

A Guide for Practitioners: the key changes in Working Together to Safeguard Children 2010

The full Working Together 2010 guidance came into force on 1st April 2010.

Introduction

The need to safeguard and promote the welfare of young people at risk of community based violence (both perpetrators and victims) has been added.

There is a strong emphasis on child focused practice:

- Agencies should prioritise age appropriate direct communication and positive and respectful relationships with children, ensuring the child's wishes and feelings underpin assessments, plans and any safeguarding activities
- Frontline professionals need to get to know children as individuals and routinely consider how their situation feels to them as recommended by Lord Laming and to avoid the failings highlighted in serious case reviews evaluated by Ofsted
- Children need to feel they are respected and understood as individual people and to have their wishes and feelings consistently taken into account.
- Sometimes children will seek out and ask for help and advice themselves.

Effective ongoing action to keep the child in focus includes:

- Developing a direct relationship with the child;
- Obtaining information from the child about his or her situation and needs;
- Eliciting the child's wishes and feelings – about their situation now as well as plans and hopes for the future;
- Providing children with honest and accurate information about the current situation, as seen by professionals, and future possible actions and interventions;
- Involving the child in key decision-making;
- Providing appropriate information to the child about his or her right to protection and assistance;
- Inviting children to make recommendations about the services and assistance they need and/or are available to them;
- Ensuring children have access to independent advice and support (for example,
- Through advocates or children's rights officers) to be able to express their views and influence decision-making; and
- The importance of eliciting and responding to the views and experiences of

children is a defining feature of staff recruitment, professional supervision, performance management and the organisation's broader aims and development.

This may involve using interpreters and drawing on the expertise of early years workers or those working with disabled children.

The guidance highlights the need to consider any maltreatment alongside the child's own assessment of his or her safety and welfare, the family's strengths and supports, **as well as an assessment of the likelihood and capacity for change and improvements in parenting and the care of children and young people.**

The definition of sexual abuse has been expanded; it 'involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children'.

Roles and responsibilities

This has been updated to reflect changes to legislative powers and duties and the separation of commissioning and delivery functions. It emphasises the requirements for all organisations to comply with best practice in recruitment and employment, including Criminal Record Bureau checks, registration with Vetting and Barring Scheme and it refers to information sharing materials and ContactPoint. Staff can register under the new Vetting and Barring Scheme from 26 July 2010 and registration will be compulsory for new entrants to the workforce from November 2010.

There are new sections on responsibilities to safeguard children in specific settings; including; children excluded from school/receiving alternative provision; home educated children; maintained schools, independent schools/FE; early years; children detained in the secure estate

The need to understand, identify and mitigate the risks of new technology to keep children safe online is acknowledged.

There is a clear distinction between the responsibilities of PCT as commissioners and the responsibilities of NHS Trusts, NHS Foundation Trusts and PCT Provider Services, recognition of role of third sector and social enterprise providers and updated section on roles of difference health services and professionals with reference to the Healthy Child Programme, and Family Nurse Partnership.

The important part Early years services play an in the lives of large numbers of children is acknowledged. The Early Years Foundation Stage clearly identifies the requirement for all registered providers, except childminders, to have a designated practitioner for safeguarding children.

The United Kingdom Border Agency (UKBA) has a duty under section 55 of the Borders, Citizenship and Immigration Act 2009 to effectively safeguard and promote the welfare of children and to act to prevent the trafficking of children.

Local authorities and partners should look closely at local opportunities to deliver more effective and efficient integrated and co-located frontline services.

Local authorities have responsibilities for ensuring appropriate arrangements to safeguard and promote the welfare of children are in place for all children residing within their area, including children excluded from school/receiving alternative provision; home educated children; children placed in custody.

Services provided have been expanded to also include services for adults and children affected by domestic violence, short breaks for disabled children and targeted parenting and family support.

Children and young people should be made aware of whom they can contact if they require advice and/or support: this includes children living away from home in educational, health or custodial settings.

Local authorities must ensure that high quality, experienced social workers undertake key management and supervisory roles in intake/duty teams and receive high quality, specialist training in these roles.

The contribution that adult social services can make to the safeguarding of children, including awareness, and disclosure, of risks of harm to children and opportunities for joint working are highlighted.

Effective support and supervision

All of those involved in this demanding work should have access to advice and support from, for example, peers, managers, named and designated professionals. Those providing supervision should be trained and have an up to date knowledge.

Supervision is defined as:

‘an accountable process which supports assures and develops the knowledge, skills and values of an individual, group or team. The purpose is to improve the quality of their work to achieve agreed outcomes.’

The key functions of supervision are:

- Management (ensuring competent and accountable performance/practice);
- Development (continuing professional development);
- Support (supportive/restorative function); and
- Engagement/mediation (engaging the individual with the organisation).

