



Haringey Council

Agenda item:

Special Overview and Scrutiny

On 17 September 2009

Report Title: An Overview Report on the work of the Member's Safeguarding Policy and Performance Panel

Report of Peter Lewis, Director of the Children and Young People's Service

Signed :

Contact Officer : Mark Gurrey, Assistant Director, Safeguarding

Wards(s) affected: ALL

Report for: Non Key Decision

1. Purpose of the report

This report is provided to help Overview and Scrutiny understand the work of the Members Safeguarding Policy and Performance Panel. The Panel was formed as a consequence of the Joint Area Review report November 2008 and represents the process by which back bench members can have greater involvement in the Council's work in safeguarding children.

2. Recommendations

3. Reason for recommendation(s)

4. Other options considered

4.1. N/A

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| <p>5. Chief Financial Officer Comments</p> <p>5.1. N/A</p> |
| <p>6. Head of Legal Services Comments</p> <p>6.1. N/A</p> |
| <p>7. Head of Procurement Comments</p> <p>7.1. N/A</p> |
| <p>8. Equalities & Community Cohesion Comments</p> <p>8.1. N/A</p> |
| <p>9. Consultation</p> <p>N/A</p> |
| <p>10. Service Financial Comments</p> <p>There are no particular financial issues arising from this report.</p> |
| <p>11. Use of appendices / Tables and photographs</p> <p>Attached – report to the first Safeguarding Policy and Performance Panel meeting held on 22 June 2009.</p> |
| <p>12. Local Government (Access to Information) Act 1985</p> |

Background

14. The SPPP has met three times thus far – 08/04/2009, 22/06/2009 and again 27/07/09. Membership consists of 5 Members (3 from the Administration and 2 from the Opposition) supported by an external and independent expert. The first meeting was an initial meeting to agree the scope of work the panel would address and the process by which it would go about its work.
15. The April meeting agreed initial terms of reference and in June the Panel also agreed that Hilary Corrick would act as the independent expert on the Panel's behalf with a view to both helping them direct their inquiries

and to offer training and insight into social care practice.

16. The July meeting considered records from a day's (chosen at random) worth of contacts to the Service to gain an overview of the range of work that comes into the service and to understand question the responses made. The panel then selected a number of cases to track going forward, particularly focusing on cases that become subject to a child protection plan.
17. The next meeting of the Panel, 08/09/09, will review progress on those cases.
18. The June meeting was informed by a general overview report that tracked the history of child protection work in this country and highlighted some of the major themes, both locally and nationally. That report is reproduced in the attached appendix as offering a useful background for O&S members.

1. Introduction

- 1.1 *This report is an introductory one for the Members Safeguarding Policy and Performance Panel. It builds on the already agreed terms of reference, sets out some historical and legislative background to child protection work, gives an overview of the position in borough at the moment and suggests some issues worthy of further consideration by the panel.*
- 1.2 *It is important to be clear about the role and purpose of the panel and what objectives it has, beyond the terms of reference. It will be important that in agreeing these members can set deliverable objectives against which they can measure the success of their work.*
- 1.3 *It is proposed that the Panel agrees that its purpose is to:*
 - *Ensure members have an understanding of some of the key issues in protecting children*
 - *That they can be confident about the arrangements in place to carry out this work*
 - *That a number of lines of enquiry have been pursued to enable a consideration of all aspects of safeguarding work*
- 1.4 *Lord Laming (see below) spoke of the benefits of 'respectful enquiry' and it is suggested that it is this tone that should direct the work of this panel.*

2. Historical and Legal Background

- 2.1 *Child protection work in this country has largely developed in response to a series of reports and investigations into a number of high profile child deaths. Some of these responses were then formally incorporated into primary legislation.*
- 2.2 *The first of these was the investigation into the death of Maria Colwell in 1974 which probably for the first time established child abuse as a societal problem requiring a societal response. It also identified what became an all too familiar catalogue of inter-agency failures in communication and joint working and front line staff not equipped or supported to carry out the challenges of trying to keep children safe. From this inquiry much of the modern child protection system was developed – in particular the growth of Area Child protection Committees (now Local Safeguarding Children Boards), the establishment of inter agency procedures' to govern child protection work and the system of case conferences and the child protection register.*

