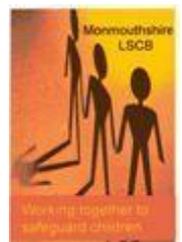


South East Wales Regional Safeguarding Forum

MULTI-AGENCY PROTOCOL AND PRACTICE GUIDANCE



RESPONDING TO CHILD PROTECTION CONCERNS ABOUT INDIVIDUALS WHOSE WORK BRINGS THEM INTO CONTACT WITH CHILDREN, YOUNG PEOPLE AND VULNERABLE ADULTS Including Foster Carers and Volunteers



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1. This Document

This document is for Professionals who need to know more about the local arrangements for responding to Child Protection concerns about those whose work or volunteering, brings them into contact with children or vulnerable adults.

The arrangements set out in this document are supported by the South East Wales Regional Safeguarding Forum.

The objective of this document is to:

- Safeguard children from individuals who are not suitable to work with children and young people
- Ensure that allegations and Child Protection concerns are dealt with expediently.
- Ensure individuals who are not suitable to work with children and young people are prevented from doing so by notification to the Independent Safeguarding Authority and other relevant bodies.

2. Other Sources of Information

Guidance about how to respond to child protection concerns about those whose work brings them into contact with children or vulnerable adults can be found in the following important documents.

- Safeguarding Children: Working Together Under the Children Act 2004 (Welsh Assembly Government, 2006)
www.wales.gov.uk
Chapter 12 pages 271 - 281.
- All Wales Child Protection Procedures 2008
www.awcpp.org.uk
Chapter 4.3 pages 281 - 317
- South East Wales Information Sharing Agreement 2010

The Local Safeguarding Children Boards in Gwent supports professionals in complying with the guidance that is identified above.

At the time of composing this document, the Safeguarding Children Team at the Welsh Assembly Government had made a commitment to providing written guidance in the area. This document will be reviewed in light of any future publications.

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3. Scope

Professionals should be mindful of the scope of work in this area. This is set out in Safeguarding Children: Working Together Under the Children Act 2004 (Welsh Assembly Government 2006).

The framework for managing cases under this protocol applies to a wider range of allegations than those in which there is reasonable cause to believe a child is suffering, or is likely to suffer significant harm. It also caters for cases of allegations that might indicate that a person is unsuitable to continue to work with children in their present position or in any capacity. It should be used in all cases in which it is alleged that a person who works with children has:

- Behaved in a way that has harmed a child, or may have harmed a child
- Possibly committed a criminal offence against or related to a child
- Behaved towards a child or children in a way that indicates s/he is unsuitable to work with children.

It can be difficult to determine what may fall into 'unsuitable to work with children'. However, it may be useful for an employer to consider whether the alleged behaviour suggests an individual has:

- Caused harm or possible harm
- Contravened or continued to contravene guidance
- Exploited or abused duty of care responsibilities
- Acted in a way that could, reasonably, be viewed as alarming
- Persistently failed to understand how their behaviour adversely affected children or young people
- Failed to understand or comply with the need for clear personal and professional boundaries in the work place
- Has been the subject of criminal procedures that indicate a risk of harm to a child or Child Protection enquires
- Behaved in a way in his/her personal life which could put children at risk of harm
- Behaved in a way that undermined the trust placed by them in their position

The document also considers how to respond to concerns raised about the abuse of a vulnerable adults where the alleged perpetrator of the abuse is working with children. Equally the guidance should be used when concerns are raised about an individual's behaviour towards children and the alleged perpetrator is working with vulnerable adults.

4. Local Arrangements

Recognition and Referral

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Any person who has a concern that falls within the scope of this document should:

- Make a Child Protection Referral;
- Discuss any concerns of confidentiality;
- Advise what risk assessment and safeguarding action has already been taken.

Immediate Response

The referral in respect of children who may be at risk of significant harm in association with the referral will be dealt with in the usual way by the Assessment Team in compliance with Section 3 of the All Wales Child Protection Procedures.

The Referral Team Manager also immediately informs the Child Protection Co-ordinator or Service Manager Children's Services who carries out an initial strategy discussion with the Police Public Protection Unit, Detective Inspector to consider the following:

- Whether the case is appropriate for consideration under this document
- Plan the strategy meeting and agree invitees
- Ensure immediate safeguards are in place
- Decide whether immediate briefings to management are required.

