

# Health and Social Services Committee

**HSS(2)-11-06(p1)**

**Date: Wednesday 28 June 2006**

**Venue: Committee Room 2, Senedd, National Assembly for Wales**

**Title: Report of the Safeguarding Vulnerable Children Review**

## **Purpose**

1 To provide the Committee with a summary of the Safeguarding Vulnerable Children Review Report and to outline the timetable for further consideration of the Report by the Welsh Assembly Government.

## **Summary / Recommendations**

2 The Report of the Safeguarding Review, chaired by Gwenda Thomas, AM, was published on 3 May.

3 The Committee are invited to note this paper for information.

## **Background**

4 The Safeguarding Vulnerable Children Review was set up by the First Minister and the Minister for Children in December 2003. Its terms of reference were:

"To undertake a review of current policies and practices for safeguarding children in Wales, including in particular:

- to consider whether they are sufficiently clear and robust to deliver safe and effective services in authorities and agencies;
- to identify strengths and areas for improvement;
- to consider the effectiveness of organisational and cross-boundary arrangements in safeguarding children, including the effectiveness of existing arrangements for the recording and sharing of information, taking into the account the findings of inquiries into the Soham case;
- to consider the risks and opportunities posed by the Internet and new technology in safeguarding children; and
- to recommend to the Welsh Assembly Government the actions needed to strengthen policies and practice for safeguarding children."

5 The review was to consider and take evidence from a wide range of sources; to consider findings from

research on safeguarding children, recent inspections and audits of children's services, in particular the findings from the Social Services Inspectorate Wales, Commission for Health Improvement and Police audits of services for children following the Victoria Climbié Inquiry report.

6 The inquiries into the Soham case referred to in the terms of reference were:

- a) An independent inquiry, chaired by Sir Michael Bichard.
- b) Her Majesty's Inspectorate of Constabulary.
- c) North East Lincolnshire Area Child Protection Committee.

7 The Review was chaired by Gwenda Thomas, AM, and the members of the Review Team were:

- Ray Ciborowski, Barnardo's Cymru;
- Mike de Val, Torfaen CBC;
- Andrew Edwards, Dyfed-Powys Police;
- Dr Carys Graham OBE, National Public Health Service;
- Ruth Henke, Barrister;
- Dr Sally Holland, Cardiff University;
- Joe Howsam, Caerphilly CBC;
- Meirion Hughes, Denbighshire Local Health Board;
- Debbie Jones, Voices from Care;
- Ken Sawyer, Neath Port Talbot CBC.
- Rhian Davies, office of the Children's Commissioner (Observer).

8 The call for evidence produced 58 written submissions, some representing groups, from a very wide range of sources throughout Wales. Following the analysis of the submissions the Review Team identified gaps in the evidence which were explored through oral evidence sessions and research. In all, the Review Team conducted some 25 sessions where oral evidence or presentations were heard followed by questions and discussion.

9 The Review also commissioned the NSPCC in a piece of work designed to engage children and young people in the work of the Review.

## **Report Summary**

10 At an early stage in its proceedings the Review Team decided that:

- The Review would place the perspective of children and young people at the heart of the review process
- The Review would not 'reinvent the wheel' but seek to identify what works and what does not

work and how to build upon and sustain success

- The Review would not make numerous recommendations which repeat what has been said before

What is good about safeguarding children in Wales?

11 The Review Team identified examples of positive aspects of safeguarding vulnerable children in Wales, including:

- The Commissioner for Children
- Listening to children - participation and consultation
- Inter agency working and the focus upon children in joint planning
- Cabinet Sub Committee on children and young people
- the Children and Young People's Framework Partnerships
- Children First
- the All Wales Child Protection Procedures and Procedures Group
- the Parenting Action Plan
- the Child Poverty Action Plan
- National Service Framework
- Community Focused Schools
- Integrated Centres
- All Wales Youth Offending Strategy
- All Wales Play Strategy

12 The Review Team conclude that "there is much to celebrate" and that there is "considerable positive evidence about good and even excellent features of the approach to safeguarding vulnerable children in Wales". But the Review also concludes that there are still significant problems to be overcome.

