

THE CONSTITUTION OF
THE BARNSELY SAFEGUARDING CHILDREN BOARD

Revised 29 November 2013

1. Title.

1.1. The Board shall be known as the Barnsley Safeguarding Children Board (“the Board”).

2. Interpretation.

2.1. In this Constitution, the words or expressions listed in the table below have the meanings given to them.

“the Act”	means the Children Act 2004 (or any amendment or replacement thereof).
“the Board”	means the Barnsley Safeguarding Children Board.
“Board Partner” or “Board Partners”	means that Member or those Members so identified in paragraph 5.1.
“the Borough”	means the Metropolitan Borough of Barnsley.
“Budget”	means the Budget of the Board agreed in accordance with paragraph 9.1.
“Children’s Trust”	means the Barnsley Children and Young People’s Trust
“the Council”	means Barnsley Metropolitan Borough Council.
“Deputy Representative”	means a person or persons identified to the Council in accordance with paragraph 5.7.
“Functions”	means the Functions of the Board set out in paragraphs 4.2 and 4.3 (save where deleted in accordance with paragraph 4.4) or adopted in accordance with paragraph 4.4.
“Guidance”	means any guidance, code of practice, direction or similar publication issued by the Government or by any agency of the Government.
“Law”	means any statute, statutory instrument or other provision of the law of England and Wales and, in particular, the Act and the Local Safeguarding Children Boards Regulations 2006 (or any amendment or replacement thereof).
“Member” or “Members”	means an organisation or individual acting in a representative capacity listed at paragraph 5.1 and any other person invited from time to time to be a Member of the Board and in this Constitution use of the impersonal pronoun in relation to a Member or Members shall be deemed to include use of the personal pronoun where the context so requires.
“Objective”	means the Objective of the Board set out in paragraph 4.1.
“Representative “ or “Representatives”	means a person or persons identified to the Council in accordance with paragraph 5.5.
“Personal Interest”	has the meaning given in Schedule 1 to The Local Authorities (Model Code of Conduct) (England) Order 2001 with such amendments thereto as may be necessary to apply that definition effectively to this Constitution.
“Resource Plan”	means a resource Plan agreed in accordance with

	paragraph 9.1.
“Statutory Guidance”	means any Guidance which any Member or Members has a legal obligation in law to have regard to (however that obligation may be expressed).

3. Status.

3.1. The Board is established by the Council under section 13 of the Children Act 2004 as an independent body which is accountable to the Members.

3.2. As the establishing body, the Council will monitor the effectiveness of the Board in the achievement of its Objective and the performance of its Functions. Where it is demonstrated that an improvement in the performance of the Board is necessary or desirable then the Council will lead in determining the action that is required. In exercising its responsibilities under this paragraph, the Council will cooperate with the Members and the Members will cooperate with the Council.

3.3. The Board shall at all times use its best endeavours to support the work of the Children’s Trust in so far as to do so is, in the view of the Board, consistent with Law, Guidance and this Constitution. However, the Board is not subject to the direction of the Children’s Trust. The Board shall from time to time report its proceedings to the Children’s Trust.

4. Objectives and Functions of the Board.

4.1. The Objectives of the Board, prescribed by Law, are:

- (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; and
- (b) to ensure the effectiveness of what is done by each such person or body for those purposes.

4.2. The Functions of the Board, which are prescribed by Law, (Regulation 5 of the Safeguarding Children Board Regulations 2006) are

- (a) developing policies and procedures for safeguarding and promoting the welfare of children in the Borough, including policies and procedures in relation to -
 - (i) the action to be taken where there are concerns about a child’s safety or welfare, including thresholds for intervention;
 - (ii) training of persons who work with children or in services affecting the safety and welfare of children;
 - (iii) recruitment and supervision of persons who work with children;
 - (iv) investigation of allegations concerning persons who work with children;
 - (v) safety and welfare of children who are privately fostered;
 - (vi) cooperation with neighbouring children’s services authorities and their Board Partners;