5. Strategy Meeting

A strategy meeting will be convened when child protection concerns have been raised about an individual's conduct with children in either a personal or professional capacity and the individual has wider contact with children, young people or vulnerable adults and is in a position of trust. A strategy meeting is also convened when the concern or allegation about an employee or volunteer is historical and there are no identified children or young people who may be at risk.

Who to Invite to the Strategy Meeting

The chair of the strategy meeting in consultation with Police should decide who will attend the strategy meeting. Given the sensitivity and nature of information senior personnel will be invited from each organisation, who will identify the most appropriate attendee for their agency. Consideration should be given to inviting the following:

- Manager with referral information
- Police
- Social Worker for the child and Team Manager
- Legal representative for the authority
- Employer (where the employer is already aware of concerns, or disclosure of concerns has taken place)
- CSSIW (where the concern is about a Foster Carer, Childminder or Care Provider)

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- LAC Clinical Nurse Specialist and Educational LAC Specialist where there is concern about a Foster Carer or Looked After Child
- Named professional when the concern is about an individual who is employed by the Aneurin Bevan Health Board (previously LHB and NHS Trust)
- Designated Professional Public Health Wales when the individual is a health professional working beyond the Aneurin Bevan Health Board in either NHS or a private healthcare service
- Education representative when the individual concerned is working within this agency
- Human Resources or Personnel representative (who has authority to advise the employer about suspension).

6. The Strategy Meeting and Monitoring of Cases

The strategy meeting should take place within 2 working days of receipt of the concerns. There may be up to three stands in the consideration of an allegation:

- A Police investigation of a possible criminal offence.
- Enquires and assessment by Children's Social Services about whether a child is in need of services.
- Consideration by an employer of suspension or disciplinary action in respect of the individual; or removal from position with a voluntary agency

Strategy meetings convened within this document takes place in addition to the strategy meetings/discussions that take place under Section 4.3 of the All Wales Child Protection Procedures 2008.

The tasks of the Strategy Meetings are to :

- Lawfully and appropriately share information
- Ensure that children and vulnerable adults are safeguarded
- Ensure the proper co-ordination of child protection, criminal and employment procedures
- Ensure that those subject to the process or involved in the process have access to information and support
- Ensure that risk assessments and safeguards are adjusted in light of new information and that individuals affected are continually appraised of progress with the case and provided with an appropriate level of support. This can include advising the individual to seek legal advice or trade union support.
- Record the tasks, those responsible for carrying them out and the timescales for achievement of the tasks.

All Strategy Meetings should be recorded and minutes circulated within 3 working days of the Strategy Meeting.

The Appendices attached to this document may be of use and aim to provide a framework that both informs and supports best practice in this area. It is highlighted

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that more than one Strategy Meeting may be required to co-ordinate, monitor and review the process:

Appendix 1 - Process map for responding to child protection concerns about those who work with children.

Appendix 2 - Information sharing proforma.

Appendix 3 - Initial Strategy Meeting Agenda.

Appendix 4 - Review Strategy Meeting Agenda.

Appendix 5 - Outcome Strategy Meeting Agenda.

7. Making a Disclosure to Employers / Voluntary Organisations

Safeguard Children: Working Together Under the Children Act 2004 (WAG 2006) advises that legal advice should be sought prior to sharing information with the employer/voluntary organisation. This maybe necessary for the safeguarding of children and or vulnerable adults. The employer/voluntary organisation may need to consider suspending the employee without prejudice, or putting in place support or other restrictions to safeguard vulnerable persons, to safeguard the employee against accusations of interfering with the enquiries and as a safeguard to the organisation. Further information can be found in Working Together 2006 and All Wales Child Protection Procedures 2008 as set out above.

The Public Protection Unit Gwent Police Information Sharing Agreement that is in place across Gwent states that:

Information can be lawfully shared without consent where an appropriate professional has taken the view that the duty of confidentiality can be breached in the interests of public protection, in accordance with relevant legislation.

In making the decision to share information, the following should be considered:

- Is the disclosure necessary for the prevention or detection of crime, prevention of disorder or to protect the rights and freedoms of others?*
- Is the disclosure necessary for the protection of the public, including young or other vulnerable people?*
- What risk to others is posed by this individual?*
- What is the vulnerability of those who may be at risk?*
- What will be the impact of disclosure?*
- Is the disclosure proportionate to the intended aim?*
- Is there an equally effective but less intrusive alternative means of achieving that aim?*
- What are the risks of not sharing?*

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The individual or their representative should usually be informed of this decision and what information has been shared, unless doing so would risk harm to that individual or others or hinder any investigation or legal proceedings.

