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**To: Leadership Board**

**On: 17 February 2016**

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**Report by: Chief Executive**

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**Heading: Review of the Governance Arrangements for Public Protection in Renfrewshire**

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## **1. Summary**

- 1.1. There have been significant structural changes across the public sector both locally and nationally which have implications for lines of accountability and reporting in relation to public protection. In addition to the restructuring of Police and Fire and Rescue Services, and the imminent national reorganisation of delivery arrangements for criminal justice social work, there are two significant changes locally which are of particular relevance. Firstly the establishment of the Renfrewshire Health and Social Work Partnership (HSCP) in terms of the Public Bodies (Joint Working) (Scotland) 2014 brings the formal integration of adult social work services, including addition services, with the former Community Health Partnership services for both adults and children. In Renfrewshire social work services for children and for criminal justice do not transfer to the HSCP but remain within the Council and form part of the Children's Services directorate with education. Secondly, there has been a consolidation of the focus on public protection, with the establishment of the Community Safety and Public Protection Steering Group, and the creation of the Head of Public Protection role within the council's management structures reporting to the Director of Community Resources.
- 1.2. In recognition of the implications of the changes in the organisational landscape above, at its meeting on the 13<sup>th</sup> August 2015, Renfrewshire Chief Officers Group for Public Protection (COG) commissioned an independent review of the oversight arrangements for public protection including the design and strategic oversight role of the COG, the role of the other strategic groups and committees in supporting the COG in its leadership and scrutiny roles, and the role and design of the tactical and operational groups which support them.
- 1.3. The review was undertaken between August and November 2015 by a former chief social work officer and experienced independent adult and child

protection committee chair. The report on the review of the governance arrangements for public protection in Renfrewshire was completed in December 2015.

- 1.4. The review report makes a number of key recommendations regarding the design and function of the Chief Officers Group (COG) as well as additional recommendations regarding strategic and operational groups. The report and recommendations were considered by the Chief Officers Group at its meeting on 22 January 2016, and subject to a small number of amendments, were agreed. An action plan has been developed to support the COG in monitoring the implementation of the recommendations.
  - 1.5. This report to the Leadership Board sets out the context of the review and the key findings and recommendations arising from it. In particular it highlights for consideration by members of the Board a recommendation made as part of the review in relation to the key scrutiny and assurance role of elected members in public protection matters.
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## **2. Recommendations**

Members are asked to:

- 2.1. Note the findings of the independent review of the governance arrangements for public protection in Renfrewshire.
  - 2.2. Note the updates to the review recommendations agreed by the Chief Officers Group at its meeting on 22 January 2016 as set out in this report.
  - 2.3. Agree the recommendation from the independent review in relation to replacing the existing arrangements where elected members are members of the child and adult protection committees, with the establishment from 1 April 2016 of a regular cross party member/officer working group on public protection matters, to provide the continued opportunity for elected members to effectively discharge their strategic scrutiny and assurance role.
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## **3. Background**

- 3.1. There have been significant structural changes in recent years across the public sector both locally and nationally, which have implications for lines of reporting and accountability in relation to public protection. In addition there has been consolidation of the focus on wider community safety and public protection issues, underpinned by the development of significant inter-agency working. In recognition of the changing landscape the Chief Officer's Group (COG) members considered that there was a need for a review of the existing governance arrangements for public protection to ensure they remain effective and fit for purpose, and to ensure that the COG continued to be able to effectively discharge its leadership and scrutiny role.
- 3.2. At its meeting on 13<sup>th</sup> August 2015 the Chief Officers Group agreed the remit, methodology and timescale for the review, and agreed to commission an

independent review being undertaken by a former chief social work officer and experienced adult and child protection independent chair.

3.3. The review was undertaken between August and November 2015. The report on the findings and recommendations was received in December 2015 and was considered by the COG at a special meeting on 22 January 2016.

