

Safeguarding update for you and your team

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- » Background
- » 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

Background



- » 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.

The Legal Framework



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?

Safeguarding children and young people – the essentials



» 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.

Safeguarding children and young people – the essentials



- » 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

Safeguarding children and young people – the essentials



» 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

Conclusions



- » 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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