- (b) communicating to persons and bodies in the Borough the need to safeguard and promote the welfare of children, raising their awareness of how this can best be done, and encouraging them to do so;
- (c) monitoring and evaluating the effectiveness of what is done by the Council and Board Partners individually and collectively to safeguard and promote the welfare of children, and advising them on ways to improve;
- (d) participating in the planning of services for children in the Borough
- (e) undertaking reviews of serious cases and advising the Council and Members on lessons to be learned.
- (f) in relation to the death of any child normally resident in the Borough:
 - (i) collecting and analysing information about each death with a view to identifying—
 - (aa) any case giving rise to the need for a review mentioned in regulation 5(1)(e);
 - (bb) any matters of concern affecting the safety and welfare of children in the Borough; and
 - (cc) any wider public health or safety concerns arising from a particular death or from a pattern of deaths in the Borough ;
 - (ii) putting in place procedures for ensuring that there is a coordinated response by the Council, Members and other relevant persons to an unexpected death.
- (g) in consultation with the Children’s Trust where appropriate, any other activity that facilitates or is conducive to the achievement of the Board’s Objective.
- (h) to respond to consultation from the Licensing Authority under the Licensing Act 2003 on any licensing application that raises concerns regarding the protection of children from harm.
- (i) to use data and as a minimum:
 - (i) assess the effectiveness of the help being provided to children and families, including early help.
 - (ii) assess whether LSCB partners are fulfilling their statutory obligations set out in Chapter 2 of Working Together 2013
 - (iii) quality assure practice, including through joint audits of case files involving practitioners and identifying lessons to be learned; and
 - (iv) monitor and evaluate the effectiveness of training, including multi-agency training, to safeguard and promote the welfare of children.
- (j) Although LSCBs do not commission or deliver services they may provide training. They do not have the power to direct other organizations but do have a role in making clear where improvement is needed. Each Board partner retains their own existing line of accountability for safeguarding

4.3. In accordance with paragraph 4.2 (g) above, the Board shall have the following additional Functions:

- (a) the performance of the Functions set out at paragraph 4.2 (a) to (e) above with specific reference to the welfare of children and young people who are or have been bullied or who bully others;
- (b) the performance of the Functions set out at paragraph 4.2 (a) to (e) above with specific reference to the impact of domestic abuse upon the welfare of children and young people;
- (c) the development of relationships with the Local Safeguarding Children Boards elsewhere in South Yorkshire with a view to coordinating the performance of the other Functions of the Board with those Boards where that is in the interests of safeguarding and promoting the welfare of children and young people in Barnsley and South Yorkshire;
- (d) the development of relationships with other Local Safeguarding Children Boards in England and Wales, and in particular in the Yorkshire and the Humber region, with a view to receiving and disseminating best practice in relation to safeguarding and promoting the welfare of children and young people;
- (e) the development of relationships with any other person or organisation not being a Member of the Board with a view to promoting and safeguarding the welfare of children, including but not limited to the following:
 - (i) Her Majesty's Coroner
 - (ii) the Crown Prosecution Service
 - (iii) the Local Family Justice Council
 - (iv) the Local Criminal Justice Board
 - (v) witness support services
 - (vi) local sports bodies and services
- (f) entering into a non-legally binding agreement or arrangement with a Member or any other person for the purpose of securing the Objective and performing the Functions (in which case the signature of the Chair shall signify the assent of the Board to the agreement or arrangement);
- (g) requesting the Council on behalf of the Board to enter into a legally binding agreement with a Member or any other person for the purpose of securing the Objective and performing the Functions (but only where the Budget identifies sufficient resources for the performance of the agreement during its term).
- (h) developing, improving and maintaining effective systems for the involvement of children and young persons, their parents, carers and families and other members of the community in the work of the Board.

4.4. In accordance with paragraph 4.2 (g) above, the Board may by resolution adopt any additional function that it considers appropriate or delete any function previously adopted under this paragraph or any function listed in paragraph 4.3 above.

4.5. Each Member shall take all reasonable steps to cooperate with the Board and with the Chair (in relation to her or his responsibilities under this Constitution) in order to secure the achievement of the Objective and to facilitate the performance of the Functions of the Board. Without prejudice to the generality of the foregoing provisions of this paragraph, each Member shall provide to the Board and to the Chair (in relation to her or his responsibilities under this Constitution) such information in such form and in such detail as may reasonably be required in order to secure the Objective of the Board.