13 The Review concluded that there are 7 key challenges which need to be addressed, covering:

- Children - building upon initiatives to place them at the centre of policy and service developments and to improve arrangements for listening to them and advocating on their behalf.
- Public attitudes - addressing attitudes to children in our society.
- Workforce - improving the levels, stability, confidence, competency, support and job satisfaction of people who work with children.
- Formal systems - making them more child friendly, better and more consistently resourced and fit for purpose.
- Vision and strategy - developing and implementing a secure long term vision and a strategy for vulnerable children.
- Finance - reviewing and rationalising the balance of investment in services for children and consolidating and stabilising funding streams.
- New risks - developing a more effective capacity for identifying and responding to emerging risks to vulnerable children.

14 Underpinning these "challenges" are 48 "actions" or recommendations, that are attached as an Annex to this paper.

## **Timetable**

15 The Report was formally launched on 3 May and was considered by the Cabinet Sub-Committee on Children and Young People on 8 May.

16 It was further considered in a plenary session of the Assembly on 7 June.

17 The Cabinet will discuss the Report in detail and a written statement will be issued by 12 July. A fuller written Welsh Assembly Government response will be issued in the Autumn.

## **Financial Implications**

18 Any financial implications arising from the implementation of any of the Report's recommendations will be evaluated by the Welsh Assembly Government Cabinet in considering its formal response to the Report. Any associated costs will be met from within existing baseline budgets, but it is possible that this matter will need to be returned to once the further analysis of the recommendations has been completed.

19 This paper is for information only and there are therefore no financial implications. The Health and Social Services Resources Directorate has seen and noted the content of this paper (LMD 2589).

## **Action for Subject Committee**

20 The Committee is invited to note this paper.

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Minister for Health and Social Services

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## **Annex**

### **Safeguarding Vulnerable Children Review - Report**

#### **"Challenges" (Recommendations)**

Challenge 1: The Children - to build upon initiatives to place children at the centre of policy and service development and to improve, expand and rationalise arrangements for listening to and advocating for all children the following is required:-

1.1. WAG to have a programme for raising the universal services (health and education) for all children to the standards and quality of the best and to eradicate disparities in services across Wales:

- the basic training of professionals in the universal services should include training in the early recognition of vulnerable children and how to make appropriate referral to specialist agencies
- the voluntary youth sector and faith, culture and arts organisations for children and young people should have procedures for checking all adult helpers to ensure that they are not a danger to children and are trained to recognise vulnerable children and make appropriate referral to specialist agencies

1.2. WAG to develop a common framework for all arrangements for children's participation in policy and service development and other major decisions which affect them. It should include:

- all activities which facilitate consultation and expression of children's views (such as school councils, consultation forums, questionnaires, children's champions, participation work)
- consideration of developing school councils as a channel for both school and community issues and encouragement of school governors to have regular discussion with school councils
- a co-ordinated approach to establishing principles and standards, methods of monitoring effectiveness and promoting best practice

1.3. WAG to develop a common framework for all statutory arrangements for providing independent advice to and representation of the interests of

individual children (i.e. Advocates, Independent Reviewing Officers (IROs), Complaints Officers, and Personal Advisers). Its component parts should be:

- a system of children's complaints and advocacy across all public services including GP and other independent contractor services
- independent 'one stop shops' in all areas for dealing with children's individual complaints and concerns across all public services
- a common set of principles and standards for independent advocacy
- a set of principles and standards for independent advocacy which will ensure a) prevention of conflict between service provider interests and children's' interests in the event of a complaint or challenge, and b) consistent procedures for the resolution of issues raised with service providers on behalf of a child

- independent monitoring of the quality of advice and representation services and appropriate regulation of individuals working in this field

1.4. WAG to establish a central unit to lead, co-ordinate, support and monitor the activities described in (2) and (3) above. It should:

- be resourced with the strategic, operational, professional and managerial skills necessary to do the job
- account to and support the Minister for Children as this role is consistent with an unequivocal focus upon advocating for children's rights and representation rather than upon a particular service
- advise upon, develop and monitor the systems and structures needed to ensure a skilled, safe and independent advice and representation service for children throughout the public services in Wales
- establish and monitor the standards of such a service and advise upon and approve the independence and quality of commissioning arrangements for these services

1.5. WAG to consider restoring the formal link between WAG and the Children's Commissioner through the Minister for Children for the reasons given in 4c above.

