WELSH STATUTORY INSTRUMENTS

2006 No. 1705 (W.167)

CHILDREN AND YOUNG PERSONS, WALES

The Local Safeguarding Children Boards (Wales) Regulations 2006

Made - - - -	*27 June 2006*
Coming into force - -	*1 October 2006*

The National Assembly for Wales, in exercise of the powers conferred upon it by sections 31(2), (4) and (5), 32(2) and (3), 34(1) and 66(1) of the Children Act 2004 (**1**), and with the consent of the Secretary of State as respects regulation 5(2)(a) to (c), (f) and (g)(**2**), hereby makes the following Regulations:

Title, commencement and application

1.—(1) The title of these Regulations is the Local Safeguarding Children Boards (Wales) Regulations 2006.

(2) These Regulations shall come into force on 1 October 2006.

(3) These Regulations apply in relation to Wales.

Interpretation

2.—(1) In these Regulations—

"2004 Act" ("*Deddf 2004*") means the Children Act 2004;

"area" ("*ardal*") means the area for which a Board is established;

"Board" ("*Bwrdd*") means either a Local Safeguarding Children Board established for the area of a children's services authority in Wales or a Local Safeguarding Children Board established for the area of two or more children's services authorities in Wales(**3**)

"Chair" ("*Cadeirydd*") , in relation to a Board, means the person who holds a current appointment to act as such under regulation 6;

(**1**) 2004 c. 31.
(**2**) *See* section 31(4) of the 2004 Act for the requirement to obtain the consent of the Secretary of State.
(**3**) Section 31(1) of the 2004 Act requires each children's services authority in Wales to establish a Local Safeguarding Children Board for their area. Section 31(9) permits two or more authorities to discharge their respective duties under section 31(1) by establishing a Board for their combined area.

"chief education officer" ("*prif swyddog addysg*") means an officer appointed under section 532 of the Education Act 1996(**4**);

"children's services authority" ("*awdurdod gwasanaethau plant*"), in relation to a Board, means the authority or authorities by whom the Board is established

"director of social services" ("*cyfarwyddwr gwasanaethau cymdeithasol*") has the same meaning as in the Local Authority Social Services Act 1970(**5**);

"harm" ("*niwed*") has the meaning given in section 31(9) of the Children Act 1989(**6**);

"member" ("*aelod*") has the meaning given by regulation 6(1);

"overview report" ("*adroddiad trosolwg*") has the meaning given by regulation 4(4)(b);

"principal office" ("*prif swyddfa*"), in relation to a Board, means the premises designated as such by the Board;

"registered nurse" ("*nyrs gofrestredig*") means a nurse or midwife registered with the Nursing and Midwifery Council;

"representative body" ("*corff cynrychioliadol*") means a body who has appointed a person to act as its representative on the Board;

"serious case review" ("*adolygiad achos difrifol*") has the meaning given in regulation 4.

(2) In these Regulations, a reference—

(a) to a numbered Regulation is to the regulation bearing that number in these Regulations;

(b) in a regulation to a numbered paragraph is to the paragraph bearing that number in that regulation;

(c) in a paragraph to a numbered sub-paragraph is to the sub-paragraph bearing that number in that paragraph.

Functions of a Board in relation to its objective

3.—(1) A Board is to have the following functions in relation to its objective under section 32 of the 2004 Act(**7**)—

(a) to take steps whose aim is to foster a relationship of mutual trust and understanding amongst the persons or bodies represented on the Board in relation to safeguarding and promoting the welfare of children within the area of the Board;

(b) to take steps whose aim is to raise awareness throughout the Board's area of the need to safeguard and promote the welfare of children and to provide information about how this might be achieved;

(c) to develop policies and procedures whose purpose is to co-ordinate what is done by each representative body for the purposes of safeguarding and promoting the welfare of children within the area of the Board, including policies and procedures in relation to—

(i) information sharing;

(ii) actions, including thresholds for intervention, to be taken where there are concerns about a child's safety or welfare;

(iii) the recruitment and supervision of persons who work with or have regular access to children;

(**4**) 1996 c. 56.
(**5**) 1970 c. 42.
(**6**) 1989 p.41.
(**7**) Under section 32(1) of the 2004 Act, the objective of a Board is (a) 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 by which it is established; and (b) to ensure the effectiveness of what is done by each such person or body for those purposes.

(iv) the safety and welfare of children who are privately fostered.

(d) to review the efficacy of the measures taken by each person or body represented on the Board to co-ordinate what they do for the purposes of safeguarding and promoting the welfare of children within the area of the Board and to make whatever recommendations it sees fit to those persons or bodies in light of such a review;

(e) to undertake "serious case reviews" in accordance with regulation 4;

(f) to monitor the extent to which any recommendations made in a review under paragraph (d) or a serious case review are being or have been met;

(g) to develop criteria for measuring the performance of the children's services authority against the plan produced under section 26 of the 2004 Act (children and young people's plans)(**8**), in so far as the plan relates to safeguarding and promoting the welfare of children in an authority's area;

(h) to disseminate information about best practice in safeguarding and promoting the welfare of children amongst the representative bodies and such other persons as the Board sees fit;

(i) to undertake research into safeguarding and promoting the welfare of children;

(j) to review the training needs of those working in the area of the Board with a view to identifying training activities to assist in safeguarding and promoting the welfare of children in the area of the Board;

(k) to provide training whose purpose is to assist in safeguarding and promoting the welfare of children in the area of the Board;

(l) to co-operate with other Boards (whether in Wales or England) and any similar such bodies in Scotland and Northern Ireland where the Board considers that would be of mutual benefit; and

(m) to seek advice or information where the Board considers that to be desirable for the purposes of any of the above functions.

Serious case reviews

4.—(1) A Board must undertake a review (a "serious case review") in accordance with this regulation in any of the following cases where, within the area of the Board, abuse or neglect of a child is known or suspected, and—

(a) a child has died, or

(b) has sustained a potentially life-threatening injury, or

(c) has sustained serious and permanent impairment of health or development.

(2) A Board may undertake a serious case review in accordance with this regulation where a child within its area suffers harm which does not fall within paragraphs 1(a)(b) or (c).

(3) The purpose of a serious case review is to identify steps that might be taken to prevent a similar death or harm occurring.

(4) In carrying out a serious case review, a Board must—

(a) ask each representative body to provide the Board with a written report of its involvement with the child who is the subject of the review, unless the Board is of the opinion that such a report is unnecessary in the circumstances;

(b) following receipt of each report referred to in sub-paragraph (a), produce a written report (referred to in these Regulations as an "overview report") that—

(**8**) Regulations made under section 26(2) of the 2004 Act will make specific provision in relation to children and young people's plans.