3.4. As set out in the agreed remit, the review covered the following in terms of benchmarking with national guidance and best practice:

3.4.1. In relation to the Chief Officers Group

- Role and remit in terms of supporting leadership, strategy and vision;
- Membership;
- Scrutiny of performance;
- Reporting arrangements;
- Clarity of lines of accountability ; and
- Compliance with national guidance.

3.4.2. In relation to Strategic Groups/ committees/Boards as set out in the chart appended to the remit

- Role, remit and the strategic areas of business considered in terms of supporting the Chief Officers Group in its leadership and scrutiny role;
- Clarity of reporting lines to and from the Chief Officers Group and any reporting groups; and
- Clarity of delineation of role and purpose between protection of vulnerable people and the wider public safety agenda.

3.4.3. Other supporting tactical and operational groups

- Role, purpose, membership and business of the group;
- Clarity of lines of reporting and accountability to strategic groups; and
- Scope for rationalisation of groups in line with the recommended strategic structure

3.4.4. Other key issues

- The key role of the Chief Social Work Officer in the public protection governance arrangements
  - The key role of the Independent Chair of the Renfrewshire Child Protection Committee and the Renfrewshire Adult Protection Committee
  - The key role of the Head of Public Protection in the public protection governance arrangements
  - The linkages between the current oversight arrangements of child and adult protection, public protection and wider civil contingency activity.
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## 4. Main Findings and Recommendations

### *The Chief Officers Group*

- 4.1. The review recommends that the COG should have a separate constitution and terms of reference; these are currently embedded in the provisions relating to the child protection committee. The review includes a draft Terms of Reference for the consideration of COG members. This clearly establishes the core purpose of the COG as providing strategic leadership across the three statutory partners, together with scrutiny of performance, and ensuring effective multi-agency working in the discharge of its public protection responsibilities..
- 4.2. The Terms of Reference provide for a formal quarterly meeting cycle being established, and membership revised to have a core membership comprising the chief executives of the local authority, NHS and the area commander of Police Scotland or their senior representatives. This focuses core membership on those with overall responsibility for leadership and scrutiny in respect of public protection matters.
- 4.3. The review report makes further recommendations regarding additional attendees necessary to support the business of the COG as follows:
- chief social work officer (who will have a key advisory role in line with the 2009 Scot Govt guidance)
  - independent chair(s) adult and child protection
  - chief officer IJB
  - head of public protection
  - lead officers for adult and child protection
  - lead officer MAPPA - Multi Agency Public Protection Arrangements ( in Renfrewshire this is the senior officer who is a member of the NSCJA MAPPA Strategic Oversight Group).
  - and any other key agencies/individuals by invitation.
- 4.4. At its meeting on 22 January 2016, the COG agreed that in recognition of the scale of the core member bodies, the core membership would in practice comprise the Director of Nursing for NHSGGC and the Chief Superintendent Divisional Commander for Renfrewshire, alongside the Council's Chief Executive, or their senior nominees if they are unable to attend. It was also agreed to make explicit that the regular attendee list at paragraph 4.3. above should include the Chair of the Alcohol and Drugs Partnership (ADP), the Chair of the Gender Based Violence Strategy Group, and Senior Officer representation from Scottish Fire and Rescue. It was also agreed that either the Head of Public Protection or the Director of Community Resources would represent this area of activity.
- 4.5. In recognition of the formal delegation of the addictions and gender based violence functions from the Council to the Integration Joint Board (IJB) from 1 April 2016 in terms of the Public Bodies (Joint Working)(Scotland) Act 2014, it was recommended and agreed that the Alcohol and Drugs Partnership and the Gender Based Violence (GBV) Strategy Group would report through the Renfrewshire Integration Joint Board from that date, and recommended that chairmanship is similarly updated to reflect the new delegated responsibilities of the IJB through the HSCP Chief Officer, subject to the agreement of the ADP and the GBV strategy group.