5. Members of the Board and Representatives of Members - Statutory Board partners, relevant persons and bodies and advisors.

5.1. Section 13 of the Children Act 2004, as amended, sets out that a LSCB must include at least one representative of the local authority and each of the other Board partners set out below (although two or more Board partners may be represented by the same person). Board partners who must be included as core members are:

- district councils in local government areas which have them
- the chief officer of police
- the Local Probation trust
- the Youth Offending Team
- the NHS Commissioning Board and clinical commissioning groups
- NHS Trusts and NHS Foundation Trusts all or most of whose hospitals, establishments and facilities are situated in the local authority area
- Cafcass
- the governor or director of any secure training centre in the area of the authority
- the governor or director of any prison in the area of the authority which ordinarily detains children

In addition, the Apprenticeships, Skills and Learning Act 2009 and Section 13(4) of the Children Act 2004 provide that the local authority must take reasonable steps to ensure that the LSCB includes lay membership and representatives of relevant persons and bodies as may be prescribed. These include:

- Two lay members representing the local community
- the governing body of a maintained school
- the proprietor of a non-maintained special school
- the proprietor of a city technology college, a city college for the technology of the arts or an Academy, and
- the governing body of a further education institution the main site of which is situated in the authority's area.

The following are therefore Core Members of the Barnsley LSCB

A	The Chair of the Board
B	The Council
C	NHS Barnsley Clinical Commissioning Group
D	NHS England - South Yorkshire and Bassetlaw Area Team
E	Barnsley Hospital NHS Foundation Trust
F	South West Yorkshire Partnerships NHS Foundation Trust
G	The Chief Constable, South Yorkshire Police
H	South Yorkshire Probation Trust
I	Barnsley Youth Offending Team
J	Children and Family Court Advisory and Support Service
K	Voluntary Sector Representative.
L	Representative of General Practitioners/Named Dr Barnsley CCG
M	Representative of Secondary Head Teachers
N	Representatives of Primary Head Teachers
O	Barnsley College
P	Two lay representatives of the local community

In addition the LSCB should include on its Board or be able to draw on appropriate expertise and advice from frontline professionals from all the relevant sectors, including a designated Dr and Nurse, the Director of Public Health, a Principal Child and Family Social worker and the voluntary and community sector.

The following are therefore Advisors to the Barnsley LSCB:

A	Representative of Legal Services
B	Head of Safeguarding and Welfare
C	Representative of Community Safety and Enforcement Services
D	Representative of Public Health
E	Designated Dr BHNFT
F	Designated Nurse
G	Representative of Berneslai Homes
H	Representative of the Safeguarding Adult's Board
I	Representative of South Yorkshire Fire and Rescue Service
J	Safeguarding Children Board Manager
K	Representatives of Children, Young People and Families Social Workers

The lead Member for Children's Services is a participating observer of the LSCB and will routinely attend all meetings as an observer and receive all written reports,

5.2. Each Member having a duty or duties pursuant to section 11 of the Act undertakes to each other Member that they will perform that duty or those duties diligently and to the best of their ability in their role as a Member.

5.3. A Member/Advisor not having a duty pursuant to section 11 of the Act undertakes to each other Member that they will use their best endeavours to co-operate with other Members to make arrangements to safeguard and promote the welfare of children in their role as a Member/Advisor.

5.4. An undertaking given by a Member pursuant to paragraph 5.2 or 5.3 above is not legally enforceable by virtue solely of this Constitution.

5.5. Each Member of the Board which is an organisation shall name its Representative entitled to attend and vote on its behalf at meetings of the Board in writing to the Council and the Council shall keep a record of such Representatives. When called upon to do so by the Council, such a Member shall produce to the Council sufficient written evidence of the due appointment of its Representative in accordance with its constitution. Such a Member may from time to time by notice in writing to the Council change its Representative and the Council shall report any such change to the next meeting of the Board.

5.6. A Member who is an individual acting in a representative capacity shall, if so required, produce to the Council sufficient written evidence of his or her due appointment and in any such case the Council may determine the method by which such a Member is to be regarded as duly appointed. Such a Member may from time to time be replaced by the further due exercise of that appointment process and the Council shall report any such change to the next meeting of the Board.