1.6. Local Authorities to develop regional commissioning arrangements for advocacy services to include:

- a regional steering group, including providers of services, with a remit to advise on problems and improvement, identification of emerging issues raised by children, and training and regulation of staff and volunteers

1.7. WAG to ensure that common standards are introduced for independent advocacy:

- to include standards for the selection, training and monitoring of volunteers (the model developed for CAB voluntary advisers may be a useful example)
- non social workers with other professional qualifications should be able to demonstrate an identifiable core of required skills and knowledge for advocacy
- the Care Council for Wales and similar bodies to review their position to ensure that consideration is given to the issue of registration and professional discipline for all individuals

undertaking the role of advocate, supporter, adviser to or representative of vulnerable children

Challenge 2: The Public - to address the confused and conflicting attitudes to children in our society the following is required:-

2.1. WAG to develop a public information strategy designed to promote a better informed public image of children with the objectives of:

- raising greater awareness of the needs of children, promoting more sympathetic understanding of how issues affect children and greater acceptance of adult responsibilities towards all children including the shared responsibility to develop safe communities
- promoting more understanding that children who are "sinned against" or "sinning" are at different points on the same continuum
- promoting support for further improvement in the quality, sustainability and equality of standards of universal services for children across Wales
- promoting among all public services, independent providers and the business community a better understanding and acceptance of their wider responsibilities for safeguarding children
- ensuring that all local authority community strategies include strategies for safeguarding children and involving them positively in their communities

2.2. WAG to promote a strategy for engaging the media in reflecting upon the impact upon children in general and vulnerable children in particular of ways in which issues involving children are handled:

- to consider a joint initiative between government and the Children's Commissioner to engage the media in the public information strategy outlined above
- to promote the strengthening of training programmes for journalists in the understanding of the best interests of children and child protection
- to encourage the media to take account of the child's best interests when covering news stories

Challenge 3: The Workforce - to improve the levels, stability, confidence, competency, support and job satisfaction of people who work with children the following is required:-

3.1 WAG and employers to action the recommendations in the report "Social Work in Wales: A Profession to Value" as a matter of urgency.

3.2. WAG to give urgent consideration to the introduction of legal protection for professional staff who make child protection referrals or give expert opinion in good faith (with particular reference to consultant paediatricians).

3.3. The Police, Crown Prosecution Service and public service managers to effect further improvement in developing a more integrated approach to the conduct of investigations of allegations against staff with a view to:

1. a quicker and less stressful process for children and staff
2. prevention of repetition of evidence gathering, and
3. more rapid release of relevant evidence to be made available for the disciplinary process

3.4. WAG to implement recommendation 21.7 of the Report of the Children's Commissioner for Wales that guidance should be issued on how allegations of child abuse made against teaching and non teaching staff should be investigated.

3.5. Unions and employers to review their policies and practices with regard to the support given to "whistleblowers". Specifically:

- where it is not the policy of a Union to provide dedicated support to a member who is a whistleblower the employer should designate a senior member of staff not involved in the investigation to carry out this role

3.6. Relevant Unions and sections of the media to reconsider the content and tone of some public statements made when prosecutions of staff fail or decisions are taken not to proceed with criminal prosecution:

- to appreciate that these circumstances cannot be construed as proof that a false allegation was made

3.7. Where staff are alleged to have assaulted a child employers to have in place procedures to ensure immediate decision and action, including the release of relevant papers, about the need for disciplinary proceedings should there be no prosecution or a failed prosecution:

- this should involve taking advice from officers with the necessary expertise in child protection

3.8. Higher Education providers to ensure that the training of staff working in universal services such as education and health has a compulsory component about safeguarding children including the ways in which child abusers operate and when to make appropriate referrals.



