



Department of  
**Health, Social Services  
and Public Safety**  
[www.dhsspsni.gov.uk](http://www.dhsspsni.gov.uk)

## **Co-operating to Safeguard Children and Young People in Northern Ireland**

### **Consultation Questionnaire**

#### **RESPONDING TO THE CONSULTATION**

The DHSSPS / NI Government Departments are seeking your views on the draft policy document 'Co-operating to Safeguard Children and Young People in Northern Ireland' Please use this questionnaire to tell us your views on the draft document.

Please send your response, **no later than 21 August 2015**, to:

**DHSSPS Core Team**

Room A3.5  
Castle Buildings  
Stormont Estate  
BELFAST BT4 3SQ

E-mail: [Child.Safeguarding@dhsspsni.gov.uk](mailto:Child.Safeguarding@dhsspsni.gov.uk)

Please note that all responses will be treated as public and may be published on the DHSSPS website. If you do not want your response to be used in this way, or if you would prefer for it to be used anonymously, please indicate this when responding.

(See Statement of Confidentiality and Access to Information Legislation below).

## CONFIDENTIALITY AND ACCESS TO INFORMATION LEGISLATION

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with access to information legislation: these are chiefly the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004 (EIR).

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice (section 45) with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this, it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the DHSSPS.

For further information about confidentiality of responses please contact the Information Commissioner's Office

### **Information Commissioner's Office Northern Ireland**

51 Adelaide Street  
Belfast, BT2 8FE

Tel: 028 9026 9380

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Email: [ni@ico.gsi.gov.uk](mailto:ni@ico.gsi.gov.uk)

Website: [www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)

Please tick the box below if you do want your response to be treated as anonymous.

**I want my response to be treated as anonymous.**

Thank you for completing this questionnaire and providing input to this consultation.

# ABOUT YOU

## Consultee Details

I am responding as... *(Please tick appropriate option)*

A member of the public

A professional / practitioner working with children, young people and families *(Please specify which area / sector)*

Health and Social Care  
 Education  
 Justice  
 Other.....*(Please specify)*

On behalf of an organisation

Other.....*(Please specify)*

**Question 1(b):**

Please enter your details below:

Name:	Carolyn Ewart
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## POLICY AIMS AND PRINCIPLES

### Question 1:

Do you agree with the aims and principles in the draft policy? (*Please tick one option only*)

Yes

No

If no, please explain why and / or let us know how you think these could be improved.

The revision of the document is welcome and timely and the inclusion of the breadth of new areas of work in relation to safeguarding practice have been well captured and (e.g. particularly section 7 Safeguarding in specific circumstances)

Overall however and particularly for those organisation where safeguarding is not their core business, but nonetheless must engage in the safeguarding arena, the depth of content in certain sections of the document and the layout to illustrate key messages is a little disappointing.

Whilst appreciating that much of the necessary detail for practitioners will be contained in the revision of the Regional Policy and Procedures, nonetheless this document will be used by individuals and organisation who do not have a statutory remit and depend on guidance such as this almost like a reference document. Such organisation need to be able to identify what is expected of them in relation to safeguarding and be clear what they should and should not do. In that regard the document falls short in clarity and process.

Below are some observations and comments which hopefully highlight the comments made above.

There is little reference made to the role of regional or national research findings to support comments made throughout the document. This does not set an ethos or agenda for the need for evidence based practice by all engaging in the safeguarding arena.

In parts, reference is made to codes of good practice yet the document does not specifically including a generic code of ethics for all those engaging with children, young people or those who provide care for them. Whilst section 1.5 references '*principles of good practice*' there is an opportunity to take this further to include, either in the main body of the document, or in the appendix, a generic code of ethics to which staff and others could work to.

There are a number of key phrases throughout the document which are highly significant. Consideration should be given to highlighting these in order to draw the attention of the reader to indicate the action required to be taken. e.g. 4.3 paragraph 4.