5.7. Each Member shall name a Deputy Representative entitled to attend and vote on their behalf at meetings of the Board in substitution for its Representative. The Member shall name any Deputy Representative in writing to the Council and the Council shall keep a record of such Deputy Representatives. When called upon to do so by the Council, a Member shall produce to the Council sufficient written evidence of the due appointment of its Deputy Representative in accordance with its constitution. Where a Member is an individual acting in a representative capacity then the Council may determine the method by which such a Member is to be regarded as duly appointed. A Member may from time to time by notice in writing to the Council change its Deputy Representative and the Council shall report any such change to the next meeting of the Board.

5.8. When a Member's Deputy Representative attends a meeting of the Board in substitution for that Member or Member's Representative, they shall inform the Chair at the beginning of the meeting and that fact shall be recorded in the minutes of the meeting.

5.9. Each Member shall use their best endeavours to be present at each meeting of the Board, having regard in particular to the need for each meeting of the Board to be quorate in accordance with paragraph 8.9 below.

5.10. The Board may by resolution request the Council to invite any other person to become a Member of the Board where it is of the opinion that to do so would be likely to result in a significant enhancement in the achievement of its Objective.

5.11. The Lead Member shall be entitled to receive a copy of the agenda and documentation for each meeting of the Board and to attend its meetings and take part in its deliberations but shall not have a vote.

6. Specialist Advice.

6.1. The Board may obtain specialist advice at any time in order to fulfill its Objectives and Functions and facilitate the business of the Board. Advice may be required in relation to the following issues although the list is not exhaustive.

Specialist Advice Required
Medical Advice
Nursing Advice
Child Protection and other Social Work Advice including Adult Social Care
Legal Advice
Sexual Health Advice
Dental Health Advice
The Drug Action and Alcohol Team and drug and alcohol misuse services
Housing Services
Cultural and Leisure Services
Multi-Agency Public Protection Arrangements
Public Health Advice
Advice in Relation to Asylum Seekers and Immigrants
Other health advice not specifically listed above

6.2. A specialist advisor to the Board may also be a Representative or a Deputy Representative of a Member and in that capacity may vote on any resolution of the Board in accordance with this Constitution but a specialist advisor may not otherwise vote on any resolution of the Board.

6.3. The Board may by resolution determine further specialist advice that it requires and the Member to be responsible for providing or securing the provision of that further advice. Such a resolution shall be passed by a simple majority but shall be of no effect unless that Member votes in favour of the resolution.

6.4. Notwithstanding paragraph 6.3 above, the Board or the Chair may at any time obtain such further specialist advice as it or they consider desirable for securing the Board's Objective or for the performance of its Functions.

6.5. Subject to paragraph 6.2 above, the giving of advice to the Board by a specialist advisor may include making representations to or urging the taking of or desisting from action by the Board or any Member of the Board unless the Board considers that that would not be conducive to the good conduct of the meeting.

7. The Chair of the Board.

7.1. The Council shall appoint a person to be the Chair of the Board. Before appointing the Chair of the Board, the Council shall consult with the Members of the Board. The Chair shall be accountable to the Council for the performance of their role and the Council shall make appropriate arrangements to appraise the performance of the Chair periodically.

7.2. The Council shall pay to the Chair such remuneration (including expenses) (if any) as it considers reasonable and such remuneration (and expenses) shall be payable out of payments made or provided out of resources supplied in accordance

with section 15 of the Act or out of such other payments or resources as may be available to the Board.

7.3. The Chair shall be an independent person that is to say they shall not be employed by any Member of the Board and shall not have been employed or engaged by the Council or any Member of the Board which is a Board Partner of the Council within a period of 2 years ending on the date of their appointment as Chair of the Board in either case in a position holding responsibilities for the welfare of children and/or their families except where the Board shall approve otherwise being satisfied that no conflict of interest is likely to arise between the role of Chair and that present or former employment or engagement. The Chair shall not be Chair of the Children's Trust.

