

**Children and Young People's Overview
and Scrutiny Committee – Special
Meeting**

11 February 2019

**Child Protection Offer – Children Social
Care**



Report of Andrea Houlahan, Strategic Manager, Families First North

Electoral division(s) affected:

None.

Purpose of the Report

- 1 The purpose of this report is to provide Members of the Children and Young People's Overview and Scrutiny Committee with an overview of the work Child Social Care staff undertake when managing safeguarding concerns in Child Protection. The report will describe the pathway followed when a safeguarding referral is made and progressed in a Families First teams and how risks are identified for children and appropriately managed/responded to. The report will also outline some of the challenges faced when managing this complex work.

Executive summary

- 2 As part of the Children and Young People's Overview and Scrutiny Committee programme it is felt that members would benefit from a greater understanding of the way in which safeguarding concerns are progressed through statutory services and the challenges faced by social workers when working with these vulnerable families and what interventions and approaches are taken to manage the risks posed to children and ensure that they are safeguarded.

Recommendation(s)

- 3 Members of the Children and Young People's Overview and Scrutiny Committee are recommended to:
 - (a) Note the contents of this report.

National and local Policy Framework

- 4 There is no single piece of legislation that covers child protection or safeguarding in the UK. Key pieces of national legislation and guidance which govern the safeguards of children and young people are:
- (a) Children Act 1989;
 - (b) UK government ratified UN Convention Rights of the Child;
 - (c) Education Act 2002;
 - (d) Adoption and Children Act 2002;
 - (e) Children Act 2004;
 - (f) Munro Review Report 2011;
 - (g) Children and Families Act 2014;
 - (h) Working together to safeguard children 2018;
 - (i) Children and Social Work Act 2017.
- 5 The Children Act 1989 provides a comprehensive framework for the care and protection of children. It defines parental responsibility and encourages partnership working with parents but its over-riding principle is that the welfare of the child is the paramount consideration.
- 6 The Children Act 1989 provides a comprehensive framework for the care and protection of children. It defines parental responsibility and encourages partnership working with parents but its over-riding principle is that the welfare of the child is the paramount consideration. The Children Act 2004 supplemented the 1989 Act and reinforced the message that all organisations working with children have a duty in helping safeguard and promote the welfare of children.
- 7 The Children Act 1989 requires local authorities to give regard to children's wishes when determining what services to provide. The Act also requires the wishes of children are taken into consideration before making decisions about action taken to protect individual children and that these duties complement requirements relating to the wishes and feelings of children who are or may be looked after (section 22 (4)), including those who are provided with accommodation and taken into police protection.
- 8 Section 47 of the Children Act 1989 requires local authorities to make enquiries when they have reasonable cause to suspect a child maybe

suffering or is likely to suffer 'significant harm'. The enquiry will assess the child's needs and the ability of the person caring for the child to meet them. The aim of the assessment is to determine if action is required to safeguard the child. Information will be gathered from multiagency partners such as health and education.

Referrals – First Contact and MASH

- 9 First Contact and the MASH are the single point of contact for all enquiries and requests of concerns about children in Durham from professionals, concerned parents/carers and members of the public. A gradual increase in enquiries is evident from February 2016, although referrals and assessments remained relatively stable until summer 2018 when both have started to increase.
- 10 Following information gathering and analysis, if a safeguarding concerns is identified, a referral is then made to the relevant locality team to undertake a comprehensive single assessment of the child and family. In most cases this assessment will be carried out in one of the 14 Families First Teams. These referrals should reach the relevant Families First Team within 24 hours of determination (See Appendix 2).
- 11 Where the MASH team are sufficiently concerned that the child may be at risk of immediate significant harm, the referral must reach the local Families First Team where the child is living within four hours. This enables a prompt joint agency response including a child protection strategy meeting to be convened.
- 12 In quarter 1, 2018 there were 630 safeguarding referrals which progressed into the Families First service which were deemed safeguarding concerns. In Qtr 2 the figure was 780. One of the challenges for the Families First service in responding to this work is the tight timescales which need to be adhered to so that there is a timely response for children who are potentially at risk of significant harm, combined with the unpredictability of the volume of other work coming into teams on a weekly basis (see Appendix 3).
- 13 It is imperative that managers working in the Families First service are able to be responsive to this demand on a daily basis and are able to succinctly make timely informed decisions about next steps.
- 14 Once the referral is received into Families First a determination will be made about whether the safeguarding concerns are of such significant concern that a joint multi-agency response is required and as such a child protection strategy meeting may be convened.