Appendix 2(a) and 2 (b) should be contained in the main body of the document for greater ease of understanding either above or below the commentary on e.g. 'raising a concern'

The glossary does not include certain definitions unfamiliar to non-statutory bodies e.g. 'disruption plans'

The ordering of some of the commentary appears to be at variance with the normal process of practice of working with children and families e.g. in the section 6.0 'Engaging with Families' reference is made firstly to the need to work with children and families. Then 3 paragraphs later, reference is made to working with parents and carer's. In between these paragraphs reference is made to 'Family Group Conferencing and 'Working Across Services for Adults and Children. This tends to be somewhat misleading and skews what one would consider to be the natural sequencing of practice.

Where reference is made to the role played by voluntary and community groups there should be an automatic inclusion of the role played by faith communities. SBNI have recently established an interfaith based subcommittee indicating the significance played by the faith communities in the overall agenda of safeguarding in NI. This should be captured in this document.

## DEFINITIONS:

### Question 2:

Do you agree with the definitions in the draft policy document? *(Please tick one option only)*

Yes

No

If no, please explain why and let us know how you think this could be improved.

NIASW would question the proposal that "exploitation" needs to be given a separate definition and category outside of sexual abuse. We would assert that the description of sexual abuse contained in this proposed policy could be amended to incorporate exploitation as described herein. It is helpful to see exploitation described in this level of detail and that should be helpful for practitioners, however what is being described is sexual abuse of a child and NIASW assert that it should remain under that category. It would be useful to define a parent, carer, and child and kinship carer as per the Scottish policy.

## SAFEGUARDING RESPONSIBILITIES

### Question 3:

Do you agree with the safeguarding responsibilities of key agencies and sectors as set out in section 3 of the draft policy document? *(Please tick one option only)*

Yes

No

If no, please explain why and let us know how you think these could be improved.

Overall this section would benefit from some rewriting, some sections are clear and describe well the organisational and professional responsibilities, 3.1.4 is very strong in describing the role of social workers. However 3.1.3 does not clearly convey the role or remit of the PHA.

The draft provides a comprehensive guide to individual agency responsibilities but is light on emphasising how they should co-operate in day to day circumstances in exercising their responsibilities. This is a shortcoming for a policy specifically about co-operating to safeguard children. The draft would be improved by the inclusion of some good practice "boxes" in the text to illustrate how this might be achieved.

At 3.2.1 PPANI the Public Protection Arrangements for Northern Ireland are not mentioned.

At 3.3.1 the significant and really vital role that schools play in the child protection system is not detailed, the policy should address the role and expectation of schools and the wider education system.

3.5 would benefit from expansion in terms of responsibilities on all frontline emergency staff for child protection. Likewise the role of the voluntary and charitable sectors is poorly represented in this draft policy.

## PREVENTION AND EARLY INTERVENTION

### Question 4:

Do you agree with the policy for prevention and early intervention as set out in section 4 of the draft policy document? *(Please tick one option only)*

Yes

No

If no, please explain why and let us know how you think these could be improved.

NIASW would offer some constructive feedback on this section of the policy document, in particular section 4.3, at present it is difficult to follow in places and could read better. The

section explaining referral processes and when to refer could be reworked to assist the readers understanding. It would be good to reference some research to support the comments about the impact of early years on life outcomes and to demonstrate that policy and practice is being informed by clear evidence.

The policy makes comment about the Family Support Hubs and recommends this as best practice, however at present not every Trust has one.

4.4 is unclear at present.

At section 4.5.3 it would be useful to reference some models of good practice for example the NHSCT Child Care/Mental Health Champion scheme, were social workers form adults and children's service work together to enhance practice and knowledge across their respective teams and so improve services to children and families.

4.5.1(Prevention and Early Intervention) talks about the need for all organisations who have 'any level of contact with children or young people ....putting in place certain key elements within their practice. The document stops short of indicating or recommending that these organisation should, as part of their safeguarding practice, have in place

Codes of conduct/ best practice when engaging with children or young people.  
Basic policy and procedures for safeguarding.

This is a potential shortfall and a missed opportunity to raise the bar of what should be expected of all organisation who have either contact or service

4.5.2 States '*Public funders of organisations providing services or activities to a child or young person must ensure that a minimum requirements stipulated are adhered to and that safeguarding policies and procedures are in place.*' This is unclear.

