
STATUTORY INSTRUMENTS

2005 No.

CHILDREN AND YOUNG PERSONS

The Local Safeguarding Children Boards Regulations 2005

<i>Made</i> - - - -	<i>2005</i>
<i>Laid before Parliament</i>	<i>2005</i>
<i>Coming into force</i> - -	<i>April 2006</i>

The Secretary of State for Education and Skills, in exercise of the powers conferred upon her by sections 13(2) and (4), 14(2), 16(1) and 66(1) of the Children Act 2004(a) hereby makes the following Regulations:

Citation and commencement

1.—(1) These Regulations may be cited as the Local Safeguarding Children Boards Regulations 2005 and shall come into force on 1st April 2006.

Interpretation

2.—(1) In these Regulations—

“the Act” means the Children Act 2004;

“LSCB” means a Local Safeguarding Children Board established by a children’s services authority in England under section 13 of the Act.

(2) References to “the authority” in these Regulations are to—

- (a) the children’s services authority by which an LSCB is established, or
- (b) in a case where an LSCB is established by two or more children’s services authorities for their combined area, those authorities acting jointly.

Composition of LSCBs

3. An LSCB must include at least one representative of—

- (a) the authority; and
- (b) each Board partner of the authority.

(2) Two or more Board partners may be represented by the same person.

(3) The authority may, in consultation with their Board partners, determine that the LSCB shall include two or more representatives of the authority or of any Board partner.

(a) 2004 c.31.

(4) Subject to paragraph (5) each Board partner shall appoint their own representative or representatives.

(5) The authority may, after consulting persons falling within section 13(2)(g) of the Act (persons providing services under section 114 of the Learning and Skills Act 2000(a)) determine the person or persons who are to be their representatives.

Appointment of LSCB Chair

4. The authority which establishes an LSCB shall, after consultation with their Board partners, appoint a person to chair the LSCB.

Functions of LSCBs

5.—(1) The functions of an LSCB in relation to its objective (as defined in section 14(1) of the Act(b)) are as follows—

- (a) 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—
 - (i) the action to be taken where there are concerns about a child’s safety or welfare, including thresholds for intervention;
 - (ii) training of persons working with children or in services affecting the safety and welfare of children;
 - (iii) recruitment and supervision of persons who work with children;
 - (iv) investigation of allegations concerning persons who work with children;
 - (v) safety and welfare of children who are privately fostered;
 - (vi) cooperation with neighbouring children’s services authorities and their Board partners;
- (b) communicating to persons and bodies in the area of the authority 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;
- (c) monitoring and evaluating the effectiveness of what is done by the authority and their Board partners individually and collectively to safeguard and promote the welfare of children, and advising them on ways to improve;
- (d) participating in the planning of services for children in the area of the local authority;
- (e) undertaking reviews of serious cases and advising the authority and their Board partners on lessons to be learned.

(2) For the purposes of paragraph (1)(e) a serious case is one where—

- (a) abuse or neglect of a child is known or suspected; and
- (b) either—
 - (i) the child has died, or
 - (ii) the 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.

(3) An LSCB may also engage in any other activity that facilitates, or is conducive to, the achievement of its objective.

(a) 2000 c.21.

(b) Section 14(1) of the Act defines the objective of an LSCB as (a) to coordinate 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 by which it is established, and (b) to ensure the effectiveness of what is done by each such person or body for those purposes.

Further functions relating to child deaths

6.—(1) From 1st April 2008 each LSCB shall, in addition to the functions prescribed in regulation 5, have the following functions in relation to the deaths of any children normally resident in its area—

- (a) collecting and analysing information about each death with a view to identifying—
 - (i) any matters of concern affecting the safety and welfare of children in the area of the authority including any case giving rise to the need for a review mentioned in regulation 5(1)(e); and
 - (ii) any general public health or safety concerns arising from deaths of such children;
- (b) putting in place procedures for ensuring that there is a coordinated response by the authority, their Board partners and other relevant persons to an unexpected death.

(2) An LSCB may carry out the functions mentioned in paragraph (1) during the period from 1st April 2006 to 31st March 2008.

Signed by authority of the Secretary of State for Education and Skills

	<i>Name</i>
Address	Parliamentary Under Secretary of State
Date	Department for Education and Skills

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for Local Safeguarding Children Boards (“LSCBs”). Under section 13 of the Children Act 2004 local authorities in England which are children’s services authorities, as defined in section 65 of the Act, are required to establish LSCBs. Their Boards partners (which include the chief officer of police, local probation board, Primary Care Trust and the other persons and bodies listed in section 13(3)) are required to cooperate in the establishment and operation of the LSCB.

Regulation 3 provides for representation of the authority and their Board partners on the LSCB.

Regulation 4 provides for the appointment of a person to chair the LSCB.

Regulations 5 and 6 prescribe the functions of the LSCB.