7.4. The functions of the Chair of the Board shall be as follows.

- (a) To chair meetings of the Board and to conduct those meetings in accordance with this Constitution.
- (b) To attend meetings of the Children's Trust, representing the interests of the Board and the agenda for safeguarding and promoting the welfare of children in Barnsley and reporting on the proceedings of the Board.
- (c) With each Chair of a Sub - Committee or Task Group, from time to time to meet and review the work of that group with a view to ensuring the timely and satisfactory performance of its role, ensuring appropriate reports are submitted to the Board thereon.
- (d) To submit a draft Annual Business Plan for the approval of the Board in accordance with paragraph 10.1 and to monitor and report on performance of the Annual Business Plan.
- (e) To submit a draft Annual Report for the approval of the Board in accordance with paragraph 11.1.
- (f) To submit to the Board proposals for developing performance management in accordance with paragraphs 15.1 and 15.2.
- (g) To communicate proactively and effectively with any Member where it appears on the basis of objective evidence that that Member or the Representative or Deputy Representative of that Member is not performing effectively in safeguarding and promoting the welfare of children or in performing effectively under this Constitution. Where a Member is an individual acting in a representative capacity, the function of the Chair shall include communicating as may be necessary with those persons who took part (or who are likely in future to take part) in the process of that Member's due appointment.
- (h) In matters of urgency where it is not reasonably practicable to convene a meeting of the Board, the Chair may take such action as they consider to be in the best interests of the Board provided that before so doing the Chair shall consult with the Council and shall also consult with such Members

which are Board Partners of the Council as is reasonably practicable. Examples include:

- (i) Making a public or media statement on any matter within the Objective and Functions of the Board. The Chair shall only make such a statement through and with the advice of the Council's Corporate Communications Service.
- (ii) Referring to the Serious Cases Review Panel any case where it appears that it may be necessary or desirable to undertake a Serious Case Review and on receipt of the Panel's recommendation, to decide whether or not the Panel should undertake a Serious Case Review.
- (iii) Making representations to any Government body or department or any other organisation on behalf of the Board.

The Chair shall report any urgent action taken to the next meeting of the Board and shall also keep a proper written record of any such urgent actions.

- (i) To undertake such further or alternative responsibilities as may be given by the Board from time to time in which case the Board may amend, delete, replace or resurrect any of the foregoing responsibilities. Any such further or alternative responsibilities shall be set down in the minutes of the Board and the Council shall place a copy thereof with the Chair's Contract for Services. The Council may object to such further or alternative responsibilities being given to the Chair where it is of the opinion that to do so would be likely to result in an increase in the remuneration or expenses payable to the Chair or in the cost of support services provided under paragraph 7.5 and which increase(s) are not provided for within the Budget or Resource Plan or any agreed variation of those Plans. If the Council so objects, then a decision of the Board under this paragraph shall be of no effect.

7.5. The Council shall secure that the Chair receives such support services as may reasonably be necessary to enable them properly to perform their functions and shall take into account any representations made by the Chair in so doing. The cost of the support services shall be payable out of payments made or provided out of resources supplied in accordance with section 15 of the Act or out of such other payments or resources as may be available to the Board.

7.6. The Council may at any time and from time to time appoint a person to be the Vice-Chair of the Board to perform all or any of the functions of the Chair when the Chair is for any reason unable to do so. Before appointing a Vice-Chair the Council shall consult with its Board Partners and shall also use its best endeavours to consult with any Member which is not a Board Partner. Paragraphs 7.2 and 7.3 above shall not apply to the appointment of a Vice Chair. The Vice-Chair shall exercise the functions of the Chair in relation to any matter in which the Chair has a Personal Interest.

7.7. Except for the function of chairing the Board referred to at paragraph 7.4 (a) above the Chair may delegate the exercise of any of their functions to the Executive Director of Children's Services.

8. The Proceedings of the Board.

8.1. The Board shall meet on no fewer than six occasions in each year. These meetings shall be known as the ordinary meetings of the Board.

8.2. The Chair may convene an extraordinary meeting of the Board at any time if they consider it necessary for the purpose of transacting urgent business of the Board. Any Member which is not a Board Partner of the Council may at any time request the Chair to convene an extraordinary meeting of the Board under this paragraph and any such request shall be accompanied by such supporting information as the Chair may reasonably request of that Member. The decision whether or not to convene an extraordinary meeting in response to such a request shall be in the sole discretion of the Chair.

