



**Somerset Safeguarding
Children Board**

CONSTITUTION 2016/17

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1. Introduction

The purpose of this document is to set out how the Somerset Safeguarding Children Board (SSCB) operates, how decisions are made and to detail what inter-agency arrangements are in place to help ensure that individual agencies effectively safeguard and promote the welfare of children and young people in Somerset. This Constitution will also detail the arrangements by which the Board partners will undertake their roles and responsibilities, as identified within legislation and guidance.

2. Legislative Framework

The Children Act 2004 requires each local authority to establish a Local Safeguarding Children Board (LSCB) made up of representatives from the agencies and bodies which have regular contact with children, or have responsibilities for services to them in the local area. The statutory agencies which are required to co-operate in the establishment and operations of the LSCB are set out in Section 13(3) of the Children Act 2004. Sections 13 to 16 of the Children Act 2004 set out the statutory framework for the LSCB.

It follows that the Somerset Safeguarding Children Board (SSCB) is established under Section 13 of the Children Act 2004 by Somerset County Council as the Children's Services authority for this area. Detailed guidance issued under Section 7 of the Local Authority Social Service Act 1970 is contained within Working Together to Safeguard Children 2015. For the purposes of this document, safeguarding and promoting the welfare of children is defined as:

- Protecting children from maltreatment.
- Preventing the impairment of health or development.
- Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care.
- Creating opportunities to enable children to have optimum life chances such as they can enter adulthood successfully.

Child protection is the activity that is undertaken to protect specific children who are suffering or are likely to suffer significant harm.

3. Purpose

SSCB is the key statutory mechanism that brings together representatives of each of the main agencies and professionals responsible for promoting the welfare and safety of children and young people. It is an inter-agency forum for agreeing how the different services and professional groups should co-operate to safeguard children throughout Somerset and for making sure that arrangements work effectively to promote better outcomes for children.

4. Strategic Relationships

The Independent Chair of the SSCB will also be a member of the Somerset Children's Trust and will attend the Health and Well Being Board. The SSCB has links across other

strategic Boards and works to the guidelines as set out in the relationship protocol between the various Boards in Somerset. (See SSCB structure chart **Appendix 1**)

There is a requirement for the SSCB to publish an annual report on the effectiveness of local safeguarding children arrangements. This report is published on the SSCB website and is submitted to the Chief Executive and Leader of the Council, to the local Police and Crime Commissioner and the Chair of the Somerset Health and Wellbeing Board. A copy of the SSCB annual report will also be shared in advance for consultation with Board and Sub-committee members.

5. Governance

The SSCB has a clear strategic responsibility to undertake a scrutiny, quality assurance and challenge role in respect of how agencies individually and collectively promote the welfare and safety of children living in Somerset.

The Chief Executive of Somerset County Council (SCC) is responsible for holding the SSCB Independent Chair to account for the effective working of the SSCB. The Lead Member for Children's Services is politically accountable for Somerset Children Social Care Services. The SSCB Independent Chair works closely with the Director for Children's Services who has the statutory responsibility for improving outcomes for children and for delivering high quality children social care functions. OFSTED independently inspects the effectiveness of the SSCB as part of the inspection of local authority functions.

The SSCB business plan will be agreed by the Board and made available to all partner members on an annual basis. The role of partner members is to hold their organisation and its offices to account for their contribution to the effective running of the SSCB.

6. The Structure of the SSCB

The main Board will be supported by various sub- groups, partner forums and working / task and finish groups. The SSCB structure chart in **Appendix 1** demonstrates the structure of the Board and also the roles and relationships of the board within the wider local strategic partnership arrangements.

The SSCB Board Manager supports the SSCB Independent Chair to enable him/her to effectively carry out his/her duties, and is line managed by a senior manager within Somerset County Council. The SSCB Board Manager is responsible for providing day to day business support, for implementing the business plan and for the co-ordination, monitoring and evaluation work.

7. Principles

The following principles will underpin the work of the SSCB. The Board will:

- Keep the safeguarding and welfare needs of children at the centre of all its activities.