- 2.3 A series of further inquiries – including those into the deaths of Tyra Henry, Jasmine Beckford, Paul, Kimberley Carlisle amongst others – all lead to further changes and improvements in the system.
- 2.4 In 1989 the lessons from these inquiries and from current research were incorporated into the Children Act which replaced all previous child care legislation that governed child protection work and remains the key statute for the delivery of services to individual children. It was this Act, together with changes in adult legislation, which led to the splitting of then Social Services Departments into separate entities for children and for adult services. These arrangements have been further refined in the 2004 Children Act, developed from the 'Every Child Matters' agenda and which sets out arrangements for agencies to work together to achieve the five key outcomes for children. (see below) However, the 1989 Act remains the key legislation in our work with individual children and families.
- 2.5 The Act set out a number of key principles for the first time in work with children:
- That the welfare of the child is paramount
 - Introduced the notion of parental responsibility
 - To improve partnership working between the state and families
 - Introduced the no order principle
 - Delay in decision making is detrimental to children
 - Brought together private and public law in relation to children
- 2.6 The Act has a number of key sections:
- Section 17 which sets out definitions of and service provision for 'children in need'
 - Section 47 which sets out the process by which agencies investigate concerns about children suffering or believed to be suffering 'significant harm'
 - Section 20 which allows for children to be placed voluntarily in care by their parents
 - Section 31 which covers Care Orders as made within the Court arena
- 2.7 The next major development was the Victoria Climbié inquiry in 2004 conducted by Lord Laming. The circumstances of Victoria's death are well known and will not be repeated here.
- 2.8 The inquiry report listed 108 recommendations for implementation designed to improve child protection work. Those recommendations were targeted at government and individual local state agencies, notably social care, health and the police.

- 2.9 The outcomes from this inquiry eventually lead to the 2004 Children Act, the establishments of children's trusts, of LSCBs, of expectation that children's agencies would work together strategically and operationally and the five outcomes for all children as defined by Every Child Matters should govern and direct all work with children and their families. All future inspections were to judge services against their success or otherwise in delivering these outcomes. These outcomes are:
- Be healthy
 - Stay Safe
 - To enjoy and achieve
 - To make a positive contribution
 - To enjoy economic well being
- 2.10 The report also focussed on the detail of operational work and set out a number of recommendations designed to cover day to day operational provision.
- 2.11 Finally, the report also set out very explicitly the responsibilities of members and senior officers in relation to the delivery of child protection work in their organisations.
- 2.12 In recent times, the notion of child protection has been broadened to the notion of 'safeguarding'. Child protection has tended to mean work to reduce the abuse or neglect (real or predicted) experienced by children at the hands of the parents or carers. Safeguarding refers to those issues which more generally impact upon a child's safety and can include bullying, road safety, sexual exploitation, living in poor accommodation etc. (See the recommendations)
- 2.13 Since then of course there has been the further Laming Report following the death of Baby Peter in Haringey.
- 2.14 Essentially, Lord Laming's follow up report replicated his first report in that recommendations were made directed at central government and on a national level and others focussed on operational delivery. Some addressed the functioning of LSCBs and others the production and use of serious case reviews. A copy of this report – and the government response (accepting all the recommendations) – is available if required.

Haringey Context

- 2.15 I have set out the national context within which this member's Panel is being convened. Obviously, it is sitting in the midst of considerable local activity and national scrutiny into the work of Haringey's Children and Young People's Service and partner agencies particularly in relation to their collective ability to safeguard children in the borough.

2.16 There are a number of key documents which is driving the work locally and which member's will either have seen or may need to see. Of these the most important is the JAR Action Plan constructed following the critical Joint Area Review inspection in December 2008. In addition other key documents include:

- The Executive Summary of the Serious Case Review into Baby P
- The associated Action Plan
- A plan setting out our progress against the second Laming Report
- The Ofsted/JAR letter following a recent monitoring visit due for publication after 22nd June

2.17 It will be helpful to give members some statistical details relating to the protection of children in Haringey.

2.18 There are 48,965 children aged 0-18yrs in the borough. Of those it is estimated 16,000 will be considered 'vulnerable' and approximately 1600 as 'in need' (as defined by the 1989 Children Act).[These figures are based on an extrapolation from national estimates] During 2008-09, 387 child protection investigations were carried out by children's services under Section 47 of that Act (and sometimes known as S47 investigations). One of the outcomes from S47 investigations is the convening of a child protection conference. This meeting brings all relevant agencies and parents together to look at the circumstances of the child and to decide whether or not they should be subject to a 'child protection plan' (CP Plans have replaced the 'Child Protection Register' which itself was a replacement for the 'At Risk Register')

