

Cabinet (Resources) Panel

19 January 2022

Report title	Transfer of Black Country Central Child Death Overview Team hosting arrangements from the Council to Black Country and West Birmingham Clinical Commissioning Group	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Jasbir Jaspal Health and Wellbeing	
Key decision	Yes	
In forward plan	Yes	
Wards affected	All Wards	
Accountable Director	John Denley, Director of Public Health	
Originating service	Public Health	
Accountable employee	Fran Fahy Tel Email	Principal Public Health Specialist 07976 705931 fran.fahy@wolverhampton.gov.uk
Report to be/has been considered by	Public Health Leadership Team Strategic Executive Board	1 December 2021 6 January 2022

Recommendation for decision:

The Cabinet (Resources) Panel meeting is recommended to:

1. Approve the transfer of the Black Country Central Child Death Overview Team function, currently hosted by City of Wolverhampton Council to the Black Country and West Birmingham Clinical Commissioning Group (BCWBCCG).

Recommendations for noting:

The Cabinet (Resources) Panel is asked to note:

1. That the Child Death Overview Panel (CDOP) is a statutory function of all local authorities and health bodies in the Black Country. The central team provides strategic support to these bodies in the reporting, review and analysis of childhood deaths that occur within the Black Country. This strategic role is carried out on behalf of the four Black Country local authorities and BCWBCCG and ensure compliance with statutory guidance.

2. That following the transfer City of Wolverhampton Council would begin making regular payments to BCWBCCG on receipt of invoices for the CDOP function covering Wolverhampton.

1.0 Purpose

- 1.1 The purpose of the report is to outline the proposal to transfer the Black Country Central Child Death Overview Team function to the Black Country and West Birmingham CCG (BCWBCCG).
- 1.2 It will cover the Black Country Central CDOP function, how it is currently delivered and funded, the roles involved, process and associated budgets.

2.0 Background

- 2.1 Responsibility for child death reviews (CDRs) moved from the Department for Education (DfE) to the Department of Housing (DoH) as the majority of child deaths have a medical cause. The *Children and Social Work Act 2017* set out the abolition of Local Safeguarding Children Boards (LSCBs) in their current form and as a result, Local Authorities were required to undertake a review of current local arrangements and to establish Child Death Overview Panel (CDOP) arrangements which are distinct from that of the LSCB.
- 2.2 In 2018, the new *Child Death Review Statutory and Operational Guidance (England)* set out the processes to be followed when responding to, investigating, and reviewing the death of any child, from any cause.
- 2.3 The guidance stipulated the requirement for “child death review (CDR) partners” (Local Authorities and Clinical Commissioning Groups) to make arrangements to review child deaths also in line with *Working Together to Safeguard Children (2018)*. CDR partners have the authority to determine CDOP arrangements within their local area whilst ensuring that the statutory duties are retained and delivered effectively. They must ensure that their review area is aligned to existing networks of NHS care and Children’s Services and covering a child population such that the area typically reviews a minimum of 60 child deaths each year.
- 2.4 An early adopter steering group was established and stakeholders from all four areas involved in the child death review processes and safeguarding arrangements were engaged and consulted on the development of possible options. The options presented to stakeholders by the steering group were for a Black Country Strategic CDOP that could:
 - a. Review **all** child deaths.
 - b. Review **no** child deaths (but consider trends, data analysis, annual reporting and quality assurance).
 - c. Review **some** child deaths (plus the above).
- 2.5 Agreement was secured from all Black Country Local Safeguarding Children Board areas to fund a Black Country CDOP Co-ordinator, administration support and to adopt e-CDOP. e-CDOP is a cost effective, secure, flexible and web-based solution which allows the CDOP process to be managed efficiently, with effective and secure sharing of multi-agency information.