3.9. Employers to ensure that the role of giving advice and support in investigations and disciplinary proceedings involving child abuse should be restricted to specialist Human Resources with access to expert advice and a programme of training in safeguarding children and child protection.

Challenge 4: The Formal Systems - to make them more child friendly, better and more consistently resourced and fit for purpose the following is required:-

4.1. WAG to consider stronger measures to promote collaborative and partnership working in the event that present measures do not deliver what is required in timescales relevant to the present generation of children.

4.2. WAG to evaluate the concept and application of 'emotional intelligence' and assess its' potential contribution to policy and practice affecting children in Wales.

4.3. SSIW, Estyn, HIW and HM Inspector of Constabularies to develop existing collaboration further and to move towards integrated systems for Inspections of joined up services:

- to prioritise the development of integrated Inspection protocols for scrutiny of LSCBs and their capacity to carry out the required functions

4.4. WAG to ensure that anti bullying strategies are part of the Single Education Plan and the Children's Services Plan. WAG should also consider making a legal requirement of employers of young people to have similar anti bullying measures in place and to exercise a duty of care.

4.5. WAG to ensure that information and data protection systems in agencies are enhanced to facilitate improved information sharing between agencies and checking of staff. This should include:

- requesting the Information Commissioner to issue clearer guidance and be more proactive in relation to vulnerable children
- ensuring that CRB checks are conducted on all school governors and that formal checks are routinely made on the non criminal exclusions for consideration as a Governor (e.g. bankruptcy and detention under the Mental Health legislation)
- clarifying standards for making recruitment checks and instituting a new standard that CRB checks should be carried out every 3 years in all statutory agencies, pending final proposals from the Bichard working groups

4.6. WAG to provide guidance to Children and Young People's Framework Partnerships on the development of a comprehensive programme of preventive and supportive measures for vulnerable children and their parents. This should include:

- developing parenting classes in schools and tier 1 support under the Child and Adolescent Mental Health Strategy for vulnerable children and parents and specialist nurture group support in school settings for young children with serious emotional and behavioural difficulties
- developing local family assessment facilities for Welsh families who need, or may be required by a Court to undergo such assessment. Currently families are sent to facilities in England, usually far from their home community

4.7. The Education service to provide targeted funding for a strategy to include support tutors, catch up classes and mentors for ‘looked after children’ in the mainstream school system.

4.8. The Education Service to support the development of emotionally intelligent schools:

- as part of a national agenda on child and adolescent mental health and to include in the curriculum the development of emotional resilience and emotional intelligence in children

4.9. Higher Education providers to include compulsory modules within initial teacher training on child protection and:

- to make specific funding available for raising awareness and skills among serving teachers and for initial teacher training
- LEAs to review and revise governor training and responsibilities with regard to safeguarding

4.10. The NHS in Wales to give more prominence to children in management targets and:

- introduce independent advocacy and complaints procedures for children in the health service
- produce legal guidance on the Venereal Diseases regulations in respect of sharing information on vulnerable children and;
- take further steps to review and strengthen children’s mental health services

4.11. The Police Service in Wales to develop a more consistent approach to child safeguarding issues in the context of dealing with domestic violence and anti social behaviour.

4.12. The Sports Council for Wales to review its present policy regarding child protection and make grant funding to sports organisations conditional upon child protection procedures and routine CRB checks being in place.

4.13. Members of LSCBs to ensure nomination of the appropriate level of representation and the

allocation of sufficient resources to enable the Local Safeguarding Children Boards to carry out their required functions.

4.14. WAG to scrutinise the effectiveness of LSCBs and hold participating departments to account.

Challenge 5: The Vision and Strategy - to develop and implement a secure long term vision and strategy for vulnerable children the following is required:-

5.1. WAG to establish a long term national strategic plan for children's services which should as far as possible have political consensus and commitment. It should:

- be founded upon research and other evidence, based upon an agreed philosophy, and framed by a conceptual model which can be used nationally and locally
- determine the desired balance of public investment in services for children between universal services, targeted preventive services for children at risk and remedial services for children with serious problems

5.2. WAG to set up a cross cutting children's Scrutiny Committee with a remit and powers to scrutinise all children's services from a child centred perspective.

