



MEMORANDUM OF UNDERSTANDING

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CONTENTS

1	Introduction and Context	3
2	Safeguarding Partners	4
3	Values and Principles	5
4	Legal Framework	7
5	Roles and Responsibilities	8
6	Information Sharing and Information Governance	14
7	Funding	20
8	Dispute Resolution	21
9	Partnership Arrangements	22
10	Endorsement	27

1 Introduction and Context

Helping and protecting children through a co-ordinated approach to safeguarding children is everyone's responsibility. Through collaborative working across organisations and agencies who work with children, young people and families, including those who work with parents/carers, the ambition of our arrangements is that everyone is able to recognise, respond and fulfil their responsibilities to children, young people and families in order to build their resilience and ensure that they are safeguarded.

The [Children's Multi-Agency Resilience and Safeguarding \(MARS\) local arrangements 2020/21](#) sets out the arrangements for helping and protecting children. The local arrangements emphasise that building children's resilience and safeguarding them 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 local arrangements set out by the safeguarding partners.

Partnership working is at the centre of our Children's MARS arrangements and there is a commitment to working together to improve outcomes for children, young people and families in the area. This Memorandum of Understanding outlines the commitment of local safeguarding partners and their organisations to fulfil their statutory duties to safeguard and promote the welfare of children and to work under the auspices of the local arrangements.

This Memorandum of Understanding provides clarity regarding:

- the safeguarding partners
- local values and principles
- the legal framework and the underpinning policies and procedures
- roles and responsibilities
- responsibilities around information sharing and information governance
- funding responsibilities
- dispute resolution and escalation processes
- partnership arrangements including relationships with wider partnerships and boards

2 Safeguarding Partners

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

- The local authority
- A 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 North Lincolnshire, the safeguarding partner organisations and the lead representatives are:

- North Lincolnshire Council – Chief Executive
- North Lincolnshire Clinical Commissioning Group – Accountable Officer
- Humberside Police – Chief Constable

All three 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.

Locally, the lead representatives have delegated their functions to:

- Ann-Marie Brierley, Interim Director of Children and Community Resilience, North Lincolnshire Council
- Helen Davis, Interim Director of Nursing and Quality, North Lincolnshire Clinical Commissioning Group
- Darren Wildbore, Chief Superintendent and South Bank Divisional Commander, Humberside Police

These safeguarding partners have the responsibility and authority for ensuring full participation with the Children's MARS arrangements, though the lead representatives remain accountable for any actions or decisions taken on behalf of their respective agency.

3 Values and Principles

Children have said that they need:

- vigilance: to have adults notice when things are troubling them
- understanding and action: to understand what is happening, to be heard and understood and to have the understanding acted upon
- stability: to be able to develop an ongoing stable relationship of trust with those helping them
- respect: to be treated with the expectation that they are competent rather than not
- information and engagement: to be informed about and involved in procedures, concerns and plans
- explanation: to be informed of the outcome of assessments and decisions and reasons when their views have not met with a positive response
- support: to be provided with support in their own right as well as a member of their family
- advocacy: to be provided with advocacy to assist them in putting forward their views
- protection: to be protected against all forms of abuse and discrimination and the right to special protection and help if a refugee

Our Local Arrangements are set within the context of the One Family Approach which aims to create a system that works for all children, young people and families, to prioritise those who have additional need, to reduce inequalities and improve outcomes for all children and families, taking account of ethnicity, race and religion and those with specific additional vulnerabilities.

Children, young people, families and communities are at the heart of what we do and we are proud to acknowledge and celebrate the positive outcomes achieved to date and the strength of partnership working. We are ambitious for the future and for our children and young people, and we have high expectations of ourselves as partners, working with children, families and communities, to improve outcomes. We want to build on the collective strengths of our people and place to innovate and change through integration and system redesign. In North Lincolnshire, our One Family Approach aims to create a system that works for all children, young people and families where we work together. Our ambition is for children to be in their family, in their school and in their community. As partners take a One Family Approach across North Lincolnshire, we want children, young people and families to be able to build upon their strengths and their resilience to find or be enabled to find solutions when things are not going so well. They should be able to access available information, advice, guidance and be enabled to maximise their potential and enhance their life chances. We want all children and families to have a sense of belonging and equality of opportunity and through our integrated working, we will address inequalities and enable those more in need to achieve positive outcomes. Where there are significant concerns, we want children, young people and families to be able to access swift, creative and flexible help so they can remain independent. We will protect children and young people with an aim to build resilience and help them live within their family, attend their school and be a part of their community.

Within North Lincolnshire we have developed our own risk analysis framework to underpin key single and multi-agency decisions. The Children’s MARS arrangements supports practitioners and managers involved in early help, safeguarding and child protection to manage risk and enhance their ability to respond to good evidence-based assessment to underpin actions and not ‘trigger events’ unnecessarily. Practitioners must ensure that this ethos is at the forefront of assessments, plans, interventions and reviews and that multi-agency practice is grounded in this ethos and not upon a risk averse culture, which safeguards the organisation and does not necessarily meet the needs of an individual child. This approach supports the principles that underpin the Children Act 1989 that recognises that a child’s welfare is paramount.

Risk Management Principles

The risk management principles endorsed by safeguarding partners, are as follows:

Those involved in working with people and communities have to support children, young people and adults to live independently, to stay in their own family and community and where necessary be supported to do so. This will involve a balanced risk assessment framework. Therefore, we need to look at ‘balanced risk’ or being ‘risk sensible’. These principles have been adapted from the Association of Chief Police Officers with the aim of being a step towards encouraging a more positive approach to risk by openly supporting decision-making and building confidence in our staff in taking risks.

1. Maintaining or achieving the safety, security and well-being of individuals and communities is a primary consideration in risk decision making
2. The standard expected and required of those working in our communities is that risk decisions are consistent across the services and professions and consideration is given to ensuring that risks are not just passed to other services to take responsibility
3. Harm cannot be totally prevented - it is the quality of the decision making that a person is judged on
4. Good risk-taking should be identified and celebrated and staff that make decisions consistent with these principles should be encouraged and supported
5. All partners agencies should consider and assess their decisions and impact on other services/agencies before action is taken and inform partners of strategic decisions
6. There should be openness and transparency in decisions that impact on others



4 Legal Framework

The legislation relevant to safeguarding and promoting the welfare of children is set out below.