- Maintain its independence from all agencies and structures to promote an equal partnership.
- Operate a challenge and assurance function to both partner members and external organisations.
- Involve children, families, carers and front line practitioners and managers in its work.
- Develop strong working relationships with strategic partners to promote clear roles, responsibilities and governance arrangements.
- Be open and transparent in the work that it undertakes.
- Commit to continuous improvement by means of a process of on-going learning and development.

8. Objectives of the SSCB

The role of SSCB is primarily to safeguard and promote the welfare of children. The core objectives of the SSCB are set out in Section 14(1) of the Children Act and are defined as:

- To co-ordinate what is done by each person or body represented on the Board for the purposes of safeguarding and promoting the welfare of children in the area of the Authority and,
- To ensure the effectiveness of what is done by each such person or body for those purposes.

9. SSCB Functions

Developing policies and procedures for safeguarding and promoting the welfare of children in the area of the Authority including policies and procedures in relation to:

- The action to be taken where there are concerns about a child's safety or welfare including thresholds for intervention.
- Training of persons who work with children or in services affecting the safety and welfare of children.
- Recruitment and supervision of persons who work with children.
- Investigation of allegations concerning persons working with children:
- Safety and welfare of children who are privately fostered.
- Co-operation with neighbouring Children Services Authorities i.e. local authorities and their board partners.
- The production of other policies and procedures.
- Communication to persons and bodies in the area of the Authority of the need to safeguard and promote the welfare of children raising their awareness of how this can best be done and encouraging them to do so.
- Monitoring and evaluating the effectiveness of what is done by the Local Authority and Board members, individually and collectively, to safeguard and promote the welfare of children and to advise them on ways to improve.

- The production and publication of an annual report on the effectiveness of safeguarding in the local area in accordance with Working Together
- Participating in the local planning and commissioning of children’s services to ensure that they take safeguarding and promoting the welfare of children into account.
- Collecting and analysing information about all deaths of children in their area with a view to identifying:
 - a) Any matters that concern the safety and welfare of children in the area of the Authority including any case giving rise to the need for a serious case review.
 - b) Any general public health or safety concerns arising from the deaths of children.
- Putting in place procedures for ensuring that there is a co-ordinated response by the Authority, their Board partners and other relevant persons to an unexpected death of a child.
- Undertaking reviews of cases where abuse or neglect of a child is known or suspected, a child has died or a child has been seriously harmed, and there is cause for concern as to the way in which the Authority, their Board partners or other relevant persons have worked together to safeguard the child.

10. Membership and Appointment of Representatives

In accordance with Working Together 2015 and section 13 Children Act 2004, voting, full membership of SSCB will include senior representatives from the organisation/services below:

- | | |
|---------------------------------------|--------------------------------------|
| • Independent Chair | • Somerset YOT |
| • SCC Director of Children’s Services | • National Probation Service |
| • Somerset County Council | • District Councils |
| • Avon & Somerset Constabulary | • CAFCASS |
| • NHS England | • Public Health |
| • CCG | • South West Ambulance Service Trust |
| • Taunton & Somerset NHSFT | • Voluntary & Community Sector |
| • Yeovil District Hospital NHSFT | • Two Community Lay Members |
| • Somerset Partnership NHSFT | |
| • Community Rehabilitation Company | |

Each of the partners described above shall appoint representatives to the Board. The identity of a representative is a matter for the Board partner and not the Board. As far as possible organisations should designate particular named people as their representative on the Board so that there is consistency and continuity in the membership of the Board.

11. Chairs & Vice Chairs of Sub-Groups

The names and organisations of these are listed in **Appendix 2**.