3.0 Discussion

- 3.1 The Black Country CDOP strategic co-ordinator was appointed in 2019 and the CDOP function has been hosted by City of Wolverhampton Council (CWC) since that time. All four areas contribute to this post. The co-ordinator is responsible for the streamlining of administrative roles across the patch.
- 3.2 The function is currently provided by:
- a. two members of staff: 1 full time Co-ordinator and 1 full time Administrator (recently vacant post).
 - b. an independent Chair paid on a contractual basis.
 - c. use of the eCDOP system, a digital database for recording of incidents of child death and producing review documents to be considered by the Panel.
- 3.3 There is an associated budget which is used to fund:
- a. eCDOP.
 - b. Campaigns based upon learning derived from panel analysis of incidents.

4.0 Evaluation of alternative options

- 4.1 The central CDOP strategic function works across the four Black Country areas and involves both NHS and Local authority partners in each one. Previously there have been separate CCGs in each locality. With the merging of the four CCGs into a single organisation, Black Country and West Birmingham CCG, it is now appropriate to transfer the CDOP function into the new body.
- 4.2 The arrangement for CWC to host the function has always been considered as being temporary whilst the merger of the four Black Country CCGs was in process. The overarching governance for Child deaths is Department of Health and the reason CWC hosted was because the CCG was in a period of change. In practice whilst being hosted by CWC the processes have proved to be unwieldy at times due to the different IT and communication systems and these would continue if the hosting arrangement were maintained.
- 4.3 In addition to the fact that the function works on a Black Country footprint, other reasons in favour of the transfer are:
- a. When a child death occurs the initial contact and involvement from the central CDOP team is with NHS organisations. Working with the NHS will make these contacts quick and easy when response time is important.
 - b. Access to people and health systems can be streamlined which will enable the team to access and share documents within the NHS in a more straightforward manner

(for example, currently firewalls between IT systems can cause delays between NHS and local authorities creating subsequent delays).

- c. Oversight and professional support is considered best provided by NHS management (i.e. using familiar processes, connecting with colleagues with similar experience working with the subject of child death etc.).

5.0 Reasons for decision

- 5.1 The decision is based on the reasons outlined above. The remaining member of staff is in agreement with the change. Officers of CWC and BCWB CCG are in support the transfer. The Black Country CDOP Strategic Group that oversees the function for all member authorities has agreed with the proposal to transfer.
- 5.2 A benefit for CWC is that the transfer creates a clear distinction between the local work on the Child Death review process and Black Country. This minimises the risk of people making incorrect assumptions about the level childhood deaths in the Wolverhampton. To illustrate this point, the number of deaths reviewed for the Black Country area was 85 of which 21 were resident in Wolverhampton.

6.0 Financial implications

- 6.1 The Black Country CDOP function is funded through contributions from the separate Black Country organisations which utilities it. These being the Council, Dudley MBC, Walsall MBC, Sandwell MBC and BCWB CCG.
- 6.2 The overall cost of the CDOP function is £121,000 per annum and the Council currently makes a contribution of £13,000 per annum. The contributions are calculated based on population size and thus changing the host organisation will not affect the Council's contribution, meaning there is no direct financial implication from the recommendation within this report.
[JB/07012021/E]

7.0 Legal implications

- 7.1 The relevant legislation is set out in the body of the report. The Child Death Overview Panel is a statutory function. The report sets out the proposal for transfer of this function. All the relevant partner agencies are in agreement with the transfer.
- 7.2 There are no direct legal implications.
[TC/07012022/G]

8.0 Equalities implications

- 8.1 An Equality Impact report has been completed and is with the Equalities team. The report found no direct impact on equality concerns from the function of the team and its transfer of hosting to the CCG.

9.0 All other implications

- 9.1 One employee will be affected by the changes. Affected employees are subject to Transfer of Undertakings (Protection of Employment) Regulation 2006 in the event of transfer to the CCG.
- 9.2 Transfer of employees will be subject to full consultation with Trade Unions.
- 9.3 CCG will be required to obtain Admitted Body Status in the Local Government Pension Scheme to ensure protection of employee pension benefits.

10.0 Schedule of background papers

- 10.1 2020/21 Black Country Child Death Overview Panel Annual Report (December 2021).