5.3. WAG to review arrangements for the co-ordination of Ministerial and Civil Servant responsibilities for children with a view to achieving greater co-ordination and harmonisation of planning and operations.

5.4. WAG to support the initiative to establish a cross party group on children with a view to informing the thinking of all political parties.

(Note: the Westminster model which has existed for several years is a cross party group on children with external servicing arrangements. It holds discussions and receives briefings on a range of issues affecting children).

5.5. WAG to consider a funded national strategy to address the commercial exploitation of children.

5.6. WAG to employ a limited use of short-term funding to time limited projects and properly evaluated experiments.

Challenge 6: The Finance - to review the balance of investment in children's services and to consolidate funding streams the following is required:-

6.1. WAG to commission a comprehensive analysis and evaluation of the expenditure and cost benefits

of investment in children's services including health, education, social care, police, courts and legal services, and young offender services.

6.2. WAG to commission an exercise to gather all available information regarding unit costings of different interventions and use to inform financial assessment of policy decisions in services for children.

6.3. WAG to review whether core funding of services is based upon realistic assessment and placed upon a sustainable basis.

6.4. WAG to develop a strategic financial plan for all services for children in Wales to underpin the plans developed under Challenge 5 above:

- to facilitate working towards planned objectives to change the balance of funding between universal services, skilled intensive early interventions with children at risk and remedial interventions for children with serious problems

6.5. Local Authorities and the WLGA to work towards the early development of a strong expert commissioning capacity for children's services which can manage the market and obtain better value for money and quality of service from the independent sector, taking account of:

- the need to attract and retain appropriate expertise within the local authorities
- the need to have regard to the importance of continuity and quality in safeguarding children
- the need to retain expert small specialist providers within the competitive arena
- the need to invest in research to inform the quality of commissioning
- the need to take account of the development and infrastructure costs of independent providers of the specialist services needed by children with complex needs
- the need to develop a whole child approach to commissioning services and to commission jointly with partner agencies

Challenge 7: The New Risks – to develop a more effective capacity for identifying and responding to emerging risks to vulnerable children the following is required:-

7.1. WAG to establish a multi disciplinary 'new risks new opportunities' standing group of individuals with special expertise and commitment:

- to identify new trends and problems which present new threats to the safeguarding of children

and to recommend action

- to monitor worldwide developments in safeguarding children and identify those which would have a valuable application to Wales
- to report regularly to the Minister for Children

7.2. WAG to establish a Task and Finish group to examine the extent of criminal exploitation of children and the responses by different police authorities and local authorities.

7.3. WAG to take urgent action to respond more comprehensively to the existing threat posed by the Internet and new technology and specifically to:

- issue new regulations (perhaps under Section 175 Education Act 2002) to ensure a safe and secure infrastructure which includes all computers in all schools (including those used by teachers only), youth clubs and libraries
- require all schools to use only assured provider
- require LEAs to develop E-safety policies covering the range of risks identified in this Report and individual Governing Bodies to have E-safety policies
- require Local Authorities to ensure that similar policies are in place to protect looked after children, whether they live in families or residential care, or are in receipt of services commissioned from another body
- work in conjunction with the Qualifications, Curriculum and Assessment Authority for Wales (ACCAC) to ensure that Internet literacy programmes, critical thinking skills, management of online and mobile phone risks and personal safety online are embedded in the Wales National Curriculum
- ensure that E-safety is included in local child protection procedures and is promoted and monitored by LSCBs, Community Safety and Public Safety policies

7.4. WAG to make more use of available initiatives and:

- adopt Home Office initiatives on Internet Safety and issue them in Wales as soon as possible
- adopt the DfES resource packs dealing with online grooming, online bullying and bullying via mobile phones (cost £4) and issuing in Wales as a matter of urgency

- ensure that Wales has a direct and active involvement with the new National Internet Safety Centre

7.5. WAG to seek assurance that procedures for gathering, using and storing video evidence for court purposes will be reviewed to ensure that the material is not used inappropriately or abusively and that consistent standards of practice are applied