- 15 Quite often social workers and managers are required to make decisions and professional judgements based on limited information and often about very traumatic incidents, babies with unexplained injuries, older children experiencing severe neglect, for example. Often in the midst of analysing limited information quite often parents/carers may be resistant to the involvement of the social worker through fear and at times quite hostile behaviour towards workers can be common.

Strategy Meetings and S47 Investigations

- 16 Working **Together to Safeguard Children 2018** provides guidance to ensure the statutory and legislative compliance of all agencies who are required to work together when a strategy meeting is convened.
- 17 The purpose of a Strategy discussion is to:
- “Determine the child’s welfare and plan rapid future action if there is reasonable cause to suspect the child is suffering or is likely to suffer significant harm”.
- 18 The Guidance further states:
- 19 “Whenever there is reasonable cause to suspect that a child is suffering or is likely to suffer significant harm there should be a strategy discussion involving local authority children’s social care (including the residential or fostering service, if the child is looked-after), the police, health and other bodies such as the referring agency.
- 20 And also that:
- “A local authority social worker, health practitioners and a police representative should, as a minimum, be involved in the strategy discussion. Other relevant practitioners who depend on the nature of the individual case, but may include:
- (a) The practitioner or agency which made the referral;
 - (b) The child’s school or nursery;
 - (c) Any health or care services the child or family members are receiving”;
- And that
- “All attendees should be sufficiently senior to make decisions on behalf of their organisation or agencies”.
- 21 If a strategy meeting determines that there are sufficient concerns to suspect that a child may have suffered significant harm a decision will

be made to conduct a child protection investigation under Section 47 of the Children's Act 1989. The investigation must be conducted by an experienced social worker alongside partner agencies. The social worker has 15 working days to conduct an investigation and determine if the suspected risks are so significant that a child protection conference is required to consider whether a child needs to be made subject of a child protection plan.

- 22 In quarter 2, 2018 there were 600 child protection strategy meetings held across the Families First service, this resulted in 317 S47 investigations being conducted and subsequently 177 children being made the subject of a Child protection plan. There is a degree of variation in the number of strategy meetings, investigations, conferences and Child protection held across the teams and given the complexity of this work it is important that managers ensure that staffing establishments are sufficient to meet demand and that the skill and experience mix in teams is proportionate to demand.
- 23 Strategy meetings as a minimum should include three key partner agencies, social care, health and police. However where families are known to multiple services i.e. Harbour, substance misuse services, education providers, adult mental health services, as many as 6-8 professionals may need to attend a strategy at any one time in order to ensure all relevant information is shared.
- 24 A strategy meeting should be held within 24hrs of a safeguarding concern being identified and in order to support this process, many strategy meetings are now conducted via teleconferencing facilities to reduce travel time.

Child Protection Planning

- 25 The purpose of a Child Protection Conference is to bring together and analyse, in an inter-agency setting, all relevant information and plan how best to safeguard and promote the welfare of the child. It is the responsibility of the conference to make recommendations on how organisations and agencies work together to safeguard the child in future.
- 26 Information is considered alongside the findings of the S47 investigation and a determination is made to whether the child requires a child protection plan given the presenting risks.
- 27 To ensure that all children are enabled to contribute to the child protection process and their voices can be heard, there is a referral

pathway to NYAS (National Advocacy Service) for children who are considered at a conference. NYAS will provide an independent adult who will work directly with the child/young person to gather their wishes and feelings and share these in the conference.