It is important that where disclosure takes place, this is a decision that is subject to inter-agency consideration and legal advice, and the reasons for disclosure are recorded.

8. Concluding the Process

Safeguarding children: Working Together Under the Children Act 2004 and the All Wales Child Protection Procedures highlight the duties of the Outcome Strategy Meeting to decide, whether on the balance of probabilities the concerns are substantiated. This discussion would normally precede any decision by the employer to invoke disciplinary procedures.

Where the concerns are substantiated and individuals lose their position as a result of the concerns, a referral should be made to the Independent Safeguarding Authority (ISA) and any other bodies nominated by the guidance and procedures. This means that a concluding strategy meeting will be required following the completion of disciplinary procedures in order to note and confirm any requirements referral to the ISA or another regulating body.

The chair will inform the Relevant Safeguarding Children Board Co-ordinator of any recommendations to an employer to refer to the ISA and this should be followed by written confirmation by the employer that this has been actioned. This process will be monitored by Child Protection Co-ordinator and the Safeguarding Children Board Co-ordinator.

9. Inter-Authority Working

This is an area of work that is best supported by sound inter-authority working. Where child protection enquiries have been made in one area but the alleged perpetrator works within other areas, there will be need for information sharing at an appropriate level in order to further safeguard children and vulnerable adults. The Local Authority and Area Police for the location where the alleged abuse took place have responsibility for convening the Strategy Meeting but inviting relevant personnel from other areas who may have a key role. If relevant personnel have not attended the first strategy meeting then it should be agreed at the meeting what information needs to be shared, with whom and by whom.

10. Confidentiality

- In view of the potential sensitivity of the information and the lessons of the Bichard Inquiry, (police.homeoffice.gov.uk/publications/.../bichard-inquiry-report), at the point a concern about an individual working with children comes to light, in the local authority electronic record a hazard will be added and the access to the electronic records will be restricted.

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This restricted access and the issue of recording a hazard will be reviewed at each strategy meeting.

11. Resolving Professional Differences

Where there is a professional difference of opinion, the SE Wales Regional Practice Guidance 'Resolving Professional Differences' should be referred to.

12. Complex Abuse

Where concerns arise that the individual may be acting in concert to abuse children, or using an institutional framework or position of authority to recruit children for abuse, the chair will consider implementation of the Welsh Assembly Government Guidance in respect of Complex Child Abuse Investigations.

