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**Manchester City Council  
Report for Information**

**Report to:** Manchester Health and Wellbeing Board – 23 January 2013

**Subject:** Safeguarding arrangements in the Manchester CCGs

**Report of:** Ian Williamson Chief Officer Central Manchester CCG on behalf of Central, North and South CCG

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## **Summary**

The NHS is currently in the process of implementing a major programme of reform following the passage of the Health and Social Care Act 2012.

Clinical Commissioning Groups (CCGs) and the NHS Commissioning Board (NCB) will be statutorily responsible for ensuring that the organisations from which they commission services provide a safe system that safeguards children and vulnerable adults.

A national interim guide (2012) has been produced that details an accountability framework for safeguarding in the NHS. This guide expands on the requirements for CCGs to demonstrate with regards to safeguarding children and adults in order for them to be authorised. CCGs must demonstrate best practice in relation to safeguarding to include appropriate systems as well as plans to train staff.

The three Manchester CCGs having been preparing to take on their safeguarding responsibilities for some time and have agreed a set of arrangements which include: Central Manchester CCG hosting the citywide safeguarding team of clinical specialists, one executive director for safeguarding responsible to all 3 CCG boards, a lead GP on each CCG board, the establishment of an integrated safeguarding governance group and a shared safeguarding strategy as well as a training plan.

The three Manchester CCGs during the authorisation process, which recommends the CCGs to become Governing Bodies, have been RAG rated green in relation to safeguarding. Whilst accepting, along with most other CCGs, that adult safeguarding arrangements need to continue to develop, the judgements describe safeguarding arrangements as a particular strength for the CCGs.

This paper describes the Manchester CCGs children and adult safeguarding arrangements in more detail.

The NHS reforms are occurring at the same time as significant changes within the Local Authority (LA) the impact of these combined changes, on safeguarding arrangements, may require further consideration by the HWB.

## **Recommendations**

The board is asked to:

1. Note the safeguarding arrangements across the 3 Manchester CCGs.
  2. Expect an update once the final national safeguarding accountability framework for the NHS has been published.
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**Board Priority(s) Addressed:**

All

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**Background documents:**

NHS Commissioning Board 2012 – Arrangements to secure children’s and adult safeguarding in the future NHS. The new accountability and assurance framework – interim guide.

NHS Commissioning Board 2012 – Clinical Commissioning Group authorisation: draft guide for applicants.

Department of Health NHS Outcomes Framework 2011/12. The outcomes and indicators which make up the first NHS Outcomes Framework, following the consultation *Transparency in outcomes – a framework for the NHS*.

Care Quality Commission - Essential Standards for Quality and Safety, March 2010. What providers should do to comply with the section 20 regulations of the Health and Social Care Act 2008.

If you would like a copy of the documents please contact one of the contact officers above.

## **1.0 Introduction**

- 1.1 This paper sets out the arrangements that have been agreed across the three Manchester CCGs in order to ensure statutory duties and responsibilities to safeguard children and adults at risk are fully compliant, safe and effective. There is a citywide safeguarding strategy that demonstrates this commitment further.
- 1.2 The paper clarifies the accountability and governance arrangements, roles and responsibilities, access to designated specialists, training plans, policies and procedures and performance monitoring arrangements.

## **2.0 Background**

- 2.1 The NHS is currently in the process of implementing a major programme of reform following the passage of the Health and Social Care Act 2012.
- 2.2 In the final report (May 2011) of her review of child protection, Professor Eileen Munro expressed concern about the possible impact of the health reforms on effective partnership arrangements. It is therefore essential that there is clarity about responsibilities in relation to safeguarding within these new arrangements – and about how the new system can help drive continued improvement in practice and outcomes.
- 2.3 CCGs and the NCB will be statutorily responsible for ensuring that the organisations from which they commission services provide a safe system that safeguards children and vulnerable adults.
- 2.4 CCGs and the NCB will have a statutory duty to be members of the Safeguarding Children Board and (subject to the Care and Support Bill) the Safeguarding Adult Board working in partnership with local authorities to fulfil their safeguarding responsibilities.
- 2.5 Safeguarding is central to quality of care and patient safety. The NHS Outcomes Framework (Dept. of Health, 2010), emphasises its importance in the following domains:
- Domain 4: Ensuring people have a positive experience of care.
  - Domain 5: Treating and caring for people in a safe environment and protecting them from avoidable harm.
- 2.6 The Care Quality Commission's *Essential Standards for Quality and Safety* (2010) sets specific outcomes for safeguarding and safety as a requirement for registration for all providers of NHS care. Commissioners have responsibilities to address failures of care in addition to the responsibilities of the CQC. Where the CQC take enforcement action, commissioners have a key role in managing the impact this has on the local health economy.
- 2.7 A national interim guide (2012) has been produced that details an accountability framework for safeguarding in the NHS. This guide expands on