Rates of Children in Care and Children Subject to a Child Protection Plan (per 10,000)

| | <i>Haringey May 09</i> | <i>Haringey 08/09 Outturn</i> | <i>Haringey 07/08 Outturn</i> | <i>Statistical Neighbours 07/08</i> |
|------------|-------------------------------------|---|---------------------------------------|---|
| <i>CP</i> | <i>36.7 (180 children)</i> | <i>36.5 (179 children)</i> | <i>87.9 (232 children)</i> | <i>35.7</i> |
| <i>CiC</i> | <i>104.6 (512 children)</i> | <i>100.1 (490 children provisional)</i> | <i>47.7 (427 children)</i> | <i>92.4</i> |

2.19 As at March 2009 there were 182 children subject to child protection plans. Of these:

- 95 were boys and 87 girls
- 94 had a plan for reasons of neglect

- 35 for physical abuse
 - 7 for sexual abuse
 - 106 for emotional abuse
- (these categories add up to more than 182 as some children are subject to plans for a variety of reasons)
- 12 were aged under 1yr
 - 47 1-4yrs
 - 58 5-9yrs
 - 56 10-15yrs
 - 9 16+

2.20 The overwhelming majority of these children live at home with their parents/carers or in their extended families. Working with parents to safeguard their children is therefore a key activity for staff, often of course not easy in the face of opposition, denial, anger or threatening behaviour. At this stage the input is about constructing packages of support to the family designed to improve safe parenting and increase the safety of the child.

2.21 Children subject to child protection plans are regularly reviewed in case conferences and a key decision to be made and reviewed is whether the child is safe (or often, safe enough). When it is felt that the child protection plan is not working or not working well enough, then a decision to initiate care proceedings is made.

2.22 Currently, the care population in Haringey is growing quite quickly and managers are reviewing those cases to be clear that the 'right' children are coming into care in the right circumstances and that all efforts to support the family have been exhausted. Clearly, in the current climate locally there is a heightened level of risk aversion across all agencies and part of the longer term agenda is to help manage those anxieties within the inter agency partnership.

2.23 Haringey's CYPS, through its Referral and Assessment service routinely receives about 200-400 contacts a week and of those anything between 40-90 become referrals to be followed up further. Some of those may be immediately judged as child protection matters – in other instances a degree of assessment and fact finding is necessary before that conclusion can be drawn.

2.24 Effective child protection work is essentially a partnership activity between children's services and other agencies. Our most important partner in terms of carrying out the work is the Police Child Abuse Investigation team (CAIT). Child abuse is of course a crime and by jointly managing cases and jointly investigating where agreed, we can ensure that one process will safeguard the child and pursue the criminal element – most importantly, it means children only need tell their story once and both agencies can respond in a coordinated manner.

- 2.25 Equally important are the referring agencies. Some concerns come to us from the public and occasionally from family members but the majority of our work comes in from other professionals. Predominant in this group are of course schools and building and maintaining effective working relationships with our schools is crucial to the successful safeguarding of children. Schools, and other agencies, need to know what to refer, when and under what circumstances. They also need to be assured of a quick and professional response from the service. This is an area of focus for us currently through:
- The development of an agreed Thresholds Document designed to help agencies be clear about what to refer and to manage those cases that do not meet our eligibility criteria
 - The development of an agreed protocol with schools (replicable with other agencies) setting out the terms and standards for our joint work
- 2.26 Since the death of Baby Peter and subsequent intense scrutiny of the service, we can identify the following as major challenges that are being addressed:
- Recruitment of skilled and experienced staff
 - Retaining and up-skilling existing staff.
 - Developing a more analytical staff group able to better assess and manage risks
 - Re-building working arrangements with partner agencies

3. The Agreed Way Forward

- 3.1 It is clear that whilst a relatively small number of children are involved, child protection is a complex activity which requires a number of processes and procedures to come together if it is to be carried out successfully.
- 3.2 In order to help the Panel navigate this work, a work programme was agreed for the first two meetings:
- An initial focus on referral and assessment, understanding how work comes into the service and what initial response are made, where they come from, what happens to them, issues of thresholds etc
 - An exploration of the systems and processes surrounding children subject to children plans, how those plans are made, what they address, how they are reviewed, how children are visited and decisions made about their well-being
- 3.3 CYPS has secured the services of a very experienced and respected independent social worker to work with the panel. Her name is Hilary Corrick and her role will be to offer an off-line expertise to members, helping them frame lines of inquiry, making sense of responses and identifying follow up questions and putting Haringey's work into a

national context, being clear about accepted notions of best practice.

- 3.4 Children's files are made available to members to help in their understanding – also to give a sense of the computerised system discussed in the Baby Peter enquiry, the Integrated Children's System.*
- 3.5 The Panel is routinely be attended by and served by Mark Gurrey, Interim Assistant Director Safeguarding who can arrange for other relevant managers to attend as required.*