12. Roles and responsibilities of Board Members

Membership shall be at a senior level as possible reflecting the Working Together guidance stating that they should hold a strategic position within their organisation with respect to safeguarding and promoting the welfare of children and specifically Board members must be able to:

- Speak for their organisation with authority
- Hold their organisation to account
- Commit their organisation on policy and practice
- Take responsibility for ensuring that arrangements for the funding of the Board [be this in cash or in kind] are addressed within their own agencies and with reference to section 15 of the Children Act 2004
- Ensure appropriate representation on the SSCB work streams as appropriate to their organisations
- Prioritise attendance at Board and sub-group meetings and ensure the attendance of a named and fully briefed deputy for them at meetings where they are unable to attend
- Ensure that there is an identifiable communication pathway between the SSCB and their own organisation and to be accountable for the effective dissemination of information between the SSCB and their organisations workforce
- Ensure that key performance indicators in relation to safeguarding within their agency are disseminated to the Quality and Performance Sub-group and that their agency provides detailed information in relation to these performance indicators to this sub-committee as required
- In the case of a Board member who represents a group of organisations the nominated representative will confer with those organisations to agree the arrangements for dissemination of information in a timely and effective manner.

Two lay members will operate as full members of the SSCB participating in associated Activities to:

- a) Support stronger public engagement in local child safety issues and contribute to an improved understanding of the SSCB's child protection work in the wider community
- b) Challenge SSCB on the accessibility by the public and children and young people of its plans and procedures
- c) Help to make links between the SSCB and community groups

13. Associate membership

In addition, the following organisations/representatives have agreed to become associate members of the Board to receive minutes from the SSCB and attend where requested:

- Somerset Safeguarding Adults Board
- Somerset & Devon Fire and Rescue Service
- Armed forces in Somerset
- Somerset Drug and Alcohol Team

- Faith Communities

14. Powers and Accountability

Whilst the SSCB has a role in coordinating and ensuring the effectiveness of local work to safeguard and promote the welfare of children by individuals and organisations, it is not accountable for their operational work. Each SSCB partner retains their existing lines of accountability for this area of work within their own services.

15. Expectations of SSCB Members

Board members will:

- Be the named safeguarding champion for their agency for all matters relating to the Safeguarding Children Board to proactively champion the right of all children to stay safe;
- Take a lead strategic role for safeguarding children within the representing agency / professional grouping and lead on work as required by the Board;
- To provide details to the Board about their own agency's strategic plans in order to inform and promote meaningful outcome related links between partners and the work of the Board;
- Develop a safeguarding accountability framework within their organisation to help ensure that safeguarding underpins all commissioning arrangements and activities relating to children and their families;
- Ensure that Section 10 and 11 of the Children Act 2004 is complied with within their agency and to address any actual or potential failures in the fulfilment of these statutory duties;
- Share the responsibility of ensuring that the SSCB Business Plan is effectively delivered;
- Ensure appropriate representation on the SSCB work streams as appropriate to their organisation;
- Ensure that they have clear lines of reporting and an identifiable communication pathway between SSCB and their organisation to pro-actively raise awareness of issues relating to the welfare and safety of children and to help ensure that key messages and information are disseminated to frontline staff within their own workforce.

Please note: It is recognised that some members of the SSCB such as the voluntary sector, might not have clear accountability frameworks in place for the groups that they represent. In these circumstances there is an expectation that they will effectively communicate the strategic objectives and work of the Board within their organisational networks.

16. Attendance

It is not possible to carry out these roles effectively without attending meetings regularly and therefore this is expected of all representatives.

Members are expected to attend all quarterly and extraordinary Board meetings or, if they cannot attend, they are expected to send their designated deputy. The designated deputy member must hold the same delegated authority and decision making powers as the full member.

Non-attendance of the board member or their designated deputy for two consecutive meetings will be highlighted to the SSCB Chair who will consider appropriate actions to be taken.

Member attendance at Board meetings and subgroups will be reported to the Board every 6 months. Where a Board member does not attend two meetings in a rolling 12 month period the SSCB Manager will liaise with the individual within two weeks of the Board meeting where this is reported to clarify why this is and agree measures to help improve attendance.

Where attendance does not improve the SSCB Chair will liaise directly with the Chief Executive of the relevant agency within two weeks of the Board meeting where this is reported, in order to agree a course of action to ensure adequate representation of that agency on the Board.

17. Decision Making

Members of the Board will operate according to the governance arrangements of their organisation. Some decisions that the Board will need to make can be made with the delegated authority that Members hold on behalf of their agencies. Some matters will however need to be referred in their own agencies decision making framework.

