

# Safeguarding update for you and your team

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- » Legal Framework
- » Social Care and Health
- » Safeguarding children and young people – the essentials
  - » Confidentiality
  - » Harm
  - » Referrals and capacity
  - » Record Keeping
  - » Legal options and escalation
  - » Risk management

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## Background

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- » Lord Laming, Victoria Climbié, Peter Connelly, Khyra Ishaq;
- » Ore, Yewtree, Rochdale, Rotherham;
- » What happened to the agenda of change for children?
- » Austerity Britain;
- » Social Care and Health.

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## The Legal Framework

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What hasn't changed.....

- » No substantive change to the Children Act 1989 and the Children Act 2004.



What has changed.....

- » The Children and Families Act 2014
  - » *Child Arrangements Orders;*
  - » *Remember who has parental responsibility*
  - » *Experts and necessity.*
  
- » LASPO 2012
  - » *the rise of the litigant in person;*
  - » *removal of legal aid.*



- » Children Act 1989
  - » *s.32 introduces a children's timetable of 26 weeks;*
  - » *s.23 Pathway Plans and s.24 advice and assistance.*
  
- » Care Act 2014
  - » *Transition of young people from CAMHS/CYPS to AMHS;*
  - » *s.58 to s.66;*
  - » *Part 16 Care and Support Statutory guidance 2014.*



- » Regulation
  - » *Demise of the General Social Care Council;*
  - » *Other than Doctors and Nurses, regulation is via the HCPC.*
  
- » Statutory Guidance
  - » *Working Together March 2015;*
  - » *Care and Support Statutory guidance 2014;*
  - » *Children Act 1989 Guidance – Volume 3 planning transition to adulthood;*



- » Transforming Community Services 2011;
- » NHS restructuring;
- » NHS New Models of Care;
- » Vanguard Pilots;
- » Haven't we been here before?
  - » *Children's Trusts;*
  - » *Sure Start, Children's Centres, Extended Schools;*
  - » *Contact Point & son of Contact Point (CPIS)*





Challenges in practice will include:

- » Multi agency working together;
- » Funding;
- » Regulatory issues;
- » Risk management;
- » Inherent differences between safeguarding children and adults.
- » Social Care doesn't necessarily understand what Health does?

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## Safeguarding children and young people – the essentials

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### » Confidentiality

- » Children are owed the same duty of confidentiality as adults;
- » parental consent and parental responsibility;
- » the child with capacity;
- » protecting the child from significant harm;
- » safeguarding is a proportionate exception;
- » distinguish a child in need from safeguarding.

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## Safeguarding children and young people – the essentials

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- » Harm
- » Significant harm
- » Physical, sexual, emotional, neglect
- » Current issues include:
  - » Human trafficking
  - » CSE, grooming
  - » Radicalisation and removal from the UK
  - » Social exclusion
  - » Female Genital Mutilation
  - » Adolescent mental health
  - » Substance misuse
  - » Domestic violence and abuse

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## Safeguarding children and young people – the essentials

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- » Referrals and capacity
  - » exercising professional judgment upon making a referral;
  - » Social Care single referral portal;
  - » Social Care are the investigating body;
  - » Children and young people with capacity;



- » Record Keeping
  - » Evidence;
  - » Production of records in a variety of scenarios:
    - » Child protection
    - » Family Court
    - » Criminal Court
    - » Serious Case Review
    - » Child Death Overview Panel
    - » Coroner
    - » Regulatory



» Legal options and escalation

- » Pre proceedings;
- » Child Protection Conferences
- » Public Law Outline;
- » Proceedings 26 weeks plus 8 weeks;
- » s.46 Removal and accommodation by Police;
- » s.44 Emergency Protection Order;
- » s.38 Interim Care/Supervision order;
- » Role of the Independent Reviewing Officer;
- » Use of s.20 accommodation – *Re A (A child) [2015]*.



## » Risk Management

- » Know your role and the limits of it;
- » Don't be afraid to disagree;
- » Keep good records;
- » Audit and review
- » Multi agency working – Police, Social Care, Health

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## Conclusions

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- » 4 key areas
- » Take safeguarding seriously, key safeguarding roles and networks
- » Training
- » Record keeping
- » Multi agency working



Any questions?



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## Your speaker

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