- 28 Social worker will also work directly with children and young people to ensure that their wishes and feelings and views are considered within the child protection forum.
- 29 In Durham, Child Protection Conferences are chaired by Independent Reviewing Officers. In accordance with Working Together 2018 the IRO will chair all subsequent conferences and act as an independent person so that they can scrutinise the plans and recommendation of the Local Authority and partner agencies.
- 30 Currently there are 434 children subject of a Child Protection Plan in Durham as of January 2019. The rate of CPPs per 10,000 (43.2) is higher than in our statistical neighbours (41) but lower than the region (66) and England (45).
- 31 The number of children subject to a child protection plan has risen and this is an increasing trend both regionally and nationally. The practice of engaging parents in child protection work can be a significant challenge to professionals. Parents are likely to have multiple and complex needs of their own such as substance misuse, mental health issues, alcohol misuse. Part of the plan will be to ensure that their needs are addressed in order to enable them to care for their children safely. The social work task involved ensuring that the plan is written in a way which the child and family can understand so that parents know what needs to change and what professionals are worried about and also to support parents to remain engaged in the process.
- 32 All children placed on Durham's child protection list will have a Child Protection plan. The aim of the child protection plan is to:
 - (a) ensure the child is safe from harm and prevent them from suffering further harm;
 - (b) promote the child's health and development;
 - (c) support the family and wider family members to safeguard and promote the welfare of their child, provided it is in the best interests of the child;
- 33 The first review of the child protection plan should be held within three months of the initial conference and further reviews at intervals of no

more than six months for as long as the child remains subject of a child protection plan.

- 34 Within 10 working days from the initial child protection conference if the child is the subject of a child protection plan a core group meeting should be held to. These are multi-agency meeting which are also attended by families to:
- (a) further develop the outline child protection plan, based on assessment findings, and set out what needs to change, by how much, and by when in order for the child to be safe and have their needs met;
 - (b) decide what steps need to be taken, and by whom, to complete the in-depth assessment to inform decisions about the child's safety and welfare;
 - (c) implement the child protection plan and take joint responsibility for carrying out the agreed tasks, monitoring progress and outcomes, and refining the plan as needed;

(Appendix 4 –Working Together 2018).

- 35 When a child protection plan is effective a child will be removed from the child protection list at a review conference. Children will also be delisted from child protection plans if the risks are deemed so high that they are removed from their care of their parents and placed in local authority care. In these instances the children become the subject of Child Care Plans and their plans continue to be reviewed by IRO's as independent chairs in Child Looked After reviews, in line with statutory guidance and the Care planning regulations.
- 36 Parents whose children are subject of child protection plans often have multi-faceted issues ranging from significant substance misuse to mental health issue to financial issues. The role of the social worker is to identify what the concerns are which result in a children not having their basic needs met but also to identify strengths in families, solutions, support and services for parents.

Pre Proceedings and Care Proceedings.

- 37 A key principle of the Children Act 1989 is that children are generally best looked after within the family, with their parents playing a full part in their lives and with the least recourse to legal proceedings.
- 38 When the risks to a child become so significant that it is felt these can no longer be managed through a child protection process, a social

worker will need to consider taking steps to protect the child and undertake assessments of the risk within a public law pre proceedings (PLO) framework.

- 39 Families are advised that if significant change is not made within the child's timeframe and the threshold is met for care proceedings in principle, during this period of PLO assessments and intervention work which is undertaken within a tight timescales (16weeks) in which is no change is seen the local authority will issue care proceedings and seek alternative care for the child.
- 40 In Durham there are currently 144 children subject of the Public Law outline and 197 children subject of care proceedings.
- 41 The purpose of the PLO framework is to set out clearly what the issues of concern are and what needs to change. Parents have legal advice throughout this process. Work is completed within the PLO process within tight timescales, usually a maximum of 16 weeks and parents are advised that if the necessary changes are not evidenced, then the Local Authority will issue care proceedings and seek alternative care for the child. Many families achieve significant positive change through this process and risks and concerns for children are successfully reduced.

Conclusion

- 42 There is a significant volume of work undertaken within Children Social Care Families First teams to ensure that the Local Authority remain compliant with Working Together 2018 and their statutory duties to ensure that where children are at risk of significant harm they are safeguarded. Decisions are also made to ensure that appropriate support, intervention and partnership working are effective in providing families with an opportunity to address concerns identified and improve the outcomes for their children. The nature of work undertaken within a Families First team ranges from responding to referrals which require a proportionate response, single assessment and low level intervention, to working with families where there are significant safeguarding concerns which require immediate risk management response which in some instances may result in a child being made subject of care proceeding and subsequently being removed from their parents care.