Wherever possible, decisions will be made by partnership consensus. Where this is not possible decisions of the Board will be taken by a majority vote but in all cases the majority vote must include the consent of the SSCB Chair. In the event of a deadlock the SSCB Chair or in their absence the Vice Chair will have a casting vote.

It will not however be appropriate for this process to occur with the SSCB vice Chair if a decision relates to an area for which they have operational responsibility as this may present a conflict of interest. In these cases the decision should be deferred to a future meeting where the SSCB Chair is available.

All decisions must be recorded in the minutes.

The minutes of the Board will include the date on which decisions taken should come into effect (the implementation date). The implementation date must give reasonable notice to the partner agencies so that they have the opportunity to discuss the issues in their own agencies before the decision is due to be implemented.

18. Interests

If at any time a Board Member has a personal interest in any matter being considered by the Board they shall declare the existence and nature of it to their agency and to the Chair of the Board. Declarations of interest will be recorded.

Where an interest is potentially prejudicial, steps will be taken to ensure that the individual concerned has no involvement in decision making in relation to the matter in question.

19. Quoracy

The quorum for meetings of the Board is at least five full members representing at least four separate statutory agencies. No decisions can be made unless the meeting is quorate.

The quorum for a sub-committee is four full members representing at least three statutory agencies and no decisions can be made without the meeting being quorate.

20. Urgent matters

The SSCB Chair or in their absence the SSCB Vice Chair is authorised to speak on behalf of the SSCB in relation to all urgent matters after liaison as far as practicable with all other available SSCB members. In all cases this would include liaison with the Director for Childrens Services, the Assistant Director for Quality and Safeguarding

21. Other procedures

The SSCB Board meeting will take place at least four times per year in order to conduct its business and at least one further meeting designated as a development day for the Board.

The SSCB Chair may also convene an urgent or special meeting of the Board as required such as in the case of the adoption of serious case review.

The full Board will be chaired by the SSCB Chair who will agree the agenda.

The minutes of SSCB meetings along with any meetings held on its behalf will be entered as a permanent record and submitted for approval at the next meeting.

The meeting of the SSCB will not be held in public. Bulletins containing information about the activities of the SSCB will be posted on the SSCB at regular intervals.

Where the SSCB has authorised the signature of a document the Chair or Vice Chair shall be authorised to sign that document on behalf of the Board.

In all matters pertaining to the receipt and expenditure of money by or on behalf of the Board, the Board and those authorised to act on its behalf shall conform to the standing

orders of Somerset County Council and subordinate documentation issued pursuant to those standing orders including in particular the procurement standards and guidelines.

Changes to the Constitution will be approved by the Board. However the Board delegates to the Board Manager, acting on the advice of the legal adviser the power to make amendments to the Constitution in order to give effect to:

- Changes in title of Board Members or Sub Group Members;
- Changes to names of participating agencies;
- Or other changes of a minor nature necessary to ensure that the Constitution document is kept up to date provided that any such changes are notified to the Board at the next meeting in the Board Manager's Report for formal approval.

22. Role of the Independent Chair

The Chair shall be appointed or removed by the Somerset County Council Chief Executive following consultation with a panel of Board Members in accordance with paragraphs 13 and 14, Chapter 3, Working Together 2015.

The Chair shall be independent either as a voluntary or paid position under contract.

The SCC Chief Executive will hold the Chair to account for the effective working of the Board drawing upon other partners and, where appropriate, the Lead Member. This includes also an annual performance appraisal of the Chair.

The Board will agree objectives for the chair in consultation with the Chair aligned to the business plan. The Chair will liaise with and brief the Director of Children's Services and the Lead Member on a quarterly basis.

The Chair is responsible for chairing all main SSCB meetings. The Chair will agree the agenda and the minutes. The Chair will represent the Board at formal meetings with Ofsted and other scrutiny bodies.

There will be a clear role description for the Chair to include the requirement to challenge partner agencies at a senior level where there are concerns about safeguarding performance or systems.

The Chair will be supported by the SSCB Business Manager in an advisory capacity. Practical support and administration will be provided by the SSCB Business Unit and a legal adviser to the Board.