the requirements for CCGs to demonstrate, with regards to safeguarding children and adults, in order for them to be authorised. CCGs must demonstrate best practice in relation to safeguarding to include appropriate systems as well as plans to train staff.

### **3.0 SAFEGUARDING CHILDREN AND ADULTS: RESPONSIBILITIES AND GOVERNANCE ARRANGEMENTS**

3.1 *Working Together to Safeguard Children*, statutory guidance 2012, describes what organisations must have in place:

- A clear line of accountability and governance within and across organisations for the commissioning and provision of services designed to safeguard and promote the welfare of children;
- A board-level lead to take senior leadership responsibility for the organisation's safeguarding arrangements;
- A culture of listening to and engaging in dialogue with children and taking account of their wishes and feelings both in individual decisions and the establishment or development and improvement of services;
- Arrangements to share relevant information;
- Appropriate supervision and support for staff, including undertaking safeguarding training;
- A designated doctor and nurse for safeguarding children and for looked after children (and a designated doctor for unexpected death's in childhood);
- Safe recruitment procedures in place;
- Effective inter-agency working to safeguard and promote the welfare of children.

3.2 There are six fundamental actions expected of NHS commissioners for safeguarding adults:

1. Safeguarding adults is a fundamental part of the commissioning strategy.
2. Systems and processes are in place that set safeguarding adults into all parts of the commissioning cycle.
3. Systems and processes are in place that enables assurance to be sought as to the appropriateness of a provider's safeguarding arrangements; and to address failures of care with providers.
4. A strong leadership (strategic and operational) and a safe, competent and capable workforce.
5. To work collaboratively with the Local Safeguarding Adult Board, patients and key partner agencies to create safeguards for patients.
6. To ensure accountability and use learning to bring about improvement

### **4.0 ARRANGEMENTS ACROSS THE THREE MANCHESTER CCGS**

#### **4.1 Accountability**

4.1.1 The 3 CCGs have agreed a citywide model and set of arrangements for safeguarding hosted by Central Manchester CCG on behalf of North and South Manchester CCGs alongside other citywide commissioning arrangements. (Appendices 1 & 2).

- 4.1.2 The Accountable Officers from each of the CCGs will remain ultimately accountable for safeguarding in their organisations.
- 4.1.3 The CCGs have ensured that they are “Laming compliant” with a clear and unambiguous line of accountability to the Accountable Officers. This has been achieved by the appointment of one Executive Nurse & Director of City Wide Commissioning and Quality, who will have responsibility on each CCG Board for leading the citywide safeguarding arrangements and also manage the designated safeguarding professionals. The designated doctor and nurse also have direct access to the Accountable Officers as required.
- 4.1.4 Access to clinical expertise has been strengthened and adult and children’s safeguarding has been integrated into one team.
- 4.1.5 To strengthen safeguarding further each CCG has a lead GP for safeguarding on its board.

## **4.2 Governance**

- 4.2.1 A citywide Safeguarding Governance Group has been agreed to strengthen current reporting arrangements so as to ensure sufficient time and focus is given to this shared priority and to ensure providers’ are held to account on safeguarding.
- 4.2.2 This group is to be chaired by the Executive Nurse & Director of City Wide Commissioning and Quality and it will report directly into the 3 CCG boards.
- 4.2.3 Reporting to the Safeguarding Governance Group are the various clinical safeguarding groups including the professional advisory sub group (designated and named professionals) and the GP safeguarding children and adult steering groups, and a commissioner/ provider group involving the large providers.
- 4.2.4 The safeguarding children and adult boards are linked into this structure CCG representation at the boards will be via the Executive Nurse & Director of City Wide Commissioning and Quality, supported by the designated professionals and a GP representative.
- 4.2.5 The 3 CCGs have worked together to agree a safeguarding strategy which will be monitored via this governance structure along with other priorities including recommendations from serious case reviews.
- 4.2.6 Each CCG is responsible for ensuring that safeguarding is a thread that is pulled through its entire business and it is expected safeguarding will be a standing item on their quality groups.