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Appendix 1: Implications

Legal Implications

None.

Finance

None.

Consultation

None.

Equality and Diversity / Public Sector Equality Duty

None.

Human Rights

None.

Crime and Disorder

None.

Staffing

None.

Accommodation

None.

Risk

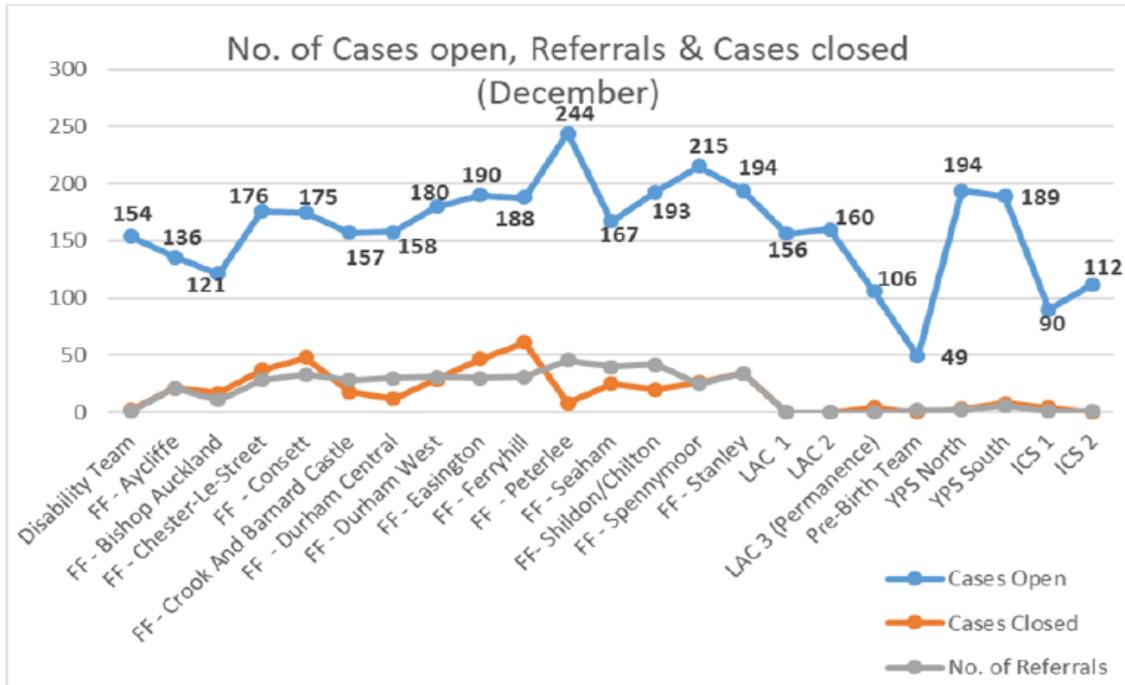
None.

Procurement

None.

Appendix 2: Families first weekly referral table

Breakdown for teams of Cases Open, Referrals and Closures
(PI Number 9, 32,)



Appendix 3: Referrals allocated to FF/DCFT last week

Families First	WC 31.01.2018	WC 07.01.2019	WC 14.01.2019
AYCLIFFE	4	8	12
BISHOP AUCKLAND	10	12	4
CLS	6	5	14
CONSETT	11	1	16
CROOK / BARNARD CASTLE	3	14	3
DURHAM CENTRAL	11	6	15
DURHAM WEST	7	10	8
EASINGTON	12	1	1
FERRYHILL	4	11	5
PETERLEE	16	7	1
SEAHAM	2	12	12
SHILDON / CHILTON	4	12	8
SPENNYMOOR	0	9	9
STANLEY	4	10	8
Total for week	94	118	116

Appendix 4: Working Together 2018 Flowchart

Flow chart 5: What happens after the child protection conference, including the review?