Board members, in conjunction with the Director of Children's Services, will review the appointment of the Chair at least every three years to consider how effective the current arrangements are and whether the objectives of the Board are being met under the current Chair. The result of that review will be a report supplied to the Chief Executive of Somerset County Council.

23. Role of the Vice Chair

Board Members shall elect a Vice Chair from amongst their number. The Vice Chair will chair a meeting in the absence of the Chair.

The process for election of a Vice Chair shall be the circulation of a request for nominees for the position of Vice Chair in time for a future meeting of the Board. This will be followed by an election in a show of hands/written ballot during the Board meeting identified for the purpose.

24. Professional advisers

The Board will be advised by professional advisers who will either be employed by the Board or provided by members of the Board as part of their in-kind contribution or engaged by the Board as independent contractors when their services are required. These will include:

- The senior local authority child protection adviser
- A Designated Doctor
- A Designated Nurse
- Somerset County Council Legal Advisor
- The Board Business Manager
- Detective Chief Inspector – Avon & Somerset Police (Public Protection)

25. Somerset Safeguarding Children Board Governance Group

The SSCB Governance group has the following membership:

- SCC Director of Children's Services
- SCC Assistant Director QA, Safeguarding & Care
- Detective Superintendent – Avon & Somerset Constabulary
- CCG – Director of Quality, Safety & Governance
- SSCB Independent Chair

SSCB Business Manager will attend and a business unit support team member will administer and co-ordinate the meetings.

The SSCB will be offered strategic guidance by the Somerset Governance group to identify key risks, cross cutting issues and themes which can be identified and brought to both Boards for discussion.

26. Sub- groups

The SSCB Sub-groups are as follows:

- Business Planning Group
- Learning and Improvement Sub-Group
- Child Death Overview Panel

- Quality & Performance Sub-Group
- Child Sexual Exploitation and Children Missing Sub-Group

Sub-groups will be led by a Chair who will normally be a key senior manager sponsored and supported by the chief officer of their agency. Each sub- group will have clear terms of reference which will be reviewed annually and any proposed significant changes reported to the next Board meeting for formal approval.

The sub-groups will report progress on their respective work plans to the Business Planning Group.

The Board may agree additional task and finish or working groups to address particular priorities or national initiatives.

A copy of the structure of the Board appears in **Appendix 1**.

In addition, the Board will be advised by a multi-agency Board of Practitioners Group in order to strengthen the Board's capacity to understand and support the particular safeguarding needs of the localities they represent.

27. Risk Register

The SSCB has a risk register that is managed by the SSCB Business Manager and brought to all quarterly board meetings for discussion.

This register is owned and monitored by the SSCB and lists significant factors that could affect the Board in achieving its objectives as outlined in the SSCB Business Plan and associated Sub-group action plans.

The ownership and management of the risk remains the responsibility of the reporting Board partner.

28. Dispute Resolution

All partner agencies have a responsibility to resolve any dispute between them promptly and amicably as outlined in the SSCB escalation procedures. Disputes that cannot be resolved between Board members in this manner will initially be resolved by discussion at a meeting of a Board. If no agreement can be reached the matter will be referred to an appropriate dispute resolution mechanism determined by the Board taking account of:

- Type of complaint
- The knowledge, expertise and seniority required in resolving the matter

Where a dispute remains unresolved despite the above arrangements it shall be referred to an independent professional adviser.

29. Data protection/confidentiality and Freedom of Information

Members of the Board shall ensure that their own organisation's Data Protection Registration where appropriate, covers their involvement in the Board's activities.