- Children Act 2004
- Education Acts including Education Act 2002, Education and Skills Act 2008 and Education Act 1996
- Children Act 1989
 - Provision of services for children in need, their families and others
 - Co-operation between authorities
 - Emergency protection powers
 - Exclusion requirement
 - Police protection powers
 - Legal Aid, Sentencing and Punishment of Offenders Act 2012
 - Police Reform and Social Responsibility Act 2011
- Childcare Act 2006
- Crime and Disorder Act 1998
- Housing Act 1996

This legislation should be read in conjunction with Working Together to Safeguard Children 2018, including Chapter 2 – Organisational Responsibilities.

Locally, the statutory Children’s MARS Board Policies and Procedures and other key documents include:

- One Family Approach - Helping children and families in North Lincolnshire document 2021-24
- Assessing need and providing help
- Early help
- Organisational responsibilities
- Multi-agency safeguarding arrangements
- Improving child protection and safeguarding practice
- Child death reviews
- Managing allegations against people who work with children
- Statutory framework
- Children’s MARS information sharing guidance

All local statutory and supplementary policies and procedures, other guidance and key documents can be found on the [Children’s MARS website](#).

5 Roles and Responsibilities

Safeguarding Partners

All three 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 leadership group in supporting and engaging others and implement local and national learning including from serious child safeguarding incidents. To fulfil this role, the safeguarding partners must set out how they will work together with any relevant agencies.

Separated into logical sections, safeguarding partners responsibilities are that they will:

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 a Children's MARS Board or virtually by all three safeguarding partners, depending on the urgency and circumstances involved)

Relationships and resolution

- Build positive relationships with other local areas to ensure that relevant information is shared in a timely and proportionate way
- Have in place a quick and straightforward means of resolving differences of opinion as outlined in the Escalation and Resolution procedure

Relevant Agencies

- Make sure the relevant agencies are aware of the expectations placed on them by the Children's MARS 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 that relevant agencies have appropriate, robust safeguarding policies and procedures in place and how information will be shared amongst all relevant agencies and safeguarding partners
- Determine how regularly their list of relevant agencies will be reviewed
- 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 for them

Individual agencies and roles

- Consider how they will secure the clinical expertise of designated health professionals for safeguarding children within their arrangements
- Make arrangements to allow all schools, colleges and other educational providers in the local area to be fully engaged, involved and included in the safeguarding arrangements
- Name schools, colleges and other educational providers as relevant agencies and will reach their own conclusions on how best locally to achieve the active engagement of individual institutions in a meaningful way

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 and families across the early help and safeguarding pathway
- Use the Joint Strategic Needs Assessment to help them understand the prevalence and contexts of need, including specific needs relating to disabled children and those relating to abuse and neglect, which in turn should help shape services

Training

- Consider what training is needed locally and how they will monitor and evaluate the effectiveness of any training they commission

Scrutiny and Assurance

- Monitor the effectiveness of the arrangements for child protection conferences
- 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 widely available and the published safeguarding arrangements should set out where the reports will be published
- Report any updates to the published arrangements in their yearly report and the proposed timescale for implementation

Funding

- Agree the level of funding secured from each partner, which should be equitable and proportionate, and any contributions from each relevant agency, to support the local arrangements
- Make payments towards expenditure incurred in conjunction with local multi-agency arrangements for safeguarding and promoting the welfare of children

Child Safeguarding Practice Reviews

- Have regard to any guidance the national Child Safeguarding Practice Review Panel publishes
- Make arrangements to identify and review serious child safeguarding cases and commission and oversee the review of those cases, where they consider it appropriate for a review to be undertaken
- Promptly undertake a rapid review of the case, in line with any guidance published by the national Panel and as soon as the rapid review is complete, they should send a copy to the Panel
- Have clear processes for how they will work with other investigations and work collaboratively with those responsible for carrying out those reviews
- Agree with the reviewer of a local child safeguarding practice review, the method by which the review should be conducted
- Seek to ensure that practitioners are fully involved in local child safeguarding practice reviews, and that families, including surviving children, are invited to contribute to the review
- Ensure the final report of a local child safeguarding practice review includes a summary of recommended improvements and an analysis of any systemic or underlying reasons why actions were taken or not in respect of matters covered in the report
- Consider carefully how best to manage the impact of the publication of local child safeguarding practice reviews on children, family members, practitioners and other closely affected by the case
- Should inform the national Panel and the Secretary of State of the reasons for a delay of a local child safeguarding practice review, set out any justification for any decision not to publish either the full report of information relating to improvements and have regard to any comments from the Panel and Secretary of State in respect of the publication
- Send a copy of the full report of the local child safeguarding practice reviews to the national Panel and Secretary of State
- Take account of the findings from their own local reviews and from all national reviews, highlight findings from reviews with relevant parties and regularly audit progress on the implementation of recommended improvements

Child Safeguarding Practice Reviews/Child Death Review process

- Safeguarding partners will need to respond to notification from the Child Death Review partners, of a child death where abuse or neglect is known or suspected, to determine whether the case meets the criteria for a child safeguarding practice review (as referenced in Child Death Review Statutory and Operational Guidance (England) 2018 page 27)
- Safeguarding partners will need to respond to notification from the Coroner that a child has died and that the Coroner has decided to investigate the death or commission a post mortem (as referenced in Working Together 2018 page 101). In these circumstances, where abuse or neglect is known or suspected, the safeguarding partners will need to determine whether the case meets the criteria for a child safeguarding practice review
- The safeguarding partners will also need to respond to any safeguarding issues that fall out of the child death review process including Child Death Overview Panel

Children's MARS Board members

The membership of the Children's MARS Board is representative of the three safeguarding partners, as follows:

- Director of Children and Community Resilience, North Lincolnshire Council
- Director of Nursing and Quality, North Lincolnshire Clinical Commissioning Group
- Chief Superintendent and South Bank Divisional Commander, Humberside Police

In addition, schools, colleges and other education settings will be represented as necessary by an appropriate senior representative (e.g. Director of Learning, Skills and Culture, North Lincolnshire Council).

The Cabinet member for Children and Families is invited to the meeting as a participatory observer.

Lead officers for underpinning partnership groups shall be required to attend to present reports and other officers will be invited to attend as required.

The Independent Scrutiny Officer(s) may also be required to attend to present their findings relating to scrutiny and assurance activities as appropriate.

Representatives from the Children's MARS team shall be in attendance to support the meeting as required.

Children's MARS Board members will:

- 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

Further details regarding the Children's MARS Board arrangements is outlined in the [terms of reference](#), which will be reviewed on an annual basis or in year as required.

Safeguarding Leaders

Working Together 2018 highlights strong leadership is critical for the Children's MARS arrangements to be effective in bringing together various organisations and agencies. The North Lincolnshire arrangements will be strongly led and promoted by local area leaders. This includes lead representatives from safeguarding partner organisations and those to whom they have delegated their authority to, the Cabinet Member for Children, Families and Culture and chief officers in all organisations and agencies.

Relevant Agency Representatives

Relevant agencies are those organisations and agencies whose involvement the safeguarding partners consider is required to safeguard and promote the welfare of local children. When selected by the safeguarding partners to be part of the local safeguarding arrangements, relevant agencies must act in accordance with the arrangements.

Representatives that attend subgroups under the auspices of the Children's MARS arrangements are expected to:

- make a commitment and prioritise attendance at meetings and on the occasion they are unable to attend, they should identify an appropriate deputy who is authorised to enact the group members' responsibilities
- have the seniority to make decisions on behalf of their area of responsibility and to ensure the delivery and implementation of the local arrangements
- be in a position to access and share the information necessary to inform collective action
- be critically reflective, strengths based, solutions focussed and child centred within discussions to shape and influence practice
- take responsibility for identified actions and give oversight to these until completion

Independent Scrutiny Officer(s)

The [Children's Multi-Agency Resilience and Safeguarding \(MARS\) local arrangements](#) outline the arrangements for scrutiny and assurance.

The role of independent scrutiny is critical to provide assurance in judging the effectiveness of the Children's MARS arrangements.

Independent Scrutiny Officers play a significant role in the **Children's MARS Board Scrutiny and Assurance Framework** and there is a small pool of Independent Scrutiny Officers from a range of backgrounds. This ensures different perspectives and provide a degree of flexibility and capacity to contribute to the scrutiny and assurance arrangements as required.

Local arrangements for independent scrutiny will:

- provide assurance in judging the effectiveness of multi-agency arrangements to safeguard and promote the welfare of all children in North Lincolnshire
- provide assurance that there is effective identification and review of serious child safeguarding cases
- act as part of a wider system which includes the independent inspectorates' single assessment of the individual safeguarding partners and the Joint Targeted Area Inspections
- consider how effectively the arrangements are working for children and families as well as for practitioners, and how well the safeguarding partners are providing strong leadership
- provide objectivity, act as a constructive critical friend and promote reflection to promote continuous improvement
- report to the safeguarding partners any recommendations from their scrutiny and assurance activities
- scrutinise the Children's MARS arrangements and annual report

The Independent Scrutiny Officer(s) main responsibilities are to:

- Provide independent scrutiny and evaluation pertaining to agency specific and thematic assurance events and to practice learning line of sight events
- Scrutinise the arrangements to identify and review serious child safeguarding cases
- Scrutinise how well the safeguarding partners are providing strong leadership
- Have a direct interface and engage with children, young people and families to determine the impact of the local arrangements

- Have a direct interface with front line practitioners in order to have an informed perspective on practitioners' skills, knowledge and practice which enables them to fulfil their responsibilities within the local arrangements
- Prepare written reports in relation to scrutiny and assurance activity
- Attend and contribute to the Children's MARS Board and other partnerships, events and meetings to present findings
- Contribute to reciprocal peer review arrangements where arranged
- Attend to represent an independent scrutiny perspective within individual safeguarding partners' scrutiny arrangements, if required
- Attend and contribute to inspection activity as appropriate
- Scrutinise the Children's MARS arrangements and annual report prior to publication
- In the event of any dispute between the safeguarding partners and/or relevant agencies or any local disputes relating to multi-agency practice, an Independent Scrutiny Officer may also assist with the dispute resolution process. See Dispute Resolution section 9 below.

The [Children's MARS Board Scrutiny and Assurance Framework](#) provides more detail regarding the context and arrangements regarding scrutiny and assurance, including independent scrutiny.

Children's MARS team

The Children's MARS team is responsible for the development and implementation of the Children's MARS arrangements. The team operates under the ethos of agile working, in which the team has a core base, but works from different venues across the partnership as required (including home working where appropriate).

The Children's MARS team will:

- Facilitate the Children's MARS Board
- Develop and implement Children's MARS arrangements
- Work with Subject Matter Experts across the partnership to progress areas of focus and further developments
- Work with safeguarding partners to develop one overarching strategic approach
- Bring strategic leads together to drive forward these arrangements
- Develop and promote best and innovative multi-agency practice to improve outcomes relating to children's resilience and safeguarding
- Work with partners to develop and implement new ways of working and to identify opportunities to co-locate services that reduces duplication, improves practice and outcomes for children
- Lead on local and national learning including from serious child safeguarding incidents
- Develop an independent scrutiny framework to provide high levels of assurance across the early help and safeguarding pathway
- Contribute to the scrutiny and assurance process including through case audits
- Lead on system change that allows partners to work together differently and more effectively across the safeguarding pathway
- Lead on engaging with relevant agencies on safeguarding arrangements
- Lead and develop statutory guidance, policies, procedures, strategy and other key documents
- Work with others to develop a workforce that is fit for the future
- Lead specific work streams
- Facilitate performance, data and needs analysis to inform the arrangements and measure impact

- Support and develop the Children's MARS structure and underpinning functions and workstreams (including co-ordination of boards, partnerships and groups, training, communications (including social media and website management), engagement and scrutiny and assurance framework
- Develop and facilitate the training programme
- Be responsible for communication and engagement activity

The team will be responsive to need and demand and therefore take responsibility to ensure a collective delivery of the arrangements and prioritise developments agreed via the board.

The team will be funded through and/or have direct posts from across the safeguarding partners.

6 Information Sharing and Information Governance

There is a requirement for organisations to have arrangements in place, which clearly set out the processes and the principles for sharing information internally. In addition, these arrangements should cover sharing information with other organisations and practitioners, including third party providers to which local authorities have chosen to delegate children's social care functions as well as safeguarding partners.

Locally, safeguarding partner organisations will adopt their own information sharing protocols. This memorandum of understanding serves as the information sharing protocol under the auspices of the Children's MARS arrangements.

There is an Information Sharing Agreement for learning through Scrutiny and Assurance activity which is available on the [Children's MARS website](#).

The Children's MARS arrangements endorse the seven golden rules to sharing information, as outlined in the document [Information Sharing: advice for practitioners providing safeguarding services to children, young people, parents and carers](#):

- 1 Remember that the General Data Protection Regulation (GDPR), Data Protection Act 2018 and human rights law are not barriers to justified information sharing, but provide a framework to ensure that personal information about living individuals is shared appropriately.
- 2 Be open and honest with the individual (and/or their families where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
- 3 Seek advice from other practitioners, or information governance lead, if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible.
- 4 Where possible, share information with consent, and where possible, respect the wishes of those who do not consent to having their information shared. Under the GDPR and Data Protection Act 2018 you may share information without consent if, in your judgement, there is a lawful basis to do so, such as where safety may be at risk. You will need to base your judgement on the facts of the case. When you are sharing or requesting personal information from someone, be clear of the basis upon which you are doing so. Where you do not have consent, be mindful that an individual might not expect information to be shared.
- 5 Consider safety and wellbeing: base your information sharing decision on considerations of the safety and wellbeing of the individuals and others who may be affected by their actions.
- 6 Necessary, proportionate, relevant, adequate, accurate, timely and secure: ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those individuals who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely (see principles).

- 7 Keep a record of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

These golden rules also underpin the Health and Wellbeing Board’s Implementing Integration Suite of Documents Information and Data Sharing section.

These golden rules are set under the auspices of the information sharing principles as follows:

To effectively share information,

- all practitioners should be confident of the lawful bases and processing conditions under the Data Protection Act 2018 and the GDPR which allow them to store, and share, the information, including information which is considered sensitive, such as health data, known under the data protection legislation as ‘special category personal data’.
- where practitioners need to share special category personal data, they should be aware that the Data Protection Act 2018 includes ‘safeguarding of children and individuals at risk’ as a condition that allows practitioners to share information without consent
- information can be shared legally without consent, if a practitioner is unable to, cannot be reasonably expected to obtain consent from the individual, or if to gain consent could place a child at risk
- relevant personal information can be shared lawfully if it is to keep a child or individual at risk, safe from neglect or physical, emotional or mental harm, or if it is protecting their physical, mental or emotional wellbeing

Practitioners must have due regard to these data protection principles which allows them to share information. There is also greater significance on organisations being transparent and accountable in relation to their use of data. All organisations handling personal data need to have comprehensive and proportionate arrangements for collecting, storing and sharing information.

The GDPR and Data Protection Act 2018 do not prevent, or limit, the sharing of information for the purposes of keeping children and young people safe.

Safeguarding partners (as defined in Section 16E of the Children Act 2004) will play a strong role in supporting information sharing between and within organisations and addressing any barriers to information sharing. This will include ensuring a culture of appropriate information sharing is developed and supported as necessary by multi-agency training.

Safeguarding partners can require a person or body to comply with a request for information, as outlined in section 16H and 14B of the Children Act 2004, respectively. This can only take place when the information requested is for the purpose of enabling or assisting the safeguarding partners to perform their functions. Any request for information to a person or body, should be necessary and proportionate to the reason for the request. Safeguarding partners should be mindful of the burden of requests and should explain why the information is needed.

The organisations identified as having a duty under Section 11 of the Children Act, as detailed in the **Children's MARS Local Arrangements Appendices**, must have arrangements in place to safeguard and protect the welfare of children.

There are also a number of other similar duties, which apply to other organisations. For example, Section 175 of the Education Act 2002, which applies to local authority education functions and to governing bodies of maintained schools and further education institutions and Section 55 of the Borders, Citizenship and Immigration Act 2009 which applies to the immigration, asylum, nationality and customs functions of the Secretary of State (in practice discharged by UK Visas and Immigration, Immigration Enforcement and the Border Force, which are part of the Home Office).

Information Storage

The Children's MARS team will act as data controllers for information associated with the Children's MARS arrangements, on behalf of safeguarding partners.

The Children's MARS team will hold information associated with the Children's MARS arrangements, including, but not exhaustively:

- underpinning partnerships and groups (agenda, minutes, papers)
- business functions (training, communications, performance)
- funding
- child safeguarding practice reviews
- other scrutiny and assurance activity such as Practice Learning Line of Sight events

Historical information pertaining to serious case reviews is inventoried and stored in North Lincolnshire Council archives on behalf of the safeguarding partners.

It is proposed that paper copies are scanned and stored electronically in due course.

Electronic copies of documents are held on the North Lincolnshire Council server on behalf of the safeguarding partners and are the responsibility of the Children's MARS team as the data controllers.

Information requests

Information should be shared effectively, amongst and between, organisations and agencies, to improve outcomes for children and families. Safeguarding partners may require any person, organisation or agency to provide them, any relevant agency in the area, a reviewer or another person or organisation or agency, with specified information. This must be information that enables and assists the safeguarding partners to perform their functions to safeguard and promote the welfare of children in their area, including as related to local and national child safeguarding practice reviews.

The person or organisation to whom a request is made must comply with such a request and if they do not do so, the safeguarding partners can take legal action against them.

Safeguarding partners should be aware of their own responsibilities under the relevant information law and have regard to guidance provided by the Information Commissioners Office when issuing and responding to requests for information.

Subject Access Requests

The GDPR gives a right of access to an individual's personal information by the individual making a Subject Access Request (SAR).

Individual safeguarding partner organisations have a statutory responsibility to reply to SARs regarding the information they hold. However, North Lincolnshire Council will lead on any Subject Access Requests relating to the Children's MARS Board and any requests will be processed by the North Lincolnshire Council Information Governance Team.

All safeguarding partners should direct any Subject Access Requests to North Lincolnshire Council without delay and within 24 working hours using the following email – customerservice@northlincs.gov.uk.

Subject Access Requests will be processed in accordance with legal and statutory obligations and where a request spans more than one safeguarding partner a joint response will be issued by North Lincolnshire Council, after liaison with the other partner(s).

Freedom of Information

The Freedom of Information (FOI) Act 2000 gives a right of access to the information public authorities' hold. The Children's MARS arrangements are considered to be a public authority for the purposes of Freedom of Information.

The safeguarding partners acknowledge that they remain subject to the requirements of FOI arrangements and have a statutory duty to respond individually to the requests they receive.

Each partner will assist and co-operate with the others (at their own expense) to comply with information disclosure requests relating to the Children's MARS Board.

North Lincolnshire Council will lead on any FOI requests relating to the Children's MARS arrangements and any requests will be processed by the North Lincolnshire Council Information Governance Team in conjunction with the Social Service Request for Information Co-ordinator.

All safeguarding partners should direct any FOI requests made regarding the Children's MARS arrangements on to North Lincolnshire Council without delay and within 24 working hours using the following email – customerservice@northlincs.gov.uk.

Freedom of Information requests will be processed in accordance with legal and statutory obligations and where a request spans more than one safeguarding partner a joint response will be issued by North Lincolnshire Council, after liaison with the other partner(s).

Privacy Notice

A Record of Processing and a Privacy Notice for the Children's MARS arrangements has been put together to set out information including how and what personal information is being processed, the lawful basis for the processing of this information and the retention period for this information.

Information Governance

Each safeguarding partner will have in place appropriate information security policies and procedures in place to ensure personal, sensitive and confidential data is appropriately protected in accordance with Data Protection legislation. The information security policies and procedures of partners will be informed and where necessary comply with the following standards and guidance:

- a) ISO 27001
- b) NHS Data Security and Protection Toolkit
- c) PSN Code of Connection
- d) Health and Social Care Network
- e) DCB1596 (minimum non-functional requirements for secure email service)
- f) Cyber Security Essentials

The minimum standards to ensure personal data is appropriately protected to prevent unauthorised access, disclosure, deletion or alteration include:

- a) Unauthorised officers and other individuals are prevented from gaining access to personal data
- b) Visitors must be supervised at all times
- c) All electronic systems containing personal data must be password-protected, to prevent unauthorised access
- d) Passwords must be treated as private to the individual and NOT disclosed to others
- e) All electronic devices including PCs, laptops and smartphones must be 'locked' when unattended or not in use
- f) All personal data stored on mobile electronic devices such as laptops, USBs, smartphones etc., must be protected by encryption
- g) All resources (including mobile devices, printouts) containing personal data must be placed in secure locations when not in use, and only accessible to authorised officers
- h) Anti-virus checks are undertaken on software / removable media prior to use on networks / machine
- i) Data and documents are classified to indicate their sensitivity (in terms of the likely impact resulting from compromise, loss or misuse) and marked appropriately when necessary i.e. OFFICIAL - SENSITIVE. Further guidance can be found in the Government Protective Marking Classification Scheme; Caution is exercised in the use of e-mail, recipients are checked and personal data is only exchanged using secure e-mail
- j) Caution is exercised in the use of fax communications, the intended recipient of a fax containing personal data must be aware that it is being sent and has ensured security on delivery
- k) Where personal data is removed from a secure environment, appropriate security measures must be in place to keep it secure and protected
- l) Caution is exercised in the use and transport of personal data outside of its secure environment or in the public domain to prevent loss or unauthorised disclosure
- m) Information must be disposed of securely; and
- n) Personal data must not be disclosed to anyone other than the data subject unless you have their consent, or it is a registered disclosure, required by law, or permitted by Data Protection legislation

The Children's MARS team hold electronic and paper-based information on North Lincolnshire Council servers and in North Lincolnshire Council premises on behalf of the safeguarding partners.

North Lincolnshire Council will lead on any information related complaint investigations relating to the Children's MARS arrangements and any information complaints will be processed by the North Lincolnshire Council Information Governance Team.

Other safeguarding partners should direct any information related complaints to North Lincolnshire Council without delay and within 24 working hours using the following email – customerservice@northlincs.gov.uk.

Information Complaints will be processed in accordance with legal and statutory obligations following North Lincolnshire Council's Information Complaints Policy and where an information complaint spans more than one safeguarding partner a joint response will be issued by North Lincolnshire Council, after liaison with the other partner(s).

North Lincolnshire Council will lead on the investigation and management of Data Breaches relating to the Children's MARS arrangements and any Data Breaches will be processed by North Lincolnshire Council Information Governance Team.

All safeguarding partners should direct any Data Breaches and potential Data Breaches to North Lincolnshire Council without delay and if possible, within 24 hours using the following email – informationgovernanceteam@northlincs.gov.uk.

Data Breaches and Potential Data Breaches will be processed in accordance with legal and statutory obligations and following North Lincolnshire Council's Information Security Incident and Data Breach Policy and where an investigation spans more than one safeguarding partner a joint investigation will be carried out by North Lincolnshire Council, after liaison with the other partner(s). Notification of the incident to the Information Commissioner and/or Data Subjects and any response to a Data Breach complainant will be issued by North Lincolnshire Council in liaison with other safeguarding partner(s) where necessary.

Any information breach is the responsibility of all safeguarding partners and any financial recompense should be met by all three safeguarding partners. Agreement will be reached through discussion at the Children's MARS Board.

7 Funding

Working in partnership means organisations and agencies should collaborate on how they will fund their arrangements.

The three safeguarding partners will make payments towards expenditure incurred in conjunction with the local arrangements for safeguarding and promoting the welfare of children. Funding allocations are agreed by safeguarding partners through the Children's MARS Board.

The funding will contribute to the costs associated with the implementation and ongoing development of Children's MARS arrangements including the Children's MARS team and Independent Scrutiny.

Safeguarding partners contributions will be direct funding and/or direct posts as deemed appropriate.

In addition, individual safeguarding partners will contribute to the development and delivery of the training programme, communications, marketing, events and child safeguarding practice reviews.

Specific relevant agencies funding will contribute to the costs associated with the implementation and ongoing development of the Children's MARS arrangements, including the Children's MARS team Independent Scrutiny.

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 the Children's MARS arrangements, the dispute resolution process, outlined in section 9, will be deployed.

8 Dispute Resolution

Children's MARS arrangements dispute resolution

Working collaboratively to safeguarding and promote the welfare of children and families leading to better outcomes 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, selected 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 be done through a discussion at the Children's MARS Board or if done outside of the Board arena, it shall be referenced and recorded at the Children's MARS Board as required.

The first point of resolution of issues would be through the three safeguarding partners. Any issues that cannot be resolved directly between the three safeguarding partners will be escalated to the lead representatives of the three safeguarding partners (Chief Executive – North Lincolnshire Council, Accountable Officer – North Lincolnshire CCG and the Chief Constable – Humberside Police).

In the event that a resolution cannot be reached, the issue would be escalated to an Independent Scrutiny Officer in the first instance for consideration, mediation (if required) and resolution. If a meeting is required, the meeting will be chaired by an Independent Scrutiny Officer with an agenda agreed prior to the meeting by all parties involved.

It is acknowledged that any safeguarding partners that fail to comply with their obligations under law are held to account through a variety of regulatory and inspection activity for example, Ofsted, HMIC and CQC.

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

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

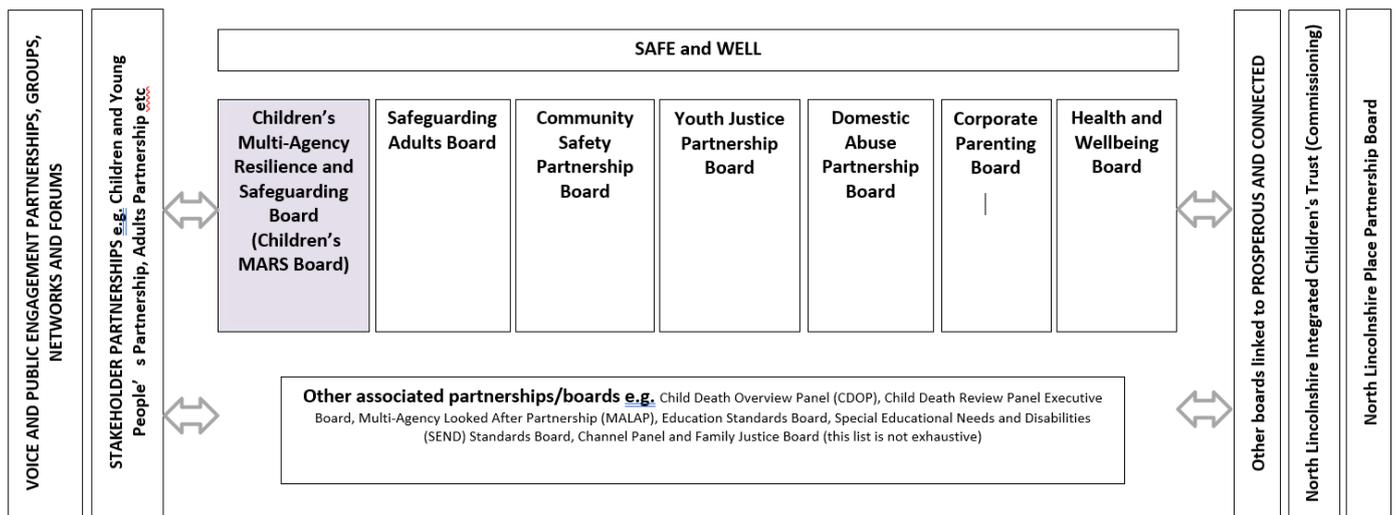
All agencies work within different structures and from a variety of professional backgrounds and perspectives, though they should work co-operatively to safeguard and promote the welfare of children. This is reliant of all agencies complying with Working Together 2018 and the underpinning Children's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

In the event of any disagreement between practitioners involved in the Children's MARS 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 **Children's MARS Policy and Procedures - Escalation and Resolution Procedure**

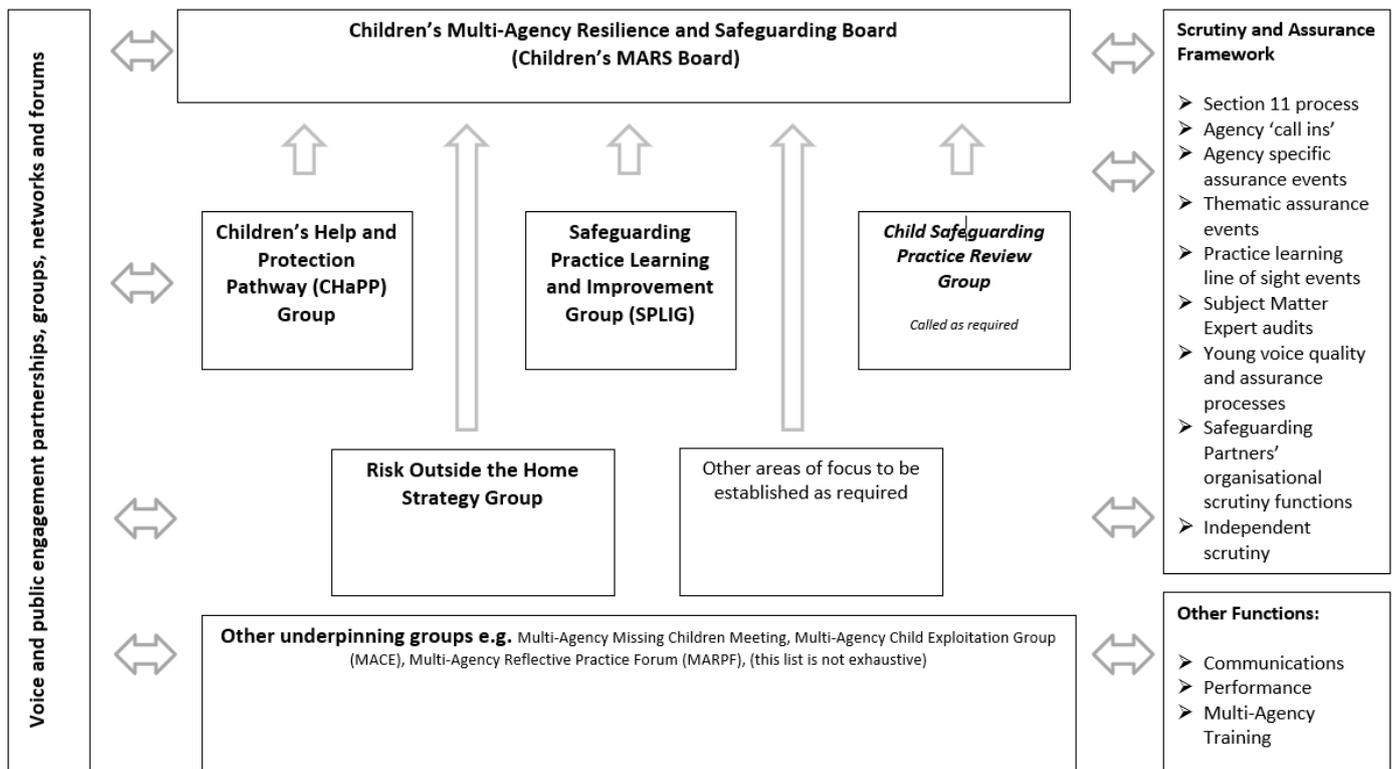
9 Partnership Arrangements

The Children’s MARS arrangements have been established in the context of wider partnership arrangements across the ‘place’ of North Lincolnshire. As such, the Children’s MARS arrangements link into other strategic partnership workstreams that support children, young people and families, including the Health and Wellbeing Board, Local Safeguarding Adult Board, Community Safety Partnership Board, The Channel Panel and the Multi-Agency Public Protection Arrangements as well as the Local Family Justice Board.

A strategic board and partnership structure is detailed below:



The Children’s MARS arrangements are underpinned by a robust partnership structure, as detailed below:



Children's MARS Board

The Children's MARS Board brings together the safeguarding partners, and other relevant officers, to oversee, innovate and develop the Children's MARS arrangements and seek assurance regarding the standard of local implementation across the safeguarding system and to ensure children, young people and families are resilient and safeguarded.

Role and functions of the key partnership arrangements

An overview of the role and functions of the key partnership arrangements is as follows:

Children's Help and Protection Pathway (CHaPP) Group

This group brings together lead officers with responsibilities for oversight and quality assurance of multi-agency working specifically within the Early Help and 'safeguarding pathway' for children between early help services and statutory safeguarding processes. The chair of the CHaPP will attend the Children's MARS Board as required.

Safeguarding Practice Learning and Improvement Group (SPLIG)

The group brings together representatives across the three safeguarding partner organisations and other selected relevant agencies. The group is responsible for co-ordinating the outcomes of multi-agency scrutiny and assurance activity and will review, monitor and implement areas for development to ensure we positively impact on our commitment towards continuous improvements to front line practice. In addition, the group will disseminate learning from these and local and national child safeguarding practice reviews, other national reports and research. The chair of the SPLIG will attend the Children's MARS Board as required.

Children's Safeguarding Practice Review Group (CSPRG)

In the event of a serious child safeguarding case, a rapid review meeting is undertaken, overseen by the CSPRG, which is made up of safeguarding partner representatives and facilitated by a member of the Children's MARS team. Safeguarding partners are notified by the delegated safeguarding partner representatives if they have agreed that the criteria are met to undertake a CSPR, to not undertake a CSPR or to undertake a local learning review. This group will also facilitate communication with the national Child Safeguarding Practice Review Panel, Ofsted, the Secretary of State and Department for Education. In the event of a serious child safeguarding practice review or local learning review, the CSPRG would be responsible for overseeing the process, development and monitoring of the action plan. The CSPRG will continue to give oversight to the action plan until completion or with agreement from the safeguarding partners, the action plan will be monitored by the SPLIG. The action plan will be finally signed off by the safeguarding partners at the Children's MARS Board.

Risk Outside the Home Strategy Group

This thematic group brings together lead officers with responsibilities for protecting children who may be vulnerable to abuse or exploitation from outside their families. It is responsible for the development, implementation and oversight of the Risk Outside the Home Strategy and underpinning action plans and associated workstreams. The partnership arrangements are through the Children's MARS Board, though this group also reports through to the Community Safety Partnership Board, as required. Activity pertaining to the Risk Outside the Home Strategy Group will be fed into the Children's MARS Board via the chair as appropriate.

Underpinning groups (which are accountable through the Children's MARS partnership arrangements):

- **Multi-Agency Missing Children Meeting** - Brings together lead managers and named professionals from local agencies with responsibilities for missing children cases. Meets on a monthly basis and provides a focused opportunity to share information, intelligence and data and work collaboratively to prevent and reduce children going missing leading to better outcomes and experiences. Accountable to Risk Outside the Home Strategy Group and will escalate issues to the Children's Help and Protection Pathway Group and the Children's MARS Board as appropriate.
- **Multi-Agency Child Exploitation Group (MACE)** – Membership includes Case Managers/Service Managers Children Services/Police CSE and PVP officers/Police OCG Officers/Education Officers/Health Workers-Safeguarding. Leads share information and risk analysis on identified cases to identify connectivity, themes and trends to enable the group to identify further action that could be undertaken. This should not replace the role of the child protection conference or core group process and procedure. It can add value and make recommendations for consideration. Accountable to Risk Outside the Home Strategy Group and will escalate issues to the Children's Help and Protection Pathway Group and the Children's MARS Board as appropriate.
- **Multi-agency reflective practice forum (MARPF):** This group meets on a monthly basis and provides a reflective practice forum based on prior multi-agency audit and quality assurance of practice at key points along the safeguarding pathway, focussing particularly (although not exclusively) upon:
 - safeguarding intervention within targeted services (both informal and formal)
 - the interface between targeted services and the Integrated Multi Agency Partnership
 - the work of the Integrated Multi Agency Partnership
 - the work of children in need and child protection

Accountable to Safeguarding Practice Learning and Improvement Group.

