

2013 No. 2299

CHILDREN AND YOUNG PERSONS, ENGLAND

**The Local Safeguarding Children Boards (Review) Regulations
2013**

<i>Made</i> - - - -	<i>11th September 2013</i>
<i>Laid before Parliament</i>	<i>16th September 2013</i>
<i>Coming into force</i> - -	<i>9th October 2013</i>

The Secretary of State for Education, in exercise of the powers conferred by sections 14(3), 15A and 66(1) of the Children Act 2004(a), makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Local Safeguarding Children Boards (Review) Regulations 2013 and come into force on 9th October 2013.

(2) In these Regulations—

“the Act” means the Children Act 2004;

“Board partner” means a person who is a Board partner of the authority under section 13(3)(b) of the Act;

“LSCB” means a Local Safeguarding Children Board established under section 13(c) of the Act;

“LSCB Chair” means the person appointed by the authority, after consultation with its Board partners, as the chair of the LSCB in accordance with regulation 4 of the LSCB Regulations;

“the LSCB Regulations” means the Local Safeguarding Children Boards Regulations 2006(d);

“relevant body” means—

(i) a person or body set out in regulation 3A(e) of the LSCB Regulations represented on the LSCB;

(ii) any other relevant person or body represented on the LSCB by virtue of section 13(5) of the Act;

“representative” means any representative on the LSCB of—

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- (a) 2004 c.31. Section 15A is inserted by section 10 of the Children, Schools and Families Act 2010 (c. 26).
- (b) Section 13(3) is amended by S.I. 2010/1158. Section 13(3)(ca) and (cb) is inserted by paragraph 4(1) and (4) of Schedule 3 to the Offender Management Act 2007 (c.21). Section 13(3)(da) and (db) is inserted by paragraphs 127 and 131(a) and (b) of Schedule 5 to the Health and Social Care Act 2012 (c.7) (“the 2012 Act”). Section 13(3)(e) is repealed by paragraphs 127 and 131(c) of Schedule 5 to the 2012 Act. Section 13(3)(f) is amended by paragraphs 96 and 98 of Schedule 14 to the 2012 Act. Section 13(3)(g) is amended by paragraphs 82 and 85 of Schedule 1 to the Education and Skills Act 2008 (c.25).
- (c) See footnote (b) for amendments to section 13(3). In addition, section 13(1), (4), (5A) and (8) is amended by S.I. 2010/1158. Section 13(5A) and (5B) is inserted by section 196(1) and (2) of the Apprenticeships, Skills, Children and Learning Act 2009 (c.22).
- (d) S.I. 2006/90, amended by S.I. 2010/662 and S.I. 2010/1172.
- (e) Regulation 3A is inserted by S.I. 2010/622.

- (i) the authority;
 - (ii) a Board partner; or
 - (iii) a relevant body.
- (3) References to “the authority” in these Regulations are to—
- (a) the local authority by which an LSCB is established, or
 - (b) in a case where an LSCB is established by two or more local authorities for their combined area, those authorities acting jointly.

Specified functions of LSCBs

2. The functions in regulations 5 and 6 of the LSCB Regulations are specified for the purposes of section 15A(1) of the Act.

Review by the Chief Inspector

3.—(1) The Chief Inspector may conduct a review of the performance by an LSCB of any or all of the functions specified in regulation 2.

(2) When requested to do so by the Secretary of State, the Chief Inspector must conduct a review of the performance by an LSCB of any or all of the functions specified in regulation 2 as set out in the request.

Report on a review

4.—(1) Where a review has been completed, the Chief Inspector must make a written report in respect of the review.

(2) The Chief Inspector must send a copy of the report to—

- (a) the authority;
- (b) the LSCB Chair;
- (c) each Board partner;
- (d) the inspectorate for each Board partner;
- (e) each relevant body; and
- (f) the Secretary of State.

(3) The LSCB must—

- (a) within 30 working days of receipt of the report, arrange for it to be published in such manner as the LSCB considers appropriate;
- (b) supply a copy of the report to a member of the public on demand on payment of a reasonable charge.

(4) The Chief Inspector may arrange for any report under this regulation to be published in such manner as the Chief Inspector considers appropriate.

(5) In this regulation “working day” means any day other than a Saturday, Sunday, Christmas Day, Good Friday or a day which is a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971(a).

Power to require information, etc.

5.—(1) The Chief Inspector may at any time, for the purposes of a review, require the LSCB Chair or a representative to provide him with any information, documents or other items—

(a) 1971 c.80.

- (a) which relates or relate to the performance by an LSCB of any of the specified functions that are subject to a review, or
- (b) which the Chief Inspector considers it necessary or expedient to have for the purposes of a review.

(2) The power in paragraph (1) includes, in relation to documents kept by means of a computer, power to require them to be produced in a form in which they are legible and can be taken away.

(3) Where the Chief Inspector considers it necessary or expedient in order to facilitate the sharing or production of information for the purposes of a review, the Chief Inspector may—

- (a) interview in private the LSCB Chair or a representative; or
- (b) attend meetings of the LSCB.

Edward Timpson
Parliamentary Under Secretary of State
Department for Education

11th September 2013

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for the review of Local Safeguarding Children Boards (“LSCBs”) by Her Majesty’s Chief Inspector of Education, Children’s Services and Skills (“the Chief Inspector”). They set out when a review must or may be undertaken and prescribe the Chief Inspector’s powers in relation to such reviews.

Regulation 2 specifies the functions of an LSCB for the purposes of section 15A of the Children Act 2004.

Regulation 3 provides that the Chief Inspector may conduct a review of any or all of the specified functions and must conduct a review at the request of the Secretary of State.

Regulation 4 requires the Chief Inspector to make a report of the review and to send it to the local authority with responsibility for establishing the LSCB, the LSCB Chair, the Board partners, the relevant inspectorates for each of the Board partners, any other body represented on the LSCB and the Secretary of State. The Regulations also make provision about publication of the report by the LSCB and the Chief Inspector.

Regulation 5 enables the Chief Inspector to request documents, interview specified individuals and attend meetings of the LSCB, for the purposes of a review.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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