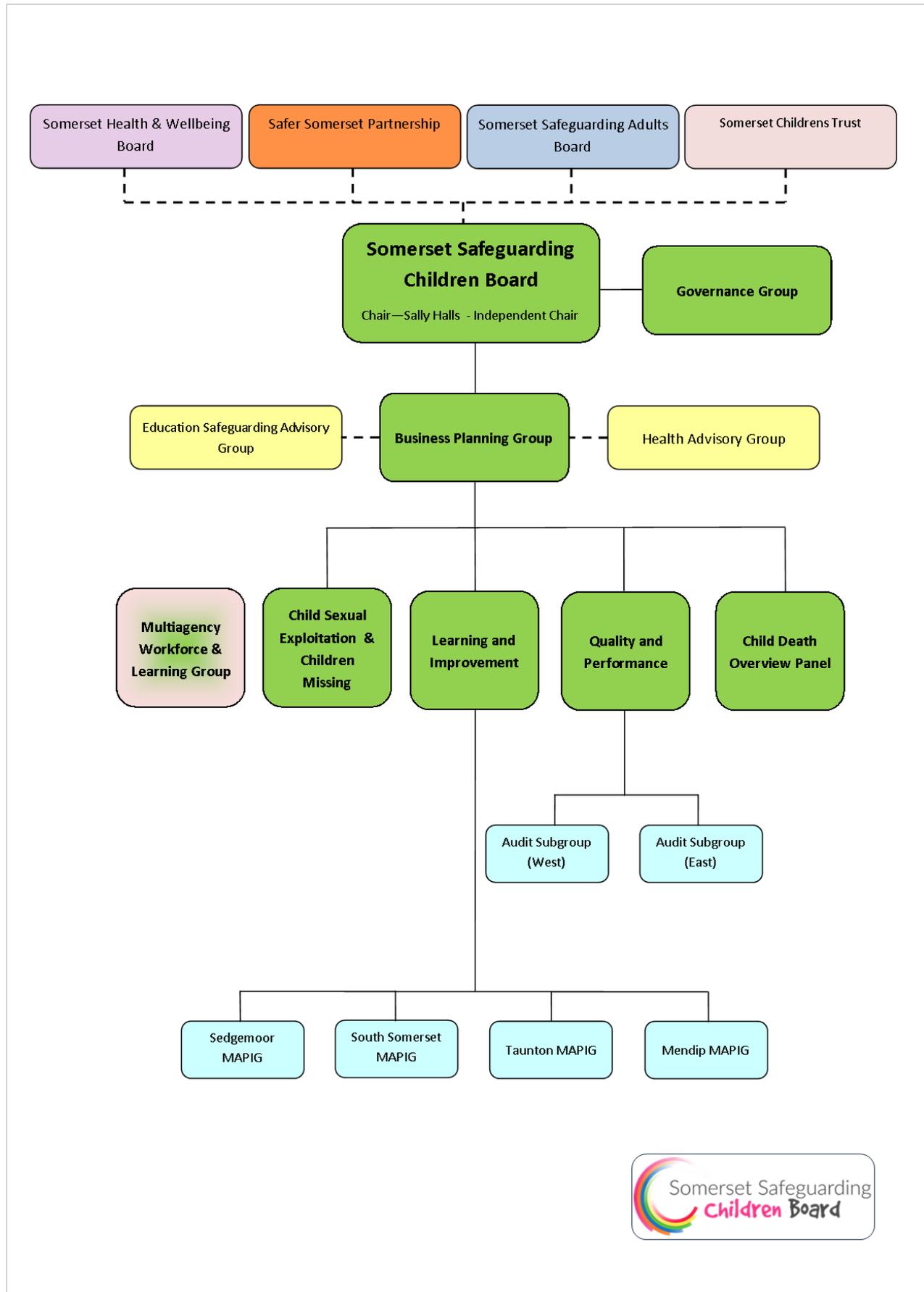
All members will adhere to the provisions of the Data Protection Act 1998 and maintain confidentiality at all times, other than where a specific exemption under that Act arises: this principle will apply during a member's participation in the Board, and will continue after the individual is no longer a member of the Board, or following the Board's dissolution.

If any member who has access to confidential information or data knowingly breaches the law relating to particularly (but not limited to) the unauthorised disclosure of confidential information, they may be personally liable. The SSCB as a partnership body is not subject to the requirements of the Freedom of Information Act 2000 however it is acknowledged that the public authorities represented on our partnership board are. It is therefore the responsibility of individual partners of the Board to make appropriate arrangements to ensure that the provisions of the Act are properly complied with.