Arrangements should:

- Help to ensure that practice is soundly based and consistent with LSCB and organisational procedures;
- Ensure that practitioners fully understand their roles, responsibilities and the scope of their professional discretion and authority; and
- Help identify the training and development needs of practitioners, so that each has the skills to provide an effective service.

Good quality, regular supervision can help to:

- Keep a focus on the child;
- Avoid drift;
- Maintain objectivity and challenge fixed views;
- Test and assess the evidence base for assessment and decisions; and
- Address the emotional impact of work.

Supervisors should also record key decisions within the child's case records.

Each supervision session should include agreeing the agenda, reviewing actions from previous supervision, listening, exploring and reflecting, agreeing actions and reviewing the supervision process itself.

A national standard for supervision will be developed for social workers, and existing best practice should be followed until it is available.

Workload

The Social Work Task Force has developed an initial framework in its final report, Building a safe, confident future, to help employers and practitioners to assess the 'health' of their organisation on a range of issues affecting workload

Managing individual cases where there are concerns about a child's safety and welfare

Key changes emphasise:

- The importance of being child focused throughout assessments, interventions and reviews
- Understanding the daily life experience of the child, seeing the child alone where appropriate and using information about the family's history and functioning to inform decision making.
- The importance of analysing the inter-relationships between strengths and protective factors and vulnerabilities and risk factors when deciding whether a child is suffering or likely to suffer significant harm, and of the accurate recording of actions.

Children living in custodial settings should be assessed as potential children in need under section 17 of the Children Act 1989 and all children subject to a court ordered secure remand (COSR) automatically acquire the status of a looked after child.

Practitioners using the **Common Assessment Framework** should be particularly concerned regarding children whose parents or caregivers are experiencing difficulties in meeting their needs as a result of domestic violence, substance misuse, mental illness and/or learning disability

Undertaking a CAF is not a prerequisite for making a referral. Any completed common assessment should be used to support a referral to children's social care.

The guidance in respect of allegations of harm arising from underage sexual activity includes situations where girls aged under 16 years present at a termination of pregnancy clinic.

All cases involving should be fully documented including detailed reasons where a decision is taken not to share information around underage sexual activity under 13s. These decisions should be exceptional and only made with the documented approval of a senior manager.

In circumstances where it is suspected that the child may have been conceived as the result of an incestuous relationship or interfamilial abuse consideration should be given to the use of DNA testing and the role of genetics and geneticists.

Referrals and assessments

Local authority children's social care should specifically ask the referrer about their involvement with the child/family and if they hold any information about domestic violence, mental illness, substance misuse and/or learning disability experienced in the family/household to in order to inform its decision making.

A referrer should be able to discuss their concerns with a qualified social worker.

The timescale for the completion of an initial assessment has been extended from seven to ten working days with effect from 1 April 2010.

Initial and core assessments are deemed to be completed once the assessment has been discussed with the child and family (or caregivers) and the team manager has viewed and authorised the assessment.

For further guidance on EPOs and CAOs, references have been added for Volume 1 of the Children Act 1989 Guidance and Regulations, Court Orders.

Recording

The local authority record and any conference reports should include whether the child was seen by the lead social worker during each visit, anyone else seen, and also the reasons for deciding (or not) to see the child alone.

Local authority children's social care should ensure that the social work practitioners who are responding to referrals are supported by experienced and competent first line managers in making sound evidence based decisions about what to do next.

Strategy meetings

Where the parents or adults in the household are experiencing problems such as domestic violence, substance misuse or mental illness it will also be important to consider involving the relevant adult services professional(s) in strategy meetings.

The local authority children's social care record for the child should set out clearly the dates on which the child was seen by the lead social worker during the course of the enquiries, if they were seen alone, and if not, who was present and for what reasons

Purpose of Initial Child protection conference

This section has additional detail making it explicit that the meeting has:

- To consider the evidence presented to the conference and taking into account the child's present situation and information about his or her family history, and present and past family functioning, make judgements about the likelihood of the child suffering significant harm in future, and decide whether the child is continuing to, or is likely to, suffer significant harm
- To decide what future action is required in order to safeguard and promote the welfare of the child, including the child becoming the subject of a child protection plan, what the planned developmental outcomes are for the child and how best to intervene to achieve these.

All initial child protection conferences should now take place within 15 working days of the strategy discussion at which the section 47 enquiries were initiated if more than one has been held.

Attendance

Professionals from the youth justice system and for adult services, those from mental health, substance misuse, domestic violence and learning disability have been added.

Professionals and agencies should make every effort to attend, but if unable to, they should submit a written report and, wherever possible, a well briefed agency representative should attend to speak to it.

