

**GUIDANCE TO SAFEGUARDING BOARD FOR NORTHERN  
IRELAND (SBNI)**

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## **GLOSSARY OF TERMS**

<b>DHSSPS</b>	Department of Health, Social Services and Public Safety (the Department)
<b>HPSS</b>	Health and Personal Social Services
<b>SBNI</b>	Safeguarding Board Northern Ireland
<b>HSC Board</b>	Health and Social Care Board
<b>PHA</b>	Regional Agency for Public Health and Social Well-being
<b>HSC Trusts</b>	Health and Social Care Trusts
<b>PSNI</b>	Police Service of Northern Ireland
<b>PBNI</b>	Probation Board for Northern Ireland
<b>YJA</b>	Youth Justice Agency
<b>ELBs</b>	Education and Library Boards
<b>NSPCC</b>	National Society for the Prevention of Cruelty to Children
<b>LCGs</b>	Local Commissioning Groups
<b>NIGPC</b>	Northern Ireland General Practitioners Committee
<b>BMA</b>	British Medical Association
<b>NIASP</b>	Northern Ireland Adult Safeguarding Partnership
<b>PPANI</b>	Public Protection Arrangements for Northern Ireland
<b>UNCRC</b>	United Nations Convention on the Rights of the Child
<b>ECHR</b>	European Convention on Human Rights
<b>DPA</b>	Data Protection Act 1998
<b>MoU</b>	Memorandum of Understanding
<b>UNOCiNI</b>	Understanding the Needs of Children in Northern Ireland
<b>CtSC</b>	Co-operating to Safeguard Children 2003
<b>RCPC</b>	Regional Child Protection Committee
<b>CMR</b>	Case Management Review
<b>CDR</b>	Child Death Review
<b>CDOP</b>	Child Death Overview Panel
<b>GPs</b>	General Practitioners
<b>Panel</b>	Safeguarding Panel
<b>PPI</b>	Personal and Public Involvement
<b>HR</b>	Human Resources
<b>GFRM</b>	Government Financial Reporting Manual
<b>LSCBs</b>	Local Safeguarding Children's Boards

## **Section 1**

### **Introduction to SBNI Guidance**

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- 1.1 Statutory Framework and Status of this Guidance**
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## 1. Introduction

### 1.1 Statutory Framework and Status of this Guidance

The [Safeguarding Board for Northern Ireland \(SBNI\)](#) is established under [Section 1](#) of the [Safeguarding Board \(Northern Ireland\) Act 2011](#) (the [Act](#)).<sup>1</sup> The duties placed on the [SBNI](#) are stipulated in the [Act](#). Further prescription of the membership, functions and procedure is provided for in the [Safeguarding Board for Northern Ireland \(Membership, Procedure, Functions and Committee\) Regulations \(Northern Ireland\) 2012](#) (the [SBNI Regulations](#)) and [The Safeguarding Board for Northern Ireland \(Membership, Procedure, Functions and Committee\) \(Amendment\) Regulations \(Northern Ireland\) 2014](#) (the [Amendment Regulations](#)).

This guidance is issued by the [Department of Health, Social Services and Public Safety](#) (the [Department](#)) under [Section 5](#) of the [Act](#). [Section 12](#) requires SBNI Represented Bodies to have due regard<sup>2</sup> to this guidance when exercising its functions under [Section 3](#) of the [Act](#).

#### ***Functions of the Safeguarding Board***

*“5.-(2) The Safeguarding Board must, in exercising its functions, have due regard to any guidance given to it for the purpose by the Department.”*

#### ***Arrangements to safeguard and promote the welfare of children***

*“12(3) Each person and body to whom this section applies must, in exercising their duty under this section, have due regard to any guidance given to them for the purpose by the Department.”*

The guidance has been written in the understanding that the [SBNI](#) will retain a focus on child protection while it gradually develops a wider safeguarding remit. In addition to adhering to the requirements of the [Act](#), the [SBNI Regulations](#), the Amendment Regulations and the terms of this guidance, the represented bodies of the [SBNI](#) are required to take due account of and adhere to legislation, policy and guidance relevant to their particular sector. It is the responsibility of each Northern Ireland Department to ensure that legal and policy requirements do not conflict and, where they do, to resolve any conflict.

The statutory roles and functions of the represented bodies should not be compromised by the requirements of the SBNI legislation, directions issued under the legislation, or by this guidance.

[The United Nations Convention on the Rights of the Child \(UNCRC\)](#) is of particular relevance. In accordance with the [UNCRC](#), the [SBNI](#) must act at all times in the best interests of the child ([Article 3](#)), in a manner which is non-discriminatory ([Article 2](#)), in a way which respects the views of the child ([Article 12](#)), and for the

<sup>1</sup> The [Act](#) can be accessed at [Safeguarding Board Act \(Northern Ireland\) 2011](#)

<sup>2</sup> In the context of [Section 12](#) of the [Act](#), prefacing the word "regard" with "due" reinforces the duty incumbent on the Represented Bodies listed in [Section 12\(1\)](#) to have cognisance of any guidance issued by the [Department](#) in accordance with [Subsection 3](#).



purpose of protecting the child's inherent right to life, survival and development to the maximum extent possible ([Article 6](#)).

Other Articles of the [UNCRC](#) of particular relevance to the work of the [SBNI](#) are Articles [19](#), [34](#), [36](#), [37](#) and [39](#). The text of these Articles<sup>3</sup> is set out at **Annex A** to this guidance.

The Hague Children's Conventions<sup>4</sup>; [the Human Rights Act 1998](#) and [the European Convention on Human Rights \(ECHR\)](#); and [The Children \(Northern Ireland\) Order 1995](#) are also considered relevant to the work of the [SBNI](#).

## 1.2 SBNI Members

Under Section 1(2)(b) of the Act, the SBNI must include representatives from the following persons or bodies specified in section 1(3) -

*“(3) The persons or bodies referred to in subsection (2) are –*

- (a) the Regional Health and Social Care Board;*
- (b) the Regional Agency for Public Health and Social Well-being;*
- (c) Health and Social Care Trusts;*
- (d) the Police Service of Northern Ireland;*
- (e) the Probation Board for Northern Ireland;*
- (f) the Youth Justice Agency;*
- (g) education and library boards;*
- (h) district councils;*
- (i) the National Society for the Prevention of Cruelty to Children;*
- (j) such other relevant persons or bodies as may be prescribed.”*

In accordance with Regulation 3 of the SBNI Regulations the SBNI must include representatives from the following -

- “(j) the British Medical Association; and*
- (k) any voluntary organisation.”*

In addition, under section 1(2)(c), the SBNI must also include –

*“(c) at least 2 but not more than 4 other persons (who are not representatives of the persons or bodies specified in subsection (3) or of any other relevant persons or bodies) appointed by the Department.”*

Representatives from the bodies listed in [Section 1\(3\)](#) of the [Act](#) have been selected because of the capacity of each organisation to safeguard and promote

<sup>3</sup> UNCRC Articles can be accessed at <http://webarchive.nationalarchives.gov.uk/20100415085344/http://www.dcsf.gov.uk/everychildmatters/strategy/strategyandgovernance/uncrc/unitednationsarticles/uncrcarticles/>

<sup>4</sup> Three Hague Children's Conventions have been developed to provide the practical machinery to enable States which share a common interest in protecting children to co-operate together to do so - 1980 *Convention on the Civil Aspects of International Child Abduction*; 1993 *Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption*; and 1996 *Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children*.

children's welfare in the context of the services which they currently provide to them. Their role is set out in [Section 1.3](#) below.

### **1.3 Role of Bodies Represented on the SBNI (Represented Bodies)**

For the purposes of this guidance, the following are referred to as "represented bodies" –

#### **Health and Social Care Board (HSC Board)**

The [HSC Board](#) together with its [Local Commissioning Groups \(LCGs\)](#) is accountable to the Minister for translating his vision for health and social care into a range of services that deliver high quality and safe outcomes for users, good value for the taxpayer and compliance with statutory obligations.

#### **Regional Agency for Public Health and Social Well-Being (PHA)**

The [PHA](#) is the major regional organisation for health protection and health and social wellbeing improvement. It is also committed to addressing the causes and associated inequalities of preventable ill-health and lack of wellbeing.

#### **Health and Social Care Trusts (HSC Trusts)**

[HSC Trusts](#) have responsibility for providing a range of hospital and community-based health and social care services including Family and Childcare Services.

#### **Police Service of Northern Ireland (PSNI)**

The mission of the [Police Service of Northern Ireland \(PSNI\)](#) is to make Northern Ireland safer. Working together in partnership, the [PSNI](#) shares a commitment to ensure the continued delivery of high quality policing to all the communities in Northern Ireland. The [PSNI](#) is committed to providing the reassurance demanded by the people of Northern Ireland.

#### **Probation Board for Northern Ireland (PBNI)**

The aim of the [Probation Board for Northern Ireland \(PBNI\)](#) is to help reduce crime and the harm it causes. [PBNI](#) is committed to working effectively, in partnership with a number of voluntary, private and statutory organisations. This function contributes to the public protection arrangements, which is also complemented by [PBNI](#)'s professionally based case management approach to offenders.

#### **Youth Justice Agency (YJA)**

The [Youth Justice Agency \(YJA\)](#) has responsibility for providing a range of statutory services for under 18s in the community and custody including:

- monitoring and supervising court and diversionary Youth Conference Orders;
- supervising other Court Orders;
- managing a secure residential centre for sentenced or remand young persons in custody;
- providing family services; and
- providing victim services.

#### **Education and Library Boards (ELBs)**

The vision of the education system is to ensure that every learner fulfils his/her potential at each stage of development. Realising this vision requires co-ordination across the education sector and recognition that for children and young people to

achieve their potential they need to be educated in a safe and caring environment where they are respected and receive the support they need.

### **District Councils**

District Councils are responsible for providing a wide variety of quality services including Building Control; Leisure and Development; Corporate Services; Environmental Health and Technical Services.

### **NSPCC**

The [NSPCC](#) has authorised status under [The Children \(Northern Ireland\) Order 1995](#) and the Society's vision is to end cruelty to children through the provision of a wide range of services including the [NSPCC Helpline](#) and [Childline](#) service, campaigning, policy development and research.

### ***Northern Ireland General Practitioners Committee***

The Northern Ireland General Practitioners Committee (NIGPC) is a British Medical Association (BMA) committee with authority to deal with all matters affecting GPs working within Health and Personal Social Services (HPSS), whether or not a GP is a member of the BMA.

### ***The Voluntary and Community Sector***

The Voluntary and Community sector makes a significant contribution to the life of children in Northern Ireland, spanning a wide sphere of activities and interests, ranging from small community interest groups through to larger voluntary and community sector organisations.

## 1.4 Prescribed Representatives included in the SBNI

Regulation 3 of the SBNI Regulations states -

*“3.- (2) For the purposes of section 1(2)(b) of the Act the prescribed representatives shall be-*

- (a) the Director of Social Care and Children from the Regional Health and Social Care Board;*
- (b) from the Regional Agency for Public Health and Social Well-being–
  - (i) the Designated Nurse for Safeguarding Children;*
  - (ii) the Director of Nursing and Allied Health Professionals; and*
  - (iii) the Director of Public Health;**
- (c) an Executive Director of Social Work from each of the following HSC trusts-
  - (i) the Belfast HSC Trust;*
  - (ii) the South Eastern HSC Trust;*
  - (iii) the Southern HSC Trust;*
  - (iv) the Northern HSC Trust;*
  - (v) the Western HSC Trust;**
- (d) an Assistant Chief Constable of the Police Service of Northern Ireland with responsibility for safeguarding and promoting the welfare of children;*
- (e) the Director of the Probation Board for Northern Ireland;*
- (f) the Chief Executive of the Youth Justice Agency*
- (g) the Chief Executive of an Education and Library Board*
- (h) two Chief Executives of district councils;*
- (i) the National Head of Service for Northern Ireland of the National Society for the Prevention of Cruelty to Children;*
- (j) a member of the Northern Ireland General Practitioners Committee of the British Medical Association; and*
- (k) at least three but not more than five persons from voluntary organisations.”*

The prescribed representatives of the persons or bodies specified in [Section 1\(3\)](#) of the [Act](#) are at a level of seniority considered necessary for strategic decision making by the [SBNI](#) and to facilitate commitment on behalf of their agencies.

## 1.5 Selection of Voluntary Sector Representatives of SBNI

A mechanism for selecting voluntary/community sector SBNI representation has been established by the [SBNI](#) and approved by the [Department](#). The mechanism has established selection criteria and a scoring system, and seeks nominations from voluntary and community sector organisations across Northern Ireland. Applications are accepted from organisations which meet the criteria. Proposals to alter the selection mechanism must be submitted to the [Department](#) by the Chair of the SBNI for further approval.

## 1.6 Inclusion of Additional SBNI Representatives

In accordance with [Section 1\(3\)\(j\)](#) of the [Act](#) the [Department](#) may prescribe by Regulations “*such other relevant persons or bodies...*”, to be included in the [SBNI](#). The [Department](#) has exercised its power under this provision of the [Act](#) to prescribe at [Regulation 3\(2\)\(j\)](#) and [\(k\)](#) of the [SBNI Regulations](#) for representatives from the

[British Medical Association](#) and any voluntary organisation to be included in the [SBNI](#).

Should the [SBNI](#) wish to extend its existing membership, it can do so by prescribing additional members in accordance with [Section 1\(3\)\(j\)](#) of the [Act](#). The SBNI Chair will write to the [Department](#) setting out the rationale for extending the membership of the [SBNI](#). Subject to Ministerial and Executive approval the [Regulations](#) will be amended to include the additional Member.

## 1.7 Inclusion of time-bound SBNI Representatives

Section 1 of the Act states -

*“1.-(4) Subject to the approval of the Department, the Safeguarding Board may also include representatives of such relevant persons or bodies (other than the persons or bodies specified in subsection (3)) as the members of the Board consider should be represented on it. “*

An individual may become a member of the [SBNI](#) for a time-limited period. This might arise if, for example, the [SBNI](#) has a need for particular specialist or expert knowledge. The Chair of the SBNI will write to the [Department](#) setting out the rationale for the inclusion of the new member and the proposed time period for membership and seeking the [Department's](#) approval. This arrangement does not require amendments to the [SBNI Regulations](#).

## 1.8 Links with Other Strategic Partnerships

The [SBNI](#) has been established because of a [Northern Ireland Executive](#) commitment to safeguard children and in keeping with the Executive's 10 year strategy for Children and Young People, [Our Children and Young People – Our Pledge](#), which seeks to achieve the following outcomes for all children and young people:

- Being healthy;
- Enjoying, learning and achieving;
- Living in safety and with stability;
- Experience economic and environmental wellbeing;
- Contributing positively to community and society; and
- Living in a society which respects their rights.

The [Children and Young People's Strategic Partnership \(CYPSP\)](#) carries out integrated planning and commissioning of supports and services to improve all six outcomes for children in Northern Ireland and to address the rights and needs of specific groups of vulnerable children and young people such as looked-after children or disabled children and young people.

The [SBNI](#) will agree arrangements with the [CYPSP](#) to ensure that safeguarding issues can be raised and properly addressed within the Partnership's planning and commissioning mechanisms. Under these arrangements, each Partnership will take account of the role, objective and function of the other to ensure that they are sufficiently differentiated and that duplication of effort is avoided.

To ensure a joined-up approach to safeguarding and to promote cooperative working, the [SBNI](#) should also establish links with the [Northern Ireland Adult Safeguarding Partnership \(NIASP\)](#), the [Public Protection Arrangements for Northern Ireland \(PPANI\)](#) and with other strategic partnerships such as those dealing with regeneration, community safety, policing, domestic violence and drug and alcohol matters.

## **SECTION 2**

### **Statutory Objective, Duties and Functions**

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  - 2.3.5 Review such information as may be prescribed in relation to the deaths of children in Northern Ireland**
  - 2.3.6 Advise the Regional Health and Social Care Board and local commissioning groups in relation to safeguarding and promoting the welfare of children**
  - 2.3.7 Promote communication between the Board and children and young people**
  - 2.3.8 Make Arrangements for Consultation and Discussion in relation to Safeguarding and Promoting the Welfare of Children**
  - 2.3.9 Other functions**



## 2.1 Statutory Objective of the Safeguarding Board

Section 2 of the Act states –

*“2.–(1)The objective of the SBNI is to coordinate and ensure the effectiveness of what is done by each person or body represented on the Board (by virtue of section 1(2)(b) and (4)) for the purposes of safeguarding and promoting the welfare of children.”*

The term safeguarding is intended to be used in its widest sense, that is, to encompass both prevention and protection activity. Therefore, safeguarding children is the process of preventing impairment of children’s health and development, and of ensuring they are growing up safely and securely and provided with effective care, all of which collectively enables them to attain greater success in adulthood. Safeguarding also extends to protecting children from abuse or neglect when it occurs, including the promotion and protection of children’s rights. For the purpose of this guidance, welfare relates to the physical, intellectual, social or behavioural development of children.

Whilst the [SBNI](#) has a role in co-ordinating and ensuring the effectiveness of the work of its member agencies to safeguard and promote the welfare of children, it is not accountable for their day to day operational work.

## 2.2 Statutory Duties of the Safeguarding Board

### 2.2.1 Duty to Co-operate

Section 10 of the Act sets out the duty to co-operate –

*“10.- (1) The Safeguarding Board and each committee and sub-committee must co-operate with the persons or bodies specified in section 1(3) and with any persons or bodies referred to in section 1(4) in the exercise by the Board or a committee or sub-committee of its functions.*

*(2) The persons or bodies specified in section 1(3) and any persons or bodies referred to in section 1(4) must co-operate with the Safeguarding Board, committees and sub-committees-*

*(a) in the exercise by the Board or a committee or sub-committee of its functions; and*

*(b) in the exercise by the person or body concerned of any of its functions relating to safeguarding or promoting the welfare of children.*

*(3) The disclosure of information to or by the Safeguarding Board or a committee or sub-committee in pursuance of a duty of co-operation under subsection (1) or (2) does not breach any restriction on the disclosure of information (however imposed); but this subsection does not authorise a disclosure of information which contravenes the Data Protection Act 1998 (c. 29).”*

The duty to co-operate is fundamental to the work of the [SBNI](#) and its committees and sub-committees. Their work relies on the co-operation of the represented bodies and time-bound representatives.



The [SBNI](#) should ensure that this duty is reflected in the SBNI Membership Agreement which should be reviewed annually by the [SBNI](#).

The [Act](#) does not define how the persons or bodies represented on the [SBNI](#) should co-operate with the Board in relation to the exercise of its functions. Where a person or body represented on the [SBNI](#) identifies a conflict with an existing statutory duty, it will be the responsibility of that person or body to bring this immediately to the attention of the [SBNI](#) for resolution. However co-operation should require that represented persons or bodies work collaboratively with one another to meet the [SBNI](#) objective of safeguarding and promoting the welfare of children.

The extent to which the represented bodies and time-bound representatives have acted in accordance with the statutory duty to co-operate will be specifically referenced in the [SBNI's](#) annual report.

The disclosure of information to or by the [SBNI](#) or a committee or sub-committee in pursuance of the duty under [Section 10\(3\)](#) of the [Act](#) does not breach any restriction on the disclosure of information. However, it does not authorise a disclosure of information which would contravene the provisions of the [Data Protection Act 1998](#).

## 2.2.2 Duty to Supply Information Requested by Safeguarding Board

Section 11 of the Act deals with the supply of information requested by the Safeguarding Board.

*“11.- (1) If the Safeguarding Board requests a person or body to supply information specified in the request to-*

- (a) the Board or a committee or sub-committee (as the case may be), or*
- (b) another person or body specified in the request,*

*the request must be complied with as soon as reasonably practicable after receipt of such a request if the first and second conditions are met and either the third or fourth condition is met.*

*(2) The first condition is that the request is made for the purpose of enabling or assisting the Safeguarding Board or a committee or sub-committee to exercise its functions.*

*(3) The second condition is that the request is made to a person or body whose functions or activities are considered by the Safeguarding Board to be such that the person or body is likely to have information relevant to the exercise of a function by the Board or a committee or sub-committee.*

*(4) The third condition is that the information relates to-*

- (a) the person or body to whom the request is made,*
- (b) a function or activity of that person or body, or*
- (c) a person in respect of whom a function is exercisable, or an activity is engaged in, by that person or body.*

*(5) The fourth condition is that the information-*

- (a) is information requested by the Safeguarding Board from a person or body to whom information was supplied in compliance with another request under this section, and*
- (b) is the same as, or is derived from, information so supplied.*

*(6) The information may be used by the Safeguarding Board or a committee or sub-committee, or other person or body to whom it is supplied under subsection (1), only for the purpose of enabling or assisting the Board or a committee or sub-committee to exercise its functions.”*

In practice, this means that the need to share information to keep a child safe from harm takes precedence over the need to maintain confidentiality. It also alerts practitioners to the need to place children at the centre of their decision-making.

Sharing of information must be based on the following principles:

- have lawful authority;
- the request for information must satisfy the first and second condition set out in [Section 11\(2\)](#) and [\(3\)](#) of the [Act](#) and either the third or the fourth condition set out in [Section 11\(4\)](#) and [\(5\)](#) of the [Act](#), as set out above;
- be proportionate and shared in ways that ensure the safety and security of the information shared; and
- be accountable.

The [SBNl](#)'s power to request information does not supersede the [Data Protection Act 1998](#). Care, therefore, needs to be taken to ensure that [Data Protection Act](#) is

not breached and, where appropriate, that information is shared with regard to the [ECHR](#) rights of individuals.

While this provision in the legislation provides the [SBNI](#) with a power to obtain necessary information relevant to its functions, it should also provide practitioners with assurance that they can share certain sensitive information with the [SBNI](#), when the statutory criteria are met. This power should not constrain organisations from proactively sharing information.

It is expected that the [SBNI](#)'s power to request information should be exercised judiciously and only when it is necessary and proportionate to the purpose for which it is being sought. Where necessary, the SBNI Chair should seek legal advice in advance of exercising the power to request information under [Section 11](#) of the [Act](#).

The [SBNI](#) will routinely handle sensitive personal information and there will be safeguards in place within the [SBNI](#) to ensure that such information is held securely, handled appropriately and explanation and assurances are provided to the person/body from whom information is being sought.

The [SBNI](#) will develop Information Sharing Guidance (see Para 2.3.1 f) in conjunction with represented bodies, to assist in the sharing of information between those bodies, with the [SBNI](#) and its committees and sub-committees. In doing so, the [SBNI](#) will take into account the [Information Commissioner's Data Sharing Code of Practice](#) ([the Code](#)). Adopting the good practice recommendations of [the Code](#) will help to ensure that any sharing of personal information is undertaken in a manner that is fair, transparent and in line with the rights and expectations of the people whose information is being shared including rights to protection of privacy.

### **2.2.3 Duty to Make Arrangements to Safeguard and Promote the Welfare of Children**

Section 12 of the Act states -

*“12.-(2) Each person and body to whom this section applies must make arrangements for ensuring that –*

- (a) their functions are exercised having due regard to the need to safeguard and promote the welfare of children; and*
- (b) any services provided by another person pursuant to arrangements made by the person or body in the exercise of their functions are provided having due regard to that need.*

*(3) Each person and body to whom this section applies must, in exercising their duty under this section, have due regard to any guidance given to them for the purpose by the Department. “*

Guidance in relation to this duty is developed under [Section 12\(3\)](#) of the Act. Relevant persons or bodies represented on the [SBNI](#) (see section 1.2) and voluntary, community and private sector organisations which are commissioned to

provide services on behalf of one of the member organisations, must comply with this guidance when discharging their functions.

The voluntary, community and independent sector organisations and practitioners (including counsellors and therapists working in a private capacity), who work with or have significant contact with children and young people otherwise than under contract with a person or body listed under [Section 12\(1\)](#), should follow this guidance as a matter of good practice.

Contributions to safeguarding and promoting the welfare of children will vary across organisations. For example, the main contribution of some organisations might be to identify and act on their concerns about the welfare of children with whom they come into contact, e.g. during or following completion of an [Understanding the Needs of Children in Northern Ireland \(UNOCINI\)](#) assessment. Others might be more involved in supporting a child once concerns have been identified.

The [SBNI](#) must assure itself that the [Section 12](#) duty is being adhered to by represented bodies. In practice this means that these bodies must make arrangements to ensure two things:

- firstly, that their functions are discharged having regard to the need to safeguard and promote the welfare of children. The duty does not give the represented bodies any new functions, nor does it over-ride their existing functions. It requires them to carry out their existing functions in a way that takes into account the need to safeguard and promote the welfare of children and;
- secondly, that the services they contract out to others are provided having regard to that need.

The [SBNI](#) will ensure that each represented body at an organisational or strategic level has the following in place:

- a) Senior management commitment to the importance of safeguarding and promoting children's welfare;
- b) A clear statement of the body's responsibilities to children which is available for all staff to access;
- c) A clear line of accountability within the organisation for work on safeguarding and promoting the welfare of children;
- d) Service development takes account of the need to safeguard and promote welfare and is informed, where appropriate, by the views of children and families;
- e) Staff training on safeguarding and promoting the welfare of children for all staff working with or, depending on the body's primary functions, in contact with children and families;
- f) Safer recruitment policies;
- g) Effective inter-agency working to safeguard and promote the welfare of children; and
- h) Effective Information sharing arrangements.

The [SBNI](#) must establish arrangements for auditing how bodies are meeting the duty to safeguard and promote the welfare of children. The [SBNI](#) will use a range of audit mechanisms, including a peer review process based on self-evaluation, performance indicators, and joint audit. Its aim is to promote high standards of safeguarding work and to foster a culture of continuous improvement. It should also

identify and act on identified weaknesses in services and report on these in the [SBNI's](#) annual report.

Where a represented body is not performing its duty to make arrangements to safeguard and promote the welfare of children, the SBNI Chair must address this as soon as practicable with the body or its representative and seek a timely resolution. If the SBNI Chair is not satisfied with the proposed resolution, with the agreement of the Board, the Chair of the SBNI will put his concern in writing to the relevant Minister and copy to the Minister of Health, Social Services and Public Safety.

Subject to having a Memorandum of Understanding in place and the content of the memorandum, the SBNI Chair may draw his concerns to the relevant regulatory/inspection body and recommend that [SBNI](#) concerns about adherence to the duty to make arrangements to safeguard and promote the welfare of children are reflected in future work undertaken by the regulator/inspectorate.

The extent to which represented bodies have acted in accordance with the statutory duty to make arrangements to safeguard and promote the welfare of children will be specifically referenced in the [SBNI](#) annual report.

### **2.3 Statutory Functions of the Safeguarding Board**

The statutory functions of the SBNI are set out in section 3 of the Act.

In accordance with section 5 of the Act –

*“5(1) Regulations may make provision as to the exercise by the Safeguarding Board of any of its functions (including provision as to further duties to be imposed, procedures to be followed and the manner in which the Board is to exercise its functions)”*

Regulations 16 to 19 of the SBNI Regulations are made under section 5(1) of the Act.

Regulation 16 of the SBNI Regulations states that -

*“16. The Safeguarding Board must ensure that it exercises its functions in a manner that -*

*(a) takes into account the views of children and young persons on the effectiveness of arrangements to safeguard and promote the welfare of children;*

In exercising its functions, the [SBNI](#) must take into account the views of children and young people in Northern Ireland and the important role played by parents/carers in safeguarding children and promoting their welfare. Engagement must at all times be open and transparent, proportionate and consistent. In discharging its statutory functions, the [SBNI](#) should treat all children equally, taking account of the particular vulnerabilities of some groups of children to abuse and



neglect, such as those with disabilities, separated children, and care-experienced young people.

Account should also be taken of the communities in which children live and religious, cultural and ethnicity factors, all of which can impact on children's safeguarding and welfare needs.

The statutory functions of the [SBNI](#) are set out in the remainder of this section.

### **2.3.1 Develop policies and procedures to safeguard and promote the welfare of children**

Section 3(1) of the Act states –

*“The Safeguarding Board must develop policies and procedures for safeguarding and promoting the welfare of children.”*

In addition, regulation 18 of the SBNI Regulations states -

*“18. In exercising its function under section 3(1) of the Act (developing policies and procedures) the Safeguarding Board must put in place arrangements for the ongoing development and review of policies and procedures for safeguarding and promoting the welfare of children, including policies and procedures as set out in Regulation 18 in relation to –*

- (a) the action to be taken where there are concerns about a child's safety or welfare, including thresholds for intervention;*
- (b) training of persons who work with children or in services affecting the safety of children;*
- (c) recruitment and supervision of persons who work with children; and*
- (d) investigation of allegations concerning persons who work with children.”*

Previously, Safeguarding Children Policies and Procedures were developed by the legacy Area Child Protection Committees (ACPCs) and revised by the [Regional Child Protection Committee](#) (RCPC).

In fulfilling its statutory duty to develop policies and procedures to safeguard children and promote their welfare, the SBNI will take account of the policies and procedures developed by legacy ACPCs and revised by [RCPC](#). Account will also be taken of extant Departmental safeguarding policy.

Policies and Procedures developed by the [SBNI](#) will either be applicable to:

- all represented bodies, e.g. policies and procedures on information sharing or the recruitment and selection of staff; or
- some represented bodies e.g. policies and procedures for the joint investigation by the police and social services

Policies and Procedures should include:

- a) definitions of child safeguarding, child protection and child abuse, and how concerns should be managed, including thresholds for intervention;









































