30. Equal opportunities/discrimination/human rights

All members of the Board will adhere to equal opportunities principles and will adopt and maintain anti-discriminatory practices in the Board's functions. All members of the Board will also adhere to the provisions of the Human Rights Act 1998.

Appendix 1 - Somerset Local Safeguarding Children Board Structure chart – 2016/17



Appendix 2 - Chairs and Vice Chairs of Sub Groups

Business Planning Group

Chair – Sally Halls, Independent Chair
Vice Chair – TBC

Child Death Overview Panel

Chair – Alison Bell - Consultant in Public Health
Vice Chair - TBC

Quality & Performance Sub-Group

Chair –Kevin O'Donnell - SSCB lay member
Vice Chair – TBC

Learning & Improvement Sub-Group

Chair – Sarah Ashe, acting chair
Vice Chair – TBC

CSE and Children Missing Sub-Group

Chair – Liz Hughes - Detective Chief Inspector – Protect Somerset
Vice Chair – TBC

Multi-agency Advisory Groups

Health Advisory Group

Chair –TBC
Vice Chair – TBC

Education Safeguarding Group

Chair – Tony Waller – Service Manager – Safeguarding & Education Welfare
Vice Chair – Polly Matthews – Deputy Head teacher King Alfred's School

Appendix 3 – Responsibilities of individual members (Taken from paragraphs above)

12. Roles and responsibilities of Board Members

Membership shall be at a senior level as possible reflecting the Working Together guidance stating that they should hold a strategic position within their organisation with respect to safeguarding and promoting the welfare of children and specifically Board members must be able to:

- Speak for their organisation with authority
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- d) Support stronger public engagement in local child safety issues and contribute to an improved understanding of the SSCB's child protection work in the wider community
- e) Challenge SSCB on the accessibility by the public and children and young people of its plans and procedures
- f) Help to make links between the SSCB and community groups

15. Expectations of SSCB Members

Board members will:

- Be the named safeguarding champion for their agency for all matters relating to the Safeguarding Children Board to proactively champion the right of all children to stay safe;
- Take a lead strategic role for safeguarding children within the representing agency / professional grouping and lead on work as required by the Board;
- To provide details to the Board about their own agency's strategic plans in order to inform and promote meaningful outcome related links between partners and the work of the Board;
- Develop a safeguarding accountability framework within their organisation to help ensure that safeguarding underpins all commissioning arrangements and activities relating to children and their families;
- Ensure that Section 10 and 11 of the Children Act 2004 is complied with within their agency and to address any actual or potential failures in the fulfilment of these statutory duties;
- Share the responsibility of ensuring that the SSCB Business Plan is effectively delivered;
- Ensure appropriate representation on the SSCB work streams as appropriate to their organisation;
- Ensure that they have clear lines of reporting and an identifiable communication pathway between SSCB and their organisation to pro-actively raise awareness of issues relating to the welfare and safety of children and to help ensure that key messages and information are disseminated to frontline staff within their own workforce.

Please note: It is recognised that some members of the SSCB such as the voluntary sector, might not have clear accountability frameworks in place for the groups that they represent. In these circumstances there is an expectation that they will effectively communicate the strategic objectives and work of the Board within their organisational networks.

16. Attendance

It is not possible to carry out these roles effectively without attending meetings regularly and therefore this is expected of all representatives.

Members are expected to attend all quarterly and extraordinary Board meetings or are expected to only send their designated deputy. Non-attendance of the board member or their designated deputy for two consecutive meetings will be highlighted to the SSCB Chair who will consider appropriate actions to be taken.

Member attendance at Board meetings and subgroups will be reported to the Board every 6 months. Where a Board member does not attend two meetings in a rolling 12 month period the SSCB Manager will liaise with the individual within two weeks of the Board meeting where this is reported to clarify why this is and agree measures to help improve attendance.

Where attendance does not improve the SSCB Chair will liaise directly with the Chief

Executive of the relevant agency within two weeks of the Board meeting where this is reported, in order to agree a course of action to ensure adequate representation of that agency on the Board.

Signed:	Name (please print)
Organisation:	Date: