



**Community and Wellbeing Scrutiny
Committee**
8 October 2018

**Report from the Director of
Performance Policy and
Partnerships**

Contextual Safeguarding: Members' Scrutiny Task Group

Wards Affected:	All
Key or Non-Key Decision:	N/A
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	Appendix A – Scoping Paper
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	James Diamond, Policy and Scrutiny Officer, Strategy and Partnerships james.diamond@brent.gov.uk 020 8937 1068

1.0 Purpose of the Report

1.1 To enable members of the Community and Wellbeing Scrutiny Committee to set up a members' scrutiny task group to review contextual safeguarding.

2.0 Recommendation(s)

2.1 Members of the Community and Wellbeing Scrutiny Committee to discuss and agree the contents of this report and scoping paper attached in Appendix A.

2.2 Members of the Community and Wellbeing Scrutiny Committee agree to set up a task group with the terms of reference and membership in Appendix A.

3.0 Detail

3.1 The Community and Wellbeing Scrutiny Committee can commission evidence-based reviews of a policy area or function of the local authority, which are led by non-executive members. As part of the work programme discussion, members of the committee discussed a variety of areas which they would like to examine in greater detail. One of these was the area of contextual safeguarding. The model of contextual safeguarding as developed by academics is described in more detail in Appendix A. The complexity of

this area means that it is an appropriate subject to be reviewed by a scrutiny task and finish group rather than be discussed at committee through a report.

- 3.2 Safeguarding is a corporate priority for Brent Council. The borough plan 2015-2019 commits to ensuring that 'safeguarding procedures and outcomes for children and young people are judged as among the best in London' and to 'provide high quality safeguarding to keep children and young people safe'. Safeguarding is also a commitment in the new borough plan for 2019-2023.
- 3.3 A key part of the work of the task group will be to produce a written report with recommendations to Cabinet or Full Council which are focused on areas which are the responsibility of the Cabinet. This recommendation-making function is one of the most important that overview and scrutiny has in a local authority. It's considered good practice that recommendations are SMART (specific, measurable, agreed, realistic and timed) and limited in number. In addition, information about likely recommendations will be shared and discussed with the Cabinet member for the area prior to being made.
- 3.4 Evidence-gathering is a key part of the role of the task group. Members will be expected to develop their own lines of questioning to test the evidence they are presented with, and to weigh-up the evidence they are given. It is considered best practice for members to consider different types of qualitative and quantitative data so they have a complete picture and view of a subject.¹
- 3.5 Membership of the task and finish group has to be drawn from non-executive members; however, the Cabinet member for Children's Safeguarding, Early Help and Social Care will take part in the evidence-gathering sessions alongside officers from Brent Council. The evidence-gathering sessions will be set out in a project plan once the task group has been established.

4.0 Financial Implications

- 4.1 There are no financial implications arising from this report.

5.0 Legal Implications

- 5.1 There are no legal implication.

6.0 Equality Implications

- 6.1 There are no equality implications

7.0 Consultation with Ward Members and Stakeholders

- 7.1 Non-executive members are regularly involved in overview and scrutiny.

Report sign off:

Peter Gadsdon

Director of Policy Performance and Partnerships

¹ *The Scrutiny Evaluation Framework*, (Centre for Public Scrutiny, April 2017) pp.7-9



**Scrutiny Task Group, Community and Wellbeing Scrutiny
Committee:
Developing Contextual Safeguarding in Brent**

Subject

1. Brent Council, working with partner organisations and agencies, has specific duties to safeguard and promote the welfare of children in the borough. The council works with other agencies to safeguard children by protecting them from abuse and maltreatment, promoting health and development, and ensuring they can grow up in a safe and caring environment. The local authority has powers to protect a child who is suffering or thought likely to be suffering from significant harm or neglect, and interventions are co-ordinated through a multi-agency child protection system.²
2. In 2017, a members' task group examined the implementation of Signs of Safety by children's social care in Brent. The model adopts a collaborative approach to working with families and children, aiming to nurture the residual strengths within a family, and wider networks, to enhance a child's safety as well as address any risks or maltreatment. Signs of Safety fosters a partnership and shared responsibility between a family unit and practitioners to create a mutually agreed understanding of what may need to change and help to enable the family to create safety for a child.³
3. However, it is increasingly recognised by safeguarding practitioners that risks to a child, particularly an adolescent child, can exist outside a family or familial network. In 2018 the national guidance 'Working Together to Safeguard Children' was updated to reflect the importance of social contexts outside the family. It emphasised that as well as threats to children's welfare from within a family, children may be vulnerable to abuse or exploitation from outside a family such as at a school or other educational institution, in peer groups, the wider community, or online. Threats include exploitation by