13. Quality Assurance of the Process

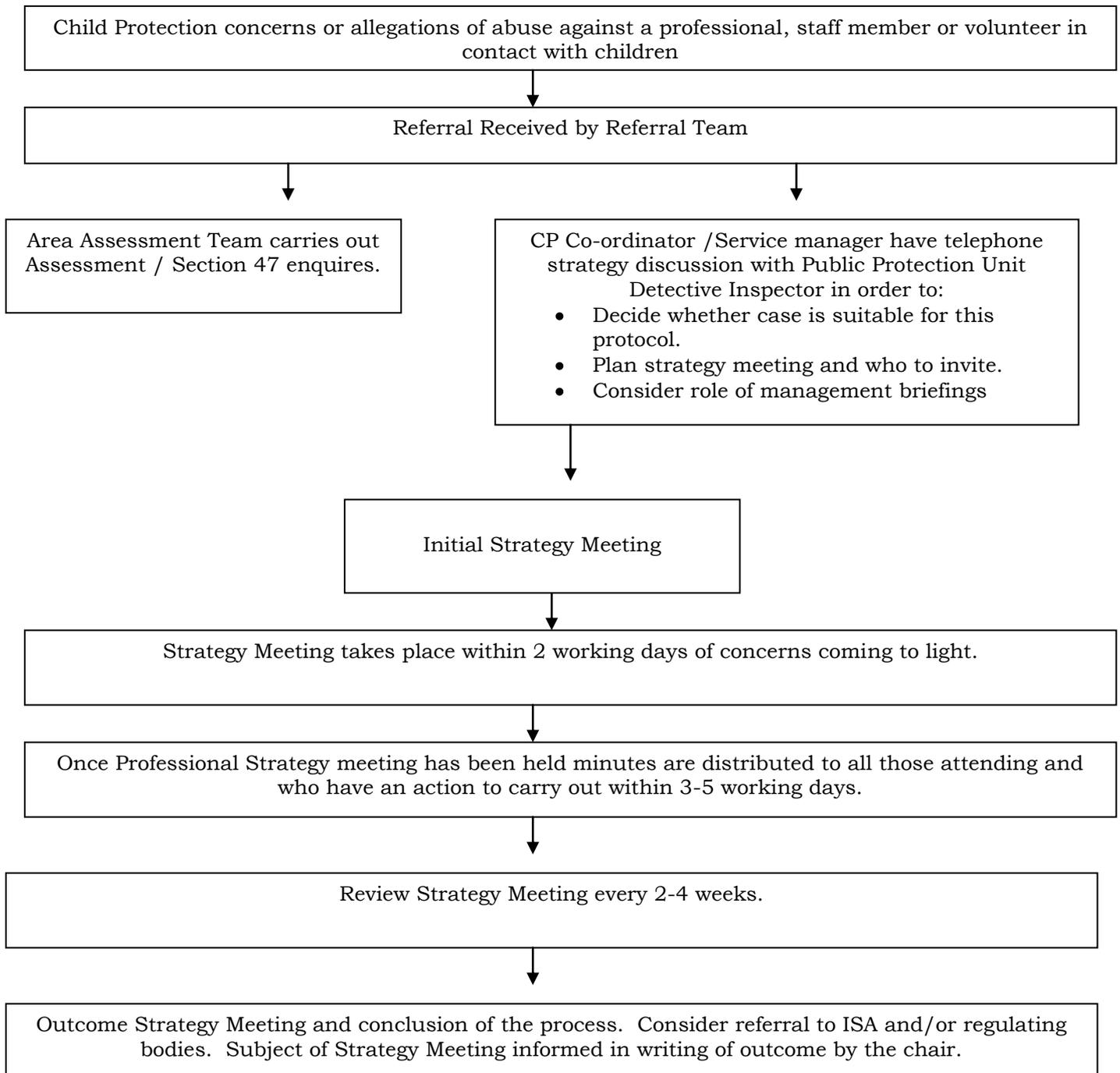
Consideration of the overview and any lessons to be learnt will be carried out in the following ways:

- Inter-agency discussion on a case by case basis.
- Presentation of management information to Relevant Safeguarding Children Board.
- Consideration of audit or review in conjunction with the LSCB quality assurance process.

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Appendix 1

PROCESS MAP FOR RESPONDING TO CHILD PROTECTION CONCERNS ABOUT THOSE WHO WORK WITH CHILDREN, YOUNG PEOPLE and VULNERABLE ADULTS



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Appendix 2

Child Protection concerns about a person whose work brings them into contact with children, young people and vulnerable adults

Information Sharing Proforma

INITIAL <input type="checkbox"/>	REVIEW <input type="checkbox"/>	OUTCOME <input type="checkbox"/>
Date, Time Venue		
D.O.B. name, address of children bringing concerns to light		
Those with PR for these children		
Name, D.O.B. and address of individual about whom there is concern		
Position/role and place of work of individual		
Cause for concern/reason for strategy meeting		
Area where alleged events occurred		
Name, D.O.B. of children at same address or regularly visits home address of professional		

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Appendix 3

AGENDA

Initial Strategy Meeting for responding to Child Protection concerns about individuals whose work brings them into contact with children, young people and vulnerable adults

NUMBER	ITEM	NOTES
1.	Introduction and Apologies	
2.	Chair's Statement and purpose of meeting	<p>The Chair welcomed everyone to today's meeting and introductions were made. The Chair highlighted that the meeting is a Strategy Meeting being held under the procedures offering guidance about responding to child protection concerns regarding workers or volunteers who are involved with children, young people or vulnerable adults. The purpose of today's meeting is to:</p> <ul style="list-style-type: none"> • Share information • Decide whether a Section 47 enquiry is warranted / or should continue if commenced • Plan any enquiries • Ensure that the child's voice is heard • Co-ordinate the implementation of child protection procedures, criminal and employment procedures. • Ensure that effective safeguards are in place. • To ensure that individuals involved have access to information and support. <p>The meeting is confidential, and a record would be made of the discussion, which is subject to access requests under the Data Protection Act.</p>
3.	Subjects details	<ul style="list-style-type: none"> • DOBs • Addresses <p>Identity of any children who may be at risk</p>

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4.	Details of individual about whom allegations are made or concerns raised	<ul style="list-style-type: none"> • Name, DOB and address • Role, Employer and place of work • Area where alleged event took place
5.	Allegation and risk identified	
6.	Discussion	
7.	Action, recommendations and timescales	<ul style="list-style-type: none"> • Consider each child individually, and the requirement for a multi-agency referral on each child who may be at risk. • S47 enquires and Core Assessments. • Identify personnel involved in enquires, any risk assessment and timescales and reporting mechanisms. • Additional Safeguards. • Information and support to those involved. • Management briefings. • Electronic recording and hazard. • Information to IRO in case of a Looked After Child.