- 4.6. The report recommends that the COG should report annually to parent bodies in respect of public protection matters in Renfrewshire. An annual single joint report on public protection would ensure that parent bodies have a shared understanding of the work undertaken to address public protection issues, progress made and the key themes and risks going forward. It is intended that the first annual report covering 2015/16 will be submitted by the Chief Executive to Council for consideration at its meeting on 28 April 2016.

**Renfrewshire Child Protection Committee (CPC) and Adult Protection Committee (APC),**

- 4.7. The review has recommended that opportunities are created to ensure regular discussion and sharing of information takes place between the adult and child protection committees. Renfrewshire is already in a strong position to ensure cross fertilisation across committees due to having a single independent chair who oversees both committees.
- 4.8. The review makes additional recommendations for the adult protection committee in respect of finalising its terms of reference and consideration of an additional sub group with a specific focus on policies and procedures. These actions would bring the adult protection committee into line with practice in respect of child protection and enable the COG to more easily review progress.
- 4.9. The review makes specific observations on the role of elected members on both committees, recognising that active interest and scrutiny from elected members in the protection of the most vulnerable in the community is an essential pre-requisite in ensuring high quality services. The independent reviewer however notes that Renfrewshire is the only example he is aware of where elected members participate on the committees themselves. The review recommends that the establishment of an member/officer working group would better allow members to effectively discharge their own strategic scrutiny and assurance role, whilst still providing the continued opportunity on a cross party basis for regular engagement in, and scrutiny of, this key area of activity. The timing for this change to arrangements aligns well with the provision in the Terms of Reference of the existing Member Officer Group for Child Protection for a review of the Group following the publication of the Care Inspectorate report on the Joint Inspection of Children's Services. The recommendation is therefore to expand the remit of this Group to include adult and child protection, MAPPA (Multi Agency Public Protection Arrangements) and wider community safety and public protection matters. Elected member membership on the Group would remain unchanged from those members currently involved in the Group and the child and adult protection committees.
- 4.10 In accepting this recommendation, the Adult and Child Protection Committees would become multi agency meetings and in line with national practice, would be officer meetings and not open to the public.
- 4.11 The review makes additional recommendations for the adult protection committee in respect of finalising its terms of reference, and consideration of an additional sub group with a specific focus on policies and procedures. These actions would bring the adult protection committee into line with practice in respect of child protection and enable the COG to more easily review progress

### ***Review of Tactical and Operational Groups***

- 4.12 The review has recognised the contribution of the daily tasking group as part of the effective early intervention measures Renfrewshire has in place. Whilst it has not made specific recommendations regarding the function of the group, the review has recommended that work already commenced to consider the current membership and function should be completed.
- 4.13 Whilst not specifically addressed within the report, it is further recommended that all strategic groups reporting to the COG undertake a review of any tactical and operational groups within their reporting structure. This is in order to support the wider review findings and satisfy the COG that tactical and operational arrangements remain fit for purpose

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### **Implications of this report**

1. **Financial Implications** - none
2. **HR and Organisational Development Implications** – none
3. **Community Plan/Council Plan Implications** – the review supports effective multi agency working in relation to public protection
4. **Legal Implications** – none.
5. **Property/Assets Implications** – none.
6. **Information Technology Implications** – none
7. **Equality and Human Rights Implications**  
The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because it is for noting only. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health and Safety Implications** - none.
9. **Procurement Implications** -- none
10. **Risk Implications** – the review supports the effective leadership and scrutiny of public protection governance arrangements in order to minimise the risk of harm
11. **Privacy Impact** - none

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### **List of Background Papers**

Report on the “Review of the Governance Arrangements for Public Protection in Renfrewshire” by Duncan MacAulay.

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**Author:** Anne McMillan, Head of Resources, 0141 618 6826  
**[anne.mcmillan@renfrewshire.gcsx.gov.uk](mailto:anne.mcmillan@renfrewshire.gcsx.gov.uk)**