Associated groups (which have a relationship with, but are not accountable to, the Children's MARS partnership arrangements):

- **Domestic Abuse Partnership Board** - Chaired by the Director of Children and Community Resilience, the Domestic Abuse Partnership Board brings together system leaders across the partnership with responsibilities for domestic abuse services and support, including safe accommodation. The Domestic Abuse Partnership Board ensures that North Lincolnshire Council meets its statutory duty under Section 57 of the Domestic Abuse Act 2021 to 'appoint a domestic abuse local partnership board for the purposes of providing advice to the authority about the

exercise off the authority's functions and the provision of other local authority support in the authority's area'

- **Domestic Abuse Strategy Group** – This thematic group, brings together lead officers with responsibilities for domestic abuse. It is responsible for the development, implementation and oversight of underpinning action plans and associated workstreams. The Multi Agency Risk Assessment Conference Steering Group is held at the beginning of the Domestic Abuse Strategy Group meeting. The partnership arrangements are through the Community Safety Partnership Board, though this group also reports through to the Children's MARS Board, as required. Activity pertaining the Domestic Abuse Strategy Group will be fed into the Children's MARS Board via the chair of the Child Domestic Abuse Strategy Group as appropriate
- **Child Death Overview Panel (CDOP)** – The Northern Lincolnshire CDOP is chaired at Director of Public Health levels and meets on quarterly basis. It is responsible for reviewing all child deaths of children normally resident in the North and North East Lincolnshire areas. A key function is to determine whether a death was deemed preventable or in which there were modifiable factors that may have contributed to the death and decide upon the required actions to prevent future child deaths. As an associated group, it has a relationship with, but is not accountable to, the Children's MARS Board
- **Integrated Children's Trust (ICT)** – The Integrated Children's Trust, which is chaired by the Director of Children and Community Resilience, NLC, is a singular vehicle for developing our integrated approach and commissioning intent in relation to health, social care and education for children, young people and families. The scope of the ICT will include the oversight, line of sight and development of all services including those commissioned and/or directly provided. This will reflect the breadth of the children's system, including participation, prevention and protection and reinforce the importance of schools/colleges and communities as well as health and social care integration. As an associated group, it has a relationship with the Children's MARS Board
- **Education and SEND Standards Boards** – The Education Standards Board recognises that the accountability for overall education standards and outcomes (including the most vulnerable) is owned collectively, and not by any individual organisation or agency. The role of the Board is to provide the local framework for accountability for education standards and quality in North Lincolnshire. The SEND Standards Board recognises the collective accountability for supporting children and young people with special educational needs and/or disabilities to achieve outstanding outcomes within North Lincolnshire. These boards are responsible for monitoring, challenge, support and intervention, with a focus on improving quality and standards leading to better outcomes. These Boards contribute to the **Children's MARS Scrutiny and Assurance Framework** and link to the Children's Safeguarding Practice Learning and Improvement Group as appropriate
- **Corporate Parenting Board** – Brings together corporate parents across the partnership to improve outcomes and actively promote the life chances of children in care and care leavers. Corporate Parents have the responsibility to ensure that children in care and care leavers are safeguarded and provided with the opportunities they need to achieve the best in life throughout their childhood and transition to adulthood. Through reporting, challenge and oversight, the board assures itself that the plans in place for children in care and care leavers are good and that they deliver the required services

- **Multi-Agency Looked After Partnership (MALAP)** – The MALAP brings together multi-agency partners and young people themselves, in order to achieve improved outcomes of all children and young people in care or leaving care. The MALAP oversees the associated strategy and action plan. The MALAP is accountable to the Corporate Parenting Board and has a relationship with the Children’s MARS Board
- **Channel Panel** – The Channel Panel brings together multi-agency partners to consider referrals to the police regarding PREVENT and the radicalisation of children and young people. The aim is to identify opportunities for partnership action and reduce the impact on children and young people. The Channel Panel has a relationship with the Children’s MARS Board and exceptions reporting regarding the business of the Channel Panel will be presented to the Board as required and through an annual report/statement
- **Youth Justice Partnership Board** – Chaired by an independent chair, the board provides strategic direction, supports and challenges partners to fulfil their responsibilities. Oversees the strategic management, funding arrangements, partnership working and access to partner agency services. The board receives management reports and monitors staffing arrangements, generic workforce issues and specific projects. It also oversees action plan, policies, procedures and partnership protocols
- **Family Justice Board** – The Family Justice Board brings together multi-agency partners across the region with the aim to achieve significant improvement in the performance of family justice systems in the local area. The Family Justice Board has a relationship with the Children’s MARS Board and exceptions reporting regarding the business of the Family Justice Board is reported through the CHaPP exceptions report as appropriate

Voice and Public Engagement Partnerships, Groups, Networks and Forums

There are established mechanisms in place where children, young people and families can have their say, share their views and experiences, challenge and support local decision makers and shape and influence strategic planning, commissioning and service provision at an individual, service and strategic level. Emerging issues, themes, impacts and outcomes of engagement are fed into partnership arrangements as appropriate. Some representatives from voice and public engagement partnerships, groups, networks and forums attend partnerships and boards to represent people’s views and experiences.

Further detail regarding the role and functions of each of the groups will be available in their terms of reference.

Functions

The functions clarifies the underpinning workstreams which support and enable local safeguarding arrangements e.g. in relation to training and communications. There are also a range of reports that are required to be fed into Children’s MARS structure partnership arrangements or associated strategic partnerships and boards. This ensures compliance and provides opportunities to share information and learning, challenge and support as required and impact on improved practice across partners. Reporting through to the Children’s MARS Board will be on an exceptions basis and the Board will seek assurance regarding children and area specific issues.

Scrutiny and Assurance Framework

There is an ongoing commitment to an open and transparent culture, where ongoing learning and improvement is fundamental to successfully implementing our organisational model leading to better outcomes for our children and families. The **Children's MARS Board Scrutiny and Assurance Framework** provides more detailed regarding our local arrangements.

10 Endorsement

We the undersigned, endorse the content of this Memorandum of Understanding and accept responsibility for working under the auspices of the conditions outlined above.

We will listen, learn, review and adapt as we embed our Local Arrangements, supported by this Memorandum of Understanding. As such, this Memorandum of Understanding will be reviewed and refreshed on an annual basis or sooner if required. If changes are more significant than 'sense' checks, we acknowledge that we will be consulted and required to resign as appropriate.



Helen Davis

Interim Director of Nursing and Quality

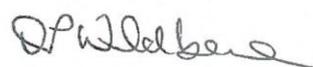
North Lincolnshire Clinical Commissioning Group



Ann-Marie Brierley

Interim Director of Children and Community Resilience

North Lincolnshire Council



Darren Wildbore

Chief Superintendent and South Bank Divisional Commander
Humberside Police