8.3. The Council or any Member which is a Board Partner of the Council may require the Chair to convene an extraordinary meeting of the Board at any time. The Chair shall comply with any such requirement if provided with reasonable information of the agenda item to be discussed together with sufficient supporting information to explain the item and the decision that is required by the Board.

8.4. Any three or more Members (not the Council nor Board Partners of the Council) acting together may require the Chair to convene an extraordinary meeting of the Board at any time. The Chair shall comply with any such requirement if provided with reasonable information of the agenda item to be discussed together with sufficient supporting information to explain the item and the decision that is required by the Board.

8.5. The Chair shall secure that an agenda is provided for each meeting of the Board setting out:

- (a) any matters that in the opinion of the Chair are necessary or desirable for the consideration of the Board;
- (b) any matters identified in accordance with paragraphs 8.2 to 8.4 above;
- (c) any matters requested to be included on the agenda by any Member provided that such matters (in the opinion of the Chair) are of appropriate relevance to the role of the Board and that such requests are made to the Chair a reasonable time before the date of the meeting.

8.6. A Member responsible for any item included or to be included on an agenda shall send to the Chair a reasonable time before the meeting such supporting documentation as may be necessary or desirable to enable the Board to consider the matter. The Chair may in her or his discretion exclude any item from the agenda (and if there is no other item on the agenda cancel the meeting) where a Member fails to comply with this paragraph.

8.7. Each Member shall be given no less than seven days written notice of a meeting of the Board and such notice may be given in the minutes of a previous meeting of the Board. Notwithstanding this paragraph no business transacted at a

meeting of the Board shall be invalidated by virtue of a failure to comply with this paragraph.

8.8. Each Member shall be sent a copy of the agenda and supporting papers for a meeting of the Board as soon as reasonably practicable before that meeting. Notwithstanding this paragraph no business transacted at a meeting of the Board shall be invalidated by virtue of a failure to comply with this paragraph.

8.9. A meeting of the Board shall be quorate if and only if the Council (acting as a Children's Services Authority), Barnsley Clinical Commissioning Group and the Chief Constable of South Yorkshire Police are represented at that meeting and if (including the Council and those Members) no less than 60% of the Members (excluding the Chair) are present.

8.10. At any meeting of the Board the business of the Board shall be conducted with the aim of achieving common agreement on any item requiring a decision or recommendation of the Board wherever it is practicable to do so consistently with the effective discharge of the Board's business and the Chair shall endeavour to achieve that aim. Where in the opinion of the Chair it is not possible to achieve that aim then any decision or recommendation of the Board shall be arrived at by a majority of the Members present and voting at the meeting. Each Member shall have one vote and in the event of an equality of votes the Chair shall have a second and casting vote.

8.11. For the avoidance of doubt by becoming a Member of the Board each Member agrees that it will use its best endeavours to achieve any decision or recommendation of the Board unless it considers that to do so would be contrary to Law or Guidance or to the effective and efficient management of its business. In particular, no decision of the Board that envisages that a Member shall incur any expenditure or perform any statutory function in any manner shall be binding on the Member unless that Member agrees and any such agreement shall be recorded in the resolution of the Board; for the avoidance of doubt, a Member voting in favour of a resolution that does not formally record such agreement shall not itself constitute such agreement.

8.12. Proper minutes shall be kept of the proceedings of the Board and from time to time the Chair shall submit the minutes to meetings of the Children's Trust.

8.13. The Council shall secure the provision of such administrative support services as may reasonably be necessary to enable the Board, and Sub Committees and Task Groups to transact its business or their business effectively. The cost of the support services shall be payable out of payments made or provided out of resources supplied in accordance with section 15 of the Act or out of such other payments or resources as may be available to the Board. This paragraph does not affect the responsibility of a Member under paragraph 8.6 above.

9. Budget and Resources.

9.1. No later than 31st December in each Financial Year the Board shall agree a Budget and Resource Plan for its activities for the next following Financial Year. It

shall be the responsibility of the Council to submit to the Board for its consideration a draft budget and draft resource plan in due time.