Information for conference

This should now also include:

- Information on the family history and both the current and past family functioning;
- An analysis of the information gathered and recorded using the Assessment Framework dimensions to reach a judgement on whether the child is suffering, or likely to suffer, significant harm and consider how best to meet his or her developmental needs.
- The local authority's recommendation to the conference.

It should also include careful consideration of the impact that the current and past family functioning and family history are having on the parents' capacities to meet the child's needs.

The primary purposes of this plan are to prevent the child suffering harm or a recurrence of harm in the future and to promote the child's welfare.

Decisions

The information presented to the child protection conference should inform the decision making process about legal action but it is for the local authority to consider whether it should initiate care proceedings.

In some situations the child may become accommodated and acquire looked after child status. Where a child who is the subject of a child protection plan becomes looked after by the local authority, the child protection plan should form part of the looked after child's overarching care plan

Role of the lead social worker

They should see the child, alone when appropriate, in accordance with the plan. She or he should develop a therapeutic relationship with the child, regularly ascertain the child's wishes and feelings and keep the child up to date with the child protection plan and any developments or changes.

The lead social worker should ensure that there is a record of the decisions taken and actions agreed at core group meetings, as well as of the written views of those who were not able to attend.

There is a requirement that the child is seen at least six weekly, both alone and with other family members of care givers present.

Completion of the core assessment

Decisions based on the analysis in the completed core assessment should consider what the child's future will be like if his or her met needs continue to be met, and if his or her unmet needs continue to be unmet. The key questions are:

- What is likely to happen if nothing changes in the child's current situation?
- What are the likely consequences for the child?

The answers should be used to decide what interventions are required when developing the child protection plan and, in particular, in considering what actions are necessary to prevent the child from suffering harm or to prevent a recurrence of the abuse or neglect suffered.

CP Plan

This should include realistic strategies and specific actions to bring about the changes necessary to achieve the planned outcomes;

If the parents are not willing to co-operate in the implementation of the plan the local authority should consider what action, including the initiation of family proceedings, it should take to safeguard the child's welfare.

Intervention

A list of questions which need to be considered have been added:

- What are the options for interventions which might help support strengths and/or help meet the child's identified unmet needs as well as addressing the known vulnerabilities and risk factors?
- What resources are available?
- Which agency or professional and approach is the family most likely to cooperate with?
- Which intervention is most likely to produce the most immediate benefit and which might take time?
- What should be the sequence of interventions and why?
- Given the severity of any ill-treatment suffered or impairment to the child's health or development, the child's current needs and the capacity of the family to co-operate, what is the likelihood of achieving sufficient change within the Child's time frame?

Recent research evidence on effective interventions in safeguarding children has been published by DCSF and DH94.

www.dcsf.gov.uk/cgi-bin/rsgateway/search.pl?cat=3&subcat=3_1&q1=Search

If the child is considered to be suffering significant harm, the local authority should consider whether to initiate family court proceedings (Volume 1 of the Children Act 1989 Guidance and Regulations, Court Orders).

Each member of the core group has a responsibility to produce an individual agency report on the child and family for the child protection review.

To end the child protection plan for a child approaching their 18th birthday, the local authority should plan in advance a review around that time.

Children Looked After

The planning and reviewing processes for looked after children who are also the subject of a child protection plan should be integrated into one process during the coming year as outlined in recent relevant regulations and statutory guidance.

Where a child who is the subject of a child protection plan becomes looked after it will not usually be necessary to maintain the child protection plan. There are however a relatively few cases where safeguarding issues will remain and a looked after child should also have a child protection plan. For example, where a local authority obtains an interim care order in family proceedings but the child or young person, subject of a child protection plan, remains at home, pending the outcome of the final hearing or where a young person's behaviour is likely to result in significant harm to themselves or others.

The systems and processes for reviewing child protection plans and plans for looked after children should be carefully evaluated by the local authority and consideration given to how best to ensure the child protection aspects of the care plan are reviewed as part of the overall reviewing process leading to the development of a single plan. Given that a review is a process and not a single meeting, both reviewing systems should be aligned in an unbureaucratic way to enable the full range of the child's or young person's needs to be considered in the looked after child's care planning and reviewing processes.

An IRO will have to consider the child's safety in the context of care planning to carry out their statutory function. Consideration should be given to the IRO chairing the child protection conference where a looked after child remains the subject of a child protection plan. Where this is not possible it will be expected that the IRO will attend the child protection review conference.

Significant changes to the care plan should only be made following the looked after child's review.

Supplementary guidance on safeguarding and promoting the welfare of children

There are new sections in respect of:

- Children affected by gang activity
- The increased vulnerability of disabled children and safeguards which should be in place in light of practice guidance issued in 2009
- Child abuse linked to belief in 'spirit possession' in light of practice guidance issued in 2007
- Child victims of trafficking setting out risks of sexual exploitation and multi-agency responses which should be in place

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