer of the CCG</p>	<p>The Chief Officer</p>
17	<p>Specific responsibilities of the DASM will include:</p> <ul style="list-style-type: none"> ☐ Responsibility for the management and oversight of individual complex cases. ☐ Coordination where allegations are made, or concerns raised, about a person, whether an employee, volunteer or student, paid or unpaid. ☐ Promoting partnership working and keeping in regular contact with their counterparts in partner organisations ☐ Assessing and highlighting the extent to which their own organisation prevents abuse and neglect taking place. ☐ Ensuring that appropriate recording systems are in place that provide clear audit trails about decision making and recommendations in all processes relating to the management of adult safeguarding allegations against the person alleged to have caused the harm or risk of harm and ensure the control of information in respect of individual cases is in accordance with accepted data protection and confidentiality requirements. <p>It is recommended that the DASM role also incorporates the safeguarding adult lead</p>	<p>The CCG will have in place a DASM role. The role will be undertaken by the Designated Nurse for Safeguarding Adults</p>	<p>Executive Lead for Safeguarding</p>
18	<p>CCGs are required to have a Designated MCA lead who is responsible for providing support and advice to clinicians in individual cases and supervision for staff in areas where these issues may be</p>	<p>The CCG will have in place a Designated MCA lead who will be accountable to the Head of Safeguarding</p>	<p>Executive Lead for Safeguarding</p>

	particularly prevalent and/or complex. They should also have a role in highlighting the extent to which their own organisation, and the services that they commission, are compliant with the MCA through undertaking audit, reporting to the governance structures and providing or securing the provision of training.		
19	Under delegated arrangements, CCGs will be responsible for ensuring that the GP services commissioned have effective safeguarding arrangements and are compliant with the MCA. NHS England will require assurance that such arrangements are in place before CCGs take on such responsibility. The overall effectiveness of CCGs in discharging their safeguarding and MCA duties will also be monitored as part of the CCG assurance process.	The CCG will comply with the NHS safeguarding accountability framework and will report annually via the annual report to the Governing Body and the public Once delegated arrangements are in place the CCG will have in place a process to assure itself that GP services are effective	Head of Safeguarding
20	Whatever arrangements are in place for securing the expertise of Designated Professionals it is vital that CCGs enable and support Designated Professionals to fulfil their system-wide role.	The CCG will employ directly or via an SLA all Designated professionals as required	The Chief Officer
21	it is strongly recommended that two Named GP sessions per 220,000 population is secured as a minimum. Broadly the role of the Named GP/Named Professional includes: <ul style="list-style-type: none"> ☐ Providing specific expertise on child health and development and in the care of families in difficulty as well as children who have been abused or neglected. ☐ Providing supervision, expert advice and support to GPs and other primary care staff in child protection issues. ☐ Offering advice on local arrangements with provider organisations for safeguarding children. 	The CCG will employ a Named GP for safeguarding	The Chief Officer

	<p>☑ Promoting, influencing and developing relevant training for GPs and their teams.</p> <p>☑ Providing input as a skilled professional to child safeguarding processes, in line with the procedures of Local Safeguarding Children Boards.</p> <p>☑ Taking a lead in writing the general practice components of serious case reviews, independent management reviews, SAAF, section 11 and multi-agency audits.</p> <p>☑ Supporting processes required by regulator unannounced and announced single and multi-agency inspections.</p> <p>☑ Working with commissioners to develop and improve the quality of safeguarding arrangements locally.</p> <p>☑ Supporting and encouraging collaborative working across the local safeguarding system with a particular role to work with the nominated safeguarding leads in GP practices.</p>		
22	<p>Local Authorities (LAs) are held to account for the public health duties that are transferred to them, through local management structures and LSCBs/SABs in the usual way. They are able to access specialist support and advice via the CCG safeguarding team or the Safeguarding Forum.</p>	<p>The Director of Public health will have access to the specialist support for the safeguarding team of the CCG</p>	<p>Head of Safeguarding</p>

Bury Safeguarding Boards

The Designated Nurse and the Designated Doctor, who act as a source of expert advice to the LSCB attend the Bury Children Safeguarding Children Board. The Executive Lead for Safeguarding on the Governing Body or another identified GB member will also attend representing Bury CCG. The

CCG will identify a nominated deputy who may be either the Designated Nurse for Safeguarding or the Designated Nurse for Safeguarding Adults.

Bury CCG will also be a key member of the established Bury Safeguarding Adults Board. Bury CCG is represented on the LSAB by the Designated Nurse for Safeguarding and the Executive Lead for Safeguarding or another identified GB member. The Designated Nurse for Safeguarding or Designated Nurse for Safeguarding Adults will act as a deputy.

NHS England

The NHS England, through the leadership of the Chief Nursing Officer (CNO),

- Ensures that the Board meets its specific safeguarding duties in relation to the services that it directly commissions (eg primary care, specialised services)
- Acts as the policy lead for NHS safeguarding, including leading and defining improvement in safeguarding practice and outcomes
- Leads, in conjunction with regional Directors of Nursing, assurance and peer review processes for both CCGs and directly commissioned services
- Provides specialist safeguarding advice to the NHS
- Leads a system where there is a culture that supports staff in raising concerns regarding safeguarding issues
- Leads joint work with CQC and Monitor on a joint information sharing protocol and MoU for areas of concern.

Within the CNO's corporate team, the Director of Nursing (Commissioning and Health Improvement) has a Clinical Lead for Safeguarding. The post holder will lead on behalf of the CNO:

- The implementation of the safeguarding assurance framework across the NHS England and CCGs
- Provision of leadership support to safeguarding professionals – including working with Health
- Education England (HEE) on education and training of both the general and the specialist workforce
- Work across health and social care to improve standards of practice, especially in commissioning.
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NHS Bury CCG will work with the Local Area Team of NHS England to support the implementation of the safeguarding assurance framework across the local health economy

Summary

Bury CCG expects to fulfil its responsibilities and duties placed upon it regarding Safeguarding. The CCG has set out in this Framework how it will set in place arrangements to discharge safeguarding duties placed on the NHS; the CCG will review this Framework on publication of further national guidance as it arises. The CCG has reviewed its arrangement 1 year on from its establishment, recognising the importance of having clear arrangements in place to protect quality and safeguarding during NHS reform.

The framework will be reviewed one year after publication with an interim review to ensure the organisation is continuing to achieve its statutory obligations.

Appendix 1 : Bury CCG Safeguarding Structure