9.2. Notwithstanding the provisions of paragraph 8.10 the Budget and Resource Plan shall not be agreed by the Board unless every Member referred to in the list set out in paragraph 9.5 or in any amended list agrees.

9.3. The Budget shall in particular set out payments that are anticipated to be received in accordance with section 15(1) of the Act (including those payments in consequence of paragraph 9.5 below) and in accordance with paragraph 9.12.

9.4. The Resource Plan shall in particular set out any resources that are anticipated to be received in accordance with section 15(2) of the Act (resources provided in kind to the Board by the Council, Board Partners and others identified in that section) and in accordance with paragraph 9.9.

9.5. The following Members will provide financial contributions to the annual Budget of the Board but without obligation to agree a specific level of budgeted expenditure.

- The Council
- Barnsley Clinical Commissioning Group
- The Police and Crime Commissioner for South Yorkshire
- South Yorkshire Probation Board
- Children and Family Court Advisory and Support Service

9.6. The Council shall hold and administer on behalf of the Board and in accordance with the Budget any payments made in accordance with section 15(1) of the Act and any other payments received for the benefit of the Board. The Council shall keep proper accounts and supporting records which may be examined by any Member on reasonable notice to the Council. The Council may incur any item of expenditure on behalf of the Board in accordance with the Budget.

9.7. The Council shall manage the Budget on a balanced budget basis and shall promptly report to the Board any projected overspending or underspending against the Budget together with proposals for the control or application thereof. On receipt of such a report the Board shall make a variation to the Budget in order to eliminate or mitigate a projected overspending or to apply the proceeds of a projected overspending. A projected overspending may only be applied towards the Objective and Functions of the Board if agreed by each Member listed in paragraph 9.5.

9.8. Any resources provided in accordance with section 15(2) of the Act and any other resources provided for the benefit of the Board shall be held and/or administered in accordance with such agreement as may (with the approval of the Board) be made between the Council and the provider and in accordance with the Resource Plan.

9.9. The Board may solicit such further payments or resources which are lawful for the purposes of its Objective and Functions as it considers appropriate. Such payments or resources shall be dealt with in accordance with paragraphs 9.6 and 9.8 above as appropriate. No Member may without the agreement of the Board

solicit any payment or resource for the benefit of the Board and no Member shall hold itself out as having authority to do so without such agreement.

10. Annual Business Plan.

10.1. No later than 31st March in each Financial Year the Board shall agree an Annual Business Plan setting out its planned activities for the next following Financial Year. It is the responsibility of the Chair in consultation with Members as appropriate to submit a draft Annual Business Plan to the Board for its consideration in due time.

10.2. Each Member shall cooperate with the Chair as the Chair may reasonably require to enable her or him to prepare a draft Annual Business Plan for submission to the Board.

10.3. The Board shall review performance against the Annual Business Plan regularly throughout the Financial Year and shall agree any remedial action that may be required in order to achieve the Annual Business Plan by the due date or dates set out therein. It is the responsibility of the Chair to monitor performance against the Annual Business Plan and to regularly report thereon to the Board with recommendations for any remedial action that is required.

10.4. Each Member shall use their best endeavours to achieve or facilitate the achievement of any part of the Annual Business Plan for which it has accepted responsibility in whole, in part or in partnership with others. Any such Member shall cooperate with the Chair in her or his functions under paragraph 10.2 above.

11. Annual Report.

11.1. In accordance with section 14A of the Act and no later than 31st July in each Financial Year the Board shall agree and publish an Annual Report about safeguarding and promoting the welfare of children in the Borough in the immediately preceding Financial Year. It is the responsibility of the Chair in consultation with Members as appropriate to submit a draft Annual Report to the Board for its consideration in due time.

11.2. Each Member shall cooperate with the Chair as the Chair may reasonably require to enable her or him to prepare a draft Annual Report for submission to the Board.

11.3. A copy of the Annual Report shall be submitted to the Children's Trust and such other bodies as set out in statutory guidance, including the Chief Executive and Leader of the Council, the local Police and Crime Commissioner and the Chair of the Health and Wellbeing Board.