Notes

Where the subject of the meeting is a Foster Carer there are additional considerations:-

- Consideration of risk to all children in placement
- Service Manager to be consulted about arrangements for those in placement and endorse any decision for children and young people to remain in placement.
- Consider the safeguards for children of the Foster Carer.
- Compile a chronology of the Foster Carers file.
- No new placements should be made during Child Protection enquires.

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AGENDA

Review Strategy Meeting for responding to Child Protection Concerns about individuals whose work brings them into contact with children, young people and vulnerable adults

NUMBER	ISSUE	NOTES
1.	Introduction and Apologies	
2.	Chair's Statement and purpose of meeting	<p>The chair highlighted that this meeting is a Review Professional Strategy Meeting held, under the procedures offering guidance about responding to child protection concerns regarding workers or volunteers who are involved with children, young people and vulnerable adults. The purpose of today's meeting is to:</p> <ul style="list-style-type: none"> • Share information arising from the actions of the last meeting. • Ensure that any effective safeguards are in place and that the child's voice is heard. • Co-ordinate the implementation of child protection, criminal and employment procedures. • Ensure that individuals involved have access to information and support. <p>This meeting is confidential and a record will be taken that may be subject to access requests under the Data Protection Act.</p>
3.	Details of individual about whom allegations are made or concerns raised	<ul style="list-style-type: none"> • Name, DOB and address • Role, Employer and place of work <p>Area where alleged event took place.</p>

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4.	Allegation and risk identified	
5.	Minutes of prior Strategy Meeting (i) accuracy (ii) Information arising from actions	Wishes and feelings of children and young people involved.
6.	Discussions	
7.	Further action by whom and timescales	<ul style="list-style-type: none"> • Timescales of any ongoing enquires or risk assessment. • Information and support to those involved. • Management briefings. • Electronic recordings and hazard. • Information to IRO in the case of a Looked After Child.

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AGENDA

Outcome Strategy Meeting for responding to Child Protection Concerns about individuals whose work brings them into contact with children, young people and vulnerable adults

NUMBER	ISSUE	NOTES
1.	Introduction and Apologies	
2.	Chair's Statement and purpose of meeting	<p>This is an Outcome Professional Strategy Meeting being held, under the procedures offering guidance about responding to child protection concerns regarding workers or volunteers who are involved with children. The purpose of today's meeting is to:</p> <ul style="list-style-type: none"> • Review the information previously shared. • Share information arising from the actions of the last meeting. • Decide whether, on the balance of probability, the concerns are substantiated. • Ensure that any effective safeguards are in place. • Co-ordinate the implementation of any Child Protection, Police and employment procedures. • Ensure that individuals have access to information and support. <p>This meeting is confidential and a record will be taken that may be subject to access requests under the Data Protection Act.</p>

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3.	Details of individual about whom allegations are made or concerns raised	<ul style="list-style-type: none"> • Name, DOB and address • Role, Employer and place of work • Area where alleged event took place
4.	Allegation and risk identified	
5.	Minutes of prior Strategy Meeting (iii) accuracy Information arising from actions	<ul style="list-style-type: none"> • Wishes and feelings of children and young people involved.
6.	Outcome of Enquires.	<ul style="list-style-type: none"> • Establish key facts. • Distinguish fact from opinion. • Those present consider whether on the balance of probability the concerns are substantiated.
7.	Further action.	<ul style="list-style-type: none"> • Chair's letter to subject advising of outcome. • Consideration by employer of disciplinary • Recommendation regarding referral to any regulatory body (e.g. CSSIW, ISA, Teaching Council). • Support or risk assessment arrangements regarding any return to work. • Information and support to those involved. • Reporting arrangements for any lessons or referrals to LSCB • Electronic recording and hazard. • Planning for Foster Care Review in the case of a Foster Carer. • Information to IRO in the case of a Looked After Child.

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