## **4.3 Roles and Responsibilities**

- 4.3.1 The ultimate accountability for safeguarding sits with the Accountable Officers of the three CCGs. Any failure to have systems and processes in place to protect children and vulnerable adults in the commissioning process, or by providers of health care that the CCGs commission, would result in failure to meet statutory and non-statutory constitutional and governance requirements.
- 4.3.2 The CCGs must establish and maintain good constitutional and governance arrangements with capacity and capability to deliver safeguarding duties and responsibilities, as well as effectively commission services ensuring that all service users are protected from abuse and neglect.
- 4.3.3 Safeguarding roles within the CCGs have been clarified and agreed, these include: the role of the Accountable Officer, the board lead with responsibility for safeguarding, the designated professionals and all associated CCG members of staff.

#### **4.4 Training**

- 4.4.1 The three CCGs have adopted the Greater Manchester safeguarding collaborative training framework which outlines responsibilities for training.
- 4.4.2 Our plans to deliver training are as follows:
- Strategic leader safeguarding training delivered by Edgehill University Dec 2012.  
3 CCGs have nominated to attend: Accountable Officers, Clinical Commissioning Officers, Executive Nurse/safeguarding lead, board level lead GPs for safeguarding.
  - Safeguarding Workshop – delivered by the designated safeguarding professionals to CCG Board members and CCG staff - outlining roles, responsibilities and accountabilities of a commissioning CCG. A workshop will be held annually, with regular briefings in between.
- 4.4.3 Plans to train staff in safeguarding recognition, response and referral are already well established and are in line with national guidance (the same standards apply to our providers and we monitor their training performance).

#### **4.5 Policies and procedures**

- 4.5.1 The CCGs have been working with the GM safeguarding clinical collaborative to harmonise policies and procedures that existed across the PCTs and these will be adopted by the Manchester CCGs.
- 4.5.2 The CCGs have adopted the procedures agreed with the safeguarding boards which include the Mental Capacity Act policy agreed in collaboration with the local authority.

4.5.3 Practice guidance will be made available to staff through training and web links covering: what to do if you are concerned about a child or adult, information sharing, managing allegations, supervision and contact details.

4.5.4 Staff will be made aware of the procedures through training, briefings and web links.

#### **4.6 Assurance/Performance monitoring**

4.6.1 The NHSNW safeguarding policy and audit tool is attached to all contracts and providers complete this annually, progress on actions is monitored throughout the year.

4.6.2 The Care Quality Commission's *Essential Standards for Quality and Safety* (2010) sets specific outcomes for safeguarding and safety as a requirement for registration for all providers of NHS care.

4.6.3 Each of our large providers have agreed to the safeguarding standard set by the children and adult safeguarding board and they cooperate fully with audits which are scrutinised by the designated professionals.

4.6.4 Safeguarding is a standing item on the quality groups CCGs hold with providers.

#### **4.7 NHS National Commissioning Board**

4.7.1 The draft revision of the guidance *Working Together to Safeguard Children* describes the role of the National Commissioning Board (NCB) as being responsible for ensuring the health commissioning system as a whole is working effectively to safeguard and promote the welfare of children. As such the 3 Manchester CCGs expect to be reporting to the Area Team of the NCB on local arrangements for discharging its duties regarding safeguarding.