11.4 Following approval and publication by the BSCB partner agencies will ensure that the Board's Annual Report and Business Plan are considered by their own agency's governing bodies and a report on what action the agency will take in light of it be submitted to the BSCB in due course.

12. Risk Management.

12.1 The Board shall establish, review regularly and keep up to date a comprehensive Risk Register identifying all business risks (including financial and reputational risks) and the measures in place to mitigate those risks. The Council, in consultation with the Chair, shall administer the Risk Register on behalf of the Board.

13. The Children and Young People's Plan for Barnsley.

13.1. In accordance with paragraphs 3.3 and 4.2 (d) above (but without prejudice to the generality of the latter), the Board shall, from time to time and when requested by the Children's Trust to do so, make recommendations regarding the Children and Young People's Plan for Barnsley, with particular reference to the achievement of the Board's Objective and the safeguarding and promoting of the welfare of children and young people in Barnsley.

14. Sub Committees and Specific Task Groups.

14.1 The Board may establish such sub-committees and specific task groups to assist it in the conduct of its business as it may consider appropriate. A sub-committee is established without a time limit on its existence in order to perform a continuing role in assisting the Board in its business. A specific task group is a group appointed for a specified period (which may be expressed to be when the task is completed) and which is charged with undertaking work on a discrete, defined task.

14.2. The Board may at any time discontinue or replace a sub-committee or (prior to the completion of its task) a specific task group.

14.3. The members of a sub-committee and a specific task group shall be appointed by the Board. It is not necessary that any member of a sub-committee or specific task group shall be a Member of the Board or a Representative or Deputy Representative or employee of a Member or a specialist advisor.

14.4. The Board may appoint persons to be the Chair and the Vice-Chair of a sub-committee or specific task group but if the Board does not do so the sub-committee or specific task group may appoint its own Chair or Vice Chair. It is not necessary that a Vice Chair of a sub-committee or specific task group shall be a Member of the Board or a Representative or Deputy Representative or employee of a Member or a specialist advisor. The Chair (and the Vice Chair in the event the Chair is unable to do so) must agree to attend meetings of the Board as and when required to do so in order to report to the Board on the proceedings of the sub-committee or specific task group.

14.5. Each sub-committee and specific task group shall have Terms of Reference. If not shown at paragraph 14.7 below, these shall either be determined by the Board when it appoints the sub-committee or specific task group or shall be determined by the sub-committee or specific task group itself in accordance with a brief agreed by the Board and shall be reported to the Board for approval. No

decision of a sub-committee or specific task group shall be invalid solely by virtue of the fact that it is made before the Board has approved the terms of reference. In any case, the terms of reference of the sub-committee or specific task group shall be recorded in the minutes of the Board.

14.6. The quorum of a sub-committee or specific task group shall be such as the Board may determine and if the Board does not so determine shall be no less than one quarter of the total number of members of the sub-committee or specific task group present and voting at a meeting thereof. The Board may when appointing a sub-committee or specific task group determine the procedure to be followed by sub-committee or specific task group. If the Board does not do so then the sub-committee or specific task group shall follow such reasonable procedure as it considers appropriate.

14.7. At any time a sub-committee or specific task group may ask the Chair of the Board for guidance as to the conduct of its business and shall follow any such guidance that is given. The Chair may refer any such matter to the Board for determination and the sub-committee or specific task group shall follow any such determination.

15. Performance Management.

15.1. The Board shall develop suitable means to demonstrate its effectiveness in the achievement of its Objective and in the performance of its Functions.

15.2. The Board shall develop suitable means to demonstrate the effectiveness of the work of sub-committees and specific task groups.

15.3. The Chair shall be responsible for submitting to the Board from time to time suitable proposals for the development of the means required by paragraphs 15.1 and 15.2 above.

16. Complaints.

16.1. The Board shall adopt and keep under review a policy and procedure for the handling of any complaints made in relation to any aspect of its work.

16.2. Any Member (except the Chair) may make a complaint and where any dispute arises between a Member or Members and any other Member or Members relating to the work of the Board then that dispute shall be dealt with in accordance with the complaints procedure.