Surely the onus should be on either,

The funding providers to seek assurance of the existence of policies and procedures in the advance of the granting of funding or

The organisation seeking funding should provide evidence of the existence of their policies and procedures during the application for funding. This requires rewording.

4.5.3. This is a significant section which outlines the role played by Adult Services in child protection. This section requires more detail and evidence based examples to highlight the concerns and the level of responsibility which Adult Services play both in the prevention of harm to children and in raising concerns. This section is light in detail.

4.6 A clear concise statement of the bounds of confidentiality would be useful to inform practice.

4.7 The definition of early authoritative intervention (EAI) is unclear and does help the reader understand what EAI is.

It should be noted that preventative services which require early intervention must be resourced adequately.

## PROTECTION

### Question 5:

Do you agree with the policy for protection as set out in section 5 of the draft policy document? *(Please tick one option only)*

Yes

No

If no, please explain why and let us know how you think these could be improved.

It would be helpful to break up the text with some diagrams or flowcharts to illustrate the referral process.

Section 5: Protection. As with other sections of the document reference and examples merely refer to the role played by Education and Health. This is limiting and needs to be addressed. The use of language in section 5.2 could also be seen to dilute the role of Social Services for example 'As part of the screening process, HSCT Children's Services *will consider* whether or not the Joint Protocol should be implemented.' Surely it is the *responsibility* of Social Services to liaise with the PSNI regarding joint protocol and then *consider* what action to take!

## ENGAGING WITH FAMILY

### Question 6:

Do you agree with the policy proposals in relation to engaging with family as set out in section 6 of the draft policy document? *(Please tick one option only)*

Yes

No

If no, please explain why and let us know how you think these could be improved.

6.3 The issue of funding for adult services must be mentioned here, often young adults and their families have expectations of services which quite simply cannot be met. Children's services have been ring-fenced throughout recent years of efficient savings and reduced public funding, adult services have not, mental health in particular has been negatively affected and so the reality of what is available may not live up to the policy aim.

6.4 NIASW would take the opportunity to reinforce the vital role that supervision plays in providing the professional challenge discussed on page 42 final paragraph and suggest that specific mention is made of same in this document.

## PROTECTION IN SPECIFIC CIRCUMSTANCES

### Question 7:

Do you agree with the policy proposals in relation to protection in specific circumstances as set out in section 7 of the draft policy document? *(Please tick one option only)*

- Yes  
 No

If no, please explain why and let us know how you think these could be improved.

NB in the document the title is “safeguarding in specific circumstances” not as described above “Protection in specific circumstances.”

7.1 What does the comment “It is important that professionals do not use abuse definitions in a restrictive way” mean?

7.1.6: Abuse by a person in a position of trust. This is wordy and at points somewhat confusing. Greater clarity is required from the outset to ensure that organisations are clear that they must at least consult/ and or refer to PSNI before engaging with the individual against whom the concern/allegation is raised.

7.1.7 NIASW would suggest specifically referencing paramilitaries in paragraph 1. This would help clarify the position for professionals in all areas and across all disciplines.

7.2.2 The policy references Assistant Principal Social Worker level, is that a current job grade?

7.2.8 Please see BASW’s draft position statement on Age assessment at [www.basw.co.uk](http://www.basw.co.uk) and find below some general comments on age assessment:

#### General Comments on Age Assessment

1. Any determination of a person's age is no more than a best guess. It is not possible to determine a person's age accurately by medical examination. In 2007, the Royal College of Paediatrics and Child Health acknowledged the margin of error can sometimes be as much as five years either side, especially around the time of puberty. It is no more possible to determine age accurately by non-medical means. Therefore as it is known to be impossible, it is unethical to put social workers in the position of being expected to determine age.
2. Social workers must not be asked to undertake single agency age determinations. ‘Social workers should reflect and critically evaluate their practice and be aware of their impact on others. Social Workers should recognise the limits of their practice and seek advice or refer to another professional if necessary to ensure they work in a safe and effective manner’. (BASW code of Ethics, Ethical Principle 12) Given the combination of the inherent inaccuracy of determinations, the importance of the

rights at stake, and the established principle that best results are achieved by holistic assessment, this ethical principle supports multi-disciplinary determinations.

