

Explanatory Memorandum to the Safeguarding Boards (General) (Wales) (Amendment) Regulations 2018.

This Explanatory Memorandum has been prepared by the Health and Social Services Department and is laid before the National Assembly for Wales in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1.

Minister's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of the Safeguarding Boards (General) (Wales) (Amendment) Regulations 2018.

Huw Irranca-Davies AM
Minister for Children and Social Care
20 April 2018

1. Description

The Order changes the lead partner for North Wales Safeguarding Adults Board and North Wales Safeguarding Children Board from Conwy County Borough Council to Denbighshire County Council.

2. Matters of special interest to the Constitutional and Legislative Affairs Committee

None

3. Legislative background

These Regulations are made under section 134(3) of the Social Services and Well-being (Wales) Act 2014 and are subject to annulment by the National Assembly for Wales in accordance with section 196.

4. Purpose & intended effect of the legislation

The Safeguarding Boards (General) (Wales) Regulations 2015 specify the lead partners (for children and adults) for each safeguarding board area in Wales. Section 134(4) and (5) of the Social Services and Well-being (Wales) Act 2014 requires the lead partner in relation to children to establish a Safeguarding Children Board and the lead partner for adults to establish a Safeguarding Adults Board. Additionally, in accordance with section 184(6) the Welsh Ministers may require the lead partner of a Safeguarding Board to provide them with information in connection with the performance by that Board of its functions. Lead partners have no other functions.

The North Wales Safeguarding Board Business Unit has requested that the lead partner for North Wales be changed from Conwy County Borough Council, to Denbighshire County Council. This reflects a change in location, agreed among local safeguarding board partners, of the Safeguarding Business Unit.

In accordance with section 134(3) of the Social Services and Well-being (Wales) Act 2014, the Minister for Children and Social Care wrote to Safeguarding Board partners for North Wales on 26 January 2018 to ask whether there are any objections to this proposal. None have been received.

The North Wales Safeguarding Board area covers the local authority areas of Conwy County Borough Council, Denbighshire County Council, Flintshire County Council, Gwynedd County Council, Isle of Anglesey County Council and Wrexham County Borough Council.

Safeguarding Boards are multi-agency bodies with an overall responsibility for challenging relevant agencies in an area so that there are effective measures in place to protect children and adults who are experiencing harm or who may be at risk of abuse, neglect or other kinds of harm; and that there is effective inter-

agency co-operation in planning and delivering protection services and in sharing information.

The role of Safeguarding Boards in terms of prevention should include promoting effective multi-agency support, anticipating and identifying where there may be individuals affected by abuse or neglect and working with service providers to develop earlier identification and preventative services, promoting inter-agency approaches to working with community groups and organisations where there may be populations at risk of harm, using inter-agency training and dissemination of learning and research to help build a more confident and knowledgeable multi-agency workforce.

A Safeguarding Board's partners share responsibility and accountability for the effectiveness of a Board and for ensuring that it is adequately resourced to fulfil its core functions.

5. Consultation

In accordance with Section 134(3) the Minister wrote to Safeguarding Board Partners in North Wales on 26 January to consult them on the proposed change. No objections have been received.

Each of the following is a Safeguarding Board partner in relation to a Safeguarding Board area:

- The local authority for an area, any part of which falls within the Safeguarding Board area;
- The chief officer of police for a police area, any part of which falls within the Safeguarding Board area;
- The Local Health Board for an area, any part of which falls within the Safeguarding Board area;
- An NHS Trust providing services in the Safeguarding Board area;
- The Secretary of State to the extent that the Secretary of State is discharging functions under section 2 and 3 of the Offender Management Act 2007 in relation to Wales;
- Any provider of probation services that is required by arrangements under section 3(2) Offender Management Act 2007 to act as a Safeguarding Board partner in relation to the Safeguarding Board area

6. Regulatory Impact Assessment (RIA)

A Regulatory Impact Assessment has not been conducted as the amendment is considered to be minor and technical in nature, being made at the request of safeguarding board partners in North Wales. The statutory functions of a lead partner are limited to those mentioned under paragraph 4 above. The legislation has no impact on the Welsh Government's statutory duties or partners under the Government of Wales Act 2006.