² Brent LSCB 2016-17 Annual Report, p6

³ *Implementing Signs of Safety in Brent*, Brent Council Scrutiny Task Group Report (January, 2017) p9

criminal gangs, trafficking, online abuse, sexual exploitation and extremism leading to radicalisation. The updated national guidance is clear that assessments in these cases should focus on the environment of the child, and any interventions should focus on addressing the environment around the child. ⁴ The London Safeguarding Children Board is expected to update its own policies and procedures to reflect this new national guidance. Brent Council will thus be working with a more contextual approach to safeguarding the borough's children.

Contextual Safeguarding

4. Contextual safeguarding has been incorporated in national and regional guidance after the development of the contextual safeguarding model by Dr Carlene Firmin at the International Centre at the University of Bedfordshire. The model asks practitioners working with adolescent children to recognise the limitations of safeguarding practices which focus just on familial contexts. As well as working with a family they should be prepared to engage with contexts outside of it such as peer groups, schools and public spaces in neighbourhoods where peer-on-peer abuse is prevalent. These contexts are often outside of the influence of families but can have an effect on them. The risks which exist within these contexts outside the family include youth violence, gangs and child sexual exploitation. These risks can overlap and an adolescent child can be vulnerable to multiple risks. ⁵ Practitioners in children's social care are required to engage with individuals and agencies who influence these contexts outside the family, and recognise that evaluating public spaces and intervening appropriately are fundamental to safeguarding adolescent children. ⁶

5. The model tasks multi-agency partnerships with overseeing the contexts in which maltreatment or harm has occurred within their geographical area of responsibility as well as the individuals who are affected. This information about the nature of the risks should inform interventions as part of a wider child protection system. ⁷

⁴ *Working Together to Safeguard Children*, HM Government (July 2018), p23

⁵ Carlene Firmin, *Contextual Risk, Individualised Responses: An Assessment of Safeguarding Responses to Nine Cases of Peer-on-Peer Abuse*, Child Abuse Review Vol. 27:42–57 (2018); Published online 21 February 2017 in Wiley Online Library, p43

⁶ Carlene Firmin, *Contextual Safeguarding: An Overview of the Operational, Strategic and Conceptual Approach* (Contextual Safeguarding Network, 2017), p3

⁷ Firmin, *Contextual Safeguarding*, pp.3-4

6. Practitioners are increasingly working with the model through the Contextual Safeguarding Network and there is increasing interest from London boroughs. The London Borough of Hackney and the University of Bedfordshire have been awarded £2million by Department for Education's Children's Social Care Innovation Fund to introduce a contextual safeguarding framework over two years. The programme will seek to establish new partnerships with organisations such as transport providers, businesses, fast food restaurants and other places where young people gather to help create safety in the places in which young people spend time. ⁸

Brent's Context

7. In Brent the population of children and young people aged 18 and under is rising. At present, there are around 78,777 in that age group or 24.3% of the total population. Brent's children are diverse. In the borough's primary schools 68.7% of children have English as an additional language; about 75% of all those aged under 18 in Brent are from minority ethnic groups. Significant numbers of children in Brent experience deprivation. The proportion of primary schoolchildren eligible for free school meals is around 13% and 12.5% at secondary.

8. Children's services works with a considerable number of children. At present there are around 1,900 children who have been referred to children's services and are awaiting assessment, have been assessed and have a Child In Need Plan, or are children who are subject of a Child Protection Plan, or are looked after children.

9. Risks to children identified by contextual safeguarding exist in Brent. For example, Mayor's Office for Police and Crime has said serious youth violence is increasing in London, and Brent has a number of gangs recorded on the police's matrix. ⁹ Brent Local Safeguarding Children Board has a Priority Group called Violence, Vulnerability and Exploitation to review child sexual exploitation and other issues.