3. Discrimination is a real risk when determining age, which must be avoided. Determinations of age take place in cross-cultural settings. Known uncertainties include wide variations in growth and onset of puberty, while young people may look and act older than they are because of their experience, and in any event “in Western Societies, leaving the parental home is usually seen as a sign of the transition to adulthood” (UNHCR 2014 at page 57).
  
4. Social workers who take part in determinations of age are also responsible for ensuring that service users are helped to challenge the outcome of those determinations, and for raising awareness of oppressive and unfair practice.

## INTER-AGENCY WORKING AND INFORMATION SHARING

### Question 8:

Do you agree with the draft proposals in relation to inter-agency working and information sharing as set out in section 8 of the draft policy? *(Please tick one option only)*

Yes

No

If no, please explain why and let us know how you think these could be improved.

The draft does not get round to inter-agency working until its penultimate substantive section. This is a shortcoming for a policy specifically about co-operating to safeguard children. Furthermore, it approaches the subject with a strong emphasis on data protection. This is of course an important issue but unfortunately it can be used by individual agencies as a barrier to information-sharing and co-operation. This section should be taking a more proactive approach and emphasising the importance of positive use of legislation in the interests of safeguarding children. In that regard, the draft would be improved by the inclusion of some good practice “boxes” in the text to illustrate how this might be achieved.

8.3 NIASW would repeat the earlier comments about confidentiality, it is important to spell out for all professionals their duties under the safeguarding arrangements to share information which will help keep children safe.

## TRAINING

### Question 9:

Do you agree with the draft proposals in relation to training as set out in section 9 of the draft policy? *(Please tick one option only)*

Yes

No

If no, please explain why and let us know how you think these could be improved.

The draft provides a clear description of expectations in respect of training but is light on emphasising how agencies should co-operate in day to day circumstances to ensure that frontline professionals have opportunities for joint training across agency boundaries. This is a shortcoming for a policy specifically about co-operating to safeguard children. The draft would be improved by the inclusion of some good practice “boxes” in the text to illustrate how inter-agency training can help achieve the overall aims of the co-operation policy.

## EQUALITY IMPACT ASSESSMENT QUESTIONS

In this section of the questionnaire we are asking you to tell us if you think the draft policy promotes equality of opportunity in the Section 75 groups between persons:

- (1) Of different religious belief,
- (2) Of different political opinion,
- (3) Of different racial group,
- (4) Of different age,
- (5) Of different marital status,
- (6) Of different sexual orientation;
- (7) Of different gender
- (8) With a disability and persons without; and
- (9) With dependants and persons without.

### Question 10:

Are the proposals set out in this consultation document likely to have an adverse impact on any of the nine equality groups identified under Section 75 of the NI Act 1998? (*Please tick one option only*)

- Yes  
 No

If yes, please state the group or groups and provide comment on how these adverse impacts could be reduced or alleviated in the proposals.

## EQUALITY IMPACT ASSESSMENT QUESTIONS

### Question 11:

Are you aware of any indication or evidence – qualitative or quantitative - that the actions / proposals set out in this consultation document may have an adverse impact on equality of opportunity or on good relations?

*(Please tick one option only)*

Yes

No

If yes, please give details and comment on what you think should be added or removed to alleviate the adverse impact.

### Question 12:

Is there an opportunity to better promote equality of opportunity or good relations?

*(Please tick one option only)*

Yes

No

If yes, please give details as to how.

## EQUALITY IMPACT ASSESSMENT QUESTIONS

### Question 13:

Are there any aspects of the policy where potential human rights violations may occur?  
(Please tick one option only)

Yes

No

If yes, please give details.

As with all child protection work there is a potential impact on Human Rights in particular article 8 right to private and family life. All interference with this right is and should continue to be proportionate. These principles are well incorporated in current social work practice.

## **ADDITIONAL COMMENTARY**

**Please use the space below to provide any additional comments you may have in relation to the draft policy.**

**It would be helpful if you reference which part of the document you are commenting on. If you refer to any other documents, please provide the title, author and if possible approximate date of publication.**