#### **4.8 Conclusion**

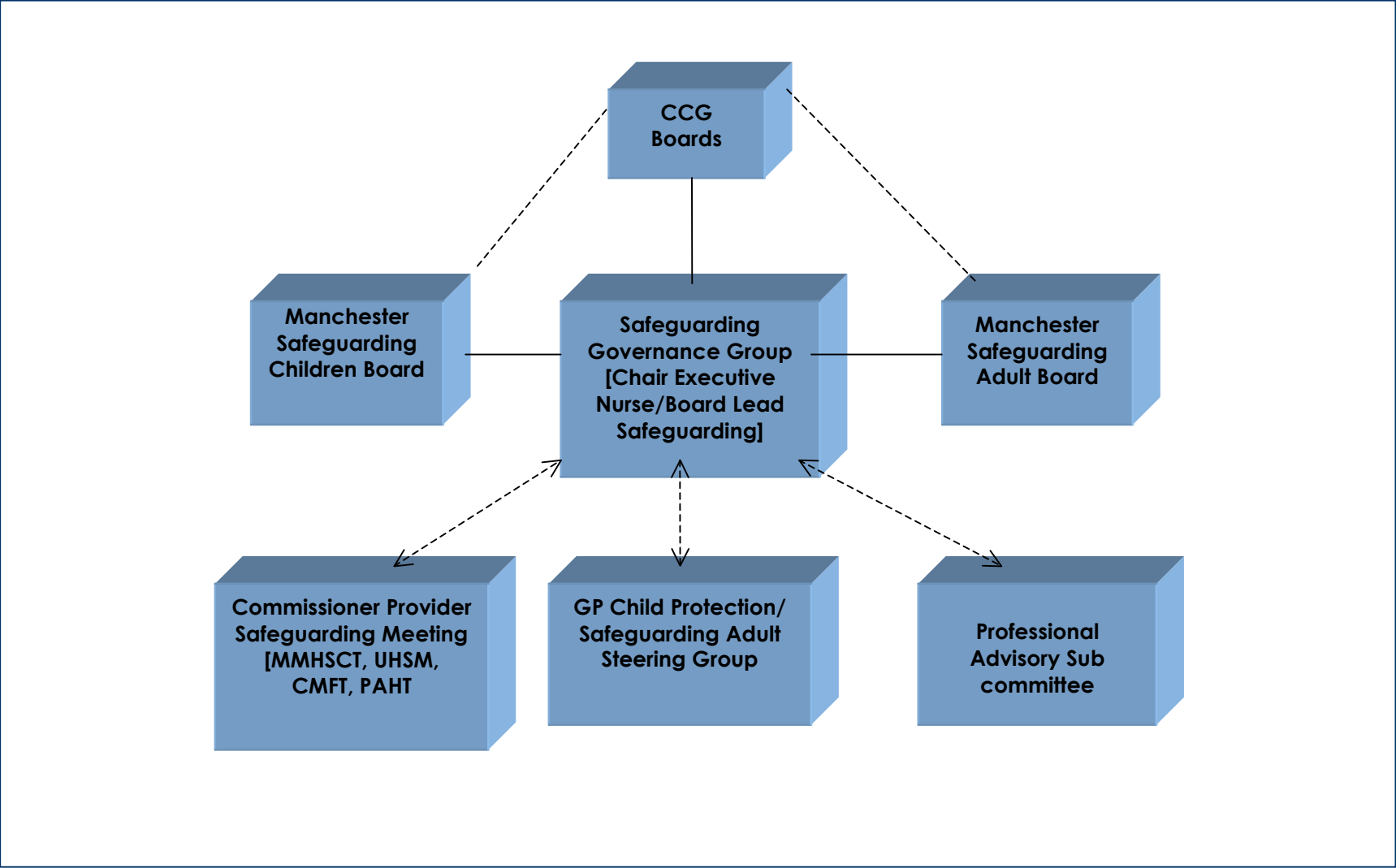
4.8.1 The three Manchester CCGs are committed to safeguarding children and adults at risk. This paper sets out how the CCGs plan to discharge these duties. These arrangements will be reviewed on publication of the NHS Accountability Framework for Safeguarding; and at regular intervals.

4.8.2 These arrangements have recently been scrutinised as part of the CCG authorisation process and each CCG has been rated green on safeguarding; the arrangements being described as a particular strength.

4.8.3 The NHS reforms are occurring at the same time as significant changes within the Local Authority (LA) the impact of these combined changes, on safeguarding arrangements, may require further consideration by the HWB.

**Safeguarding Governance Structure**

**Appendix 1**





Appendix 2