Role of Overview and Scrutiny

⁸ www.hackney.gov.uk/contextual-safeguarding

⁹ *Towards a Safer Brent 2018-2021*, Brent Council (2018) p11

10. There is a strong rationale for the Community and Wellbeing Committee setting up a members' overview and scrutiny task group to look at contextual safeguarding. The updating of national guidance to incorporate contextual safeguarding and the shift towards this approach taking place in other London boroughs would make a task group timely, and enable members to review this framework at an early stage. Scrutiny often review cross-cutting areas of the local authority's work and contextual safeguarding involves teams and departments across the local authority.

11. A members' overview and scrutiny task group has a clear role in reviewing contextual safeguarding. Members of an overview and scrutiny task group are in a unique position to question and challenge executive power by holding it to account and ensure that decision-making is accountable and tested. As non-executive members, they are able to judge proposals against their unique knowledge of the borough and its communities. As well as scrutinising executive decisions, the role of overview and scrutiny is to examine policy themes and matters of local concern.¹⁰

12. The task group's objective should be to develop up to five recommendations which are clear and directive and based on a rigorous challenge and supported by detailed evidence and which can then be implemented. The methodology will be to gather qualitative and quantitative evidence to develop its recommendations. In particular, the task group should do a series of face-to-face interviews with those involved in developing contextual safeguarding, including practitioners, Independent Chair of Brent Local Safeguarding Children Board (LSCB), Strategic Director for Children and Young People and the Cabinet Member for Children's Safeguarding Early Help and Social Care. This could include interviews with practitioners and elected members in other boroughs.

13. The task group will report back to the Community and Wellbeing Scrutiny Committee by March 2019. The detail of the meetings will be in the task group's project plan. The task group will be required to adhere closely to its terms of reference as set out in Appendix 1. Membership is also set out in Appendix 1.

Policy and Legal

¹⁰ *New council constitutions: guidance to English Authorities* (Department for Communities and Local Government, 2006)

14. Safeguarding children is a corporate priority for Brent Council. The existing borough plan 2015-19 commits to ensuring safeguarding procedures and outcomes for children and young people are judged as among the best in London. ¹¹ Safeguarding children will also be a priority for new borough plan for 2019-2023. There is an overlap with the new community safety strategy 'Towards a Safer Brent' 2018-2021' in which the council and its community safety partners have committed to prioritising reducing the impact of gangs, reducing vulnerability and increasing safeguarding. ¹²

15. Many children who are vulnerable, or who have specific additional needs, are classified as 'children in need'. This means they are entitled to assessment and support under S.17 of the Children Act 1989. This includes children at risk of neglect and abuse but also, crucially, a significant proportion of children with other types of need.

16. The Section 47 duty under the Children Act 1989 requires the local authority to complete an enquiry where it 'has reasonable cause to suspect that a child who lives, or is found in their area is suffering, or likely to suffer, significant harm'. Significant harm is the term used to describe forms of abuse and neglect.

17. Section 11 of the Children Act 2004 places duties on commissioners to have regard to the need to safeguard and promote the welfare of children for any services and functions they commission. These duties apply to local authorities and district councils, NHS organisations, police services and probation services amongst others.

APPENDIX 1

¹¹ Brent Borough Plan 2015-19, p28

¹² Community Safety Strategy. Towards a 'Safer Brent' 2018-2021

Membership

Membership of the task group is restricted to non-executive members. The confirmed members are:

Councillor Hylton (chair)

Councillor Patterson

Councillor Donnelly-Jackson

Terms of Reference

- a) Understand the model of contextual safeguarding and the applicability of its implementation in Brent.
- b) Challenge the council's Cabinet in how they are supporting contextual safeguarding as a cross-cutting local authority initiative and as part of an improvement to children's services.
- c) Review the extent to which contextual safeguarding will help address priorities in the new borough plan.
- d) Understand contextual safeguarding from the perspective of front-line practitioners and those working in children's services and other areas of the council.
- e) Understand Brent's particular social demographics and the scale of the risks for adolescent children in Brent.
- f) Develop recommendations for the council's Cabinet which are focused on the development of contextual safeguarding by the council and its partners.