



PAN DORSET INTER-AGENCY SAFEGUARDING PROCEDURES

CHAPTER 3

3.1 GUIDANCE ON CONSENT, CONFIDENTIALITY AND INFORMATION SHARING 'WHAT TO DO IF YOU'RE WORRIED A CHILD IS BEING ABUSED'

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Review Date: 2012

If you have any comments or queries about the pan-Dorset procedures please contact your agency representative on the Pan Dorset Policy and Procedures Group or notify the LSCB using the following email addresses:

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What to do if you're worried a child is being abused – Summary



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Introduction – Safeguarding children



All those who come into contact with children and families in their everyday work, including practitioners who do not have a specific role in relation to safeguarding children, have a duty to safeguard and promote the welfare of children. You are likely to be involved in three main ways:

- you may have concerns about a child, and refer those concerns to children’s social care or the police. School staff (both teaching and non-teaching) should be aware of the local procedures to be followed for reporting concerns about a particular child. This will normally be via the school’s designated senior member of staff or their nominated deputy or if neither are available, another senior member of the school’s staff. In emergencies however, contact the police direct;
- you may be approached by children’s social care and asked to provide information about a child or family or to be involved in an assessment. This may happen regardless of who made the referral to children’s social care;
- you may be asked to provide help or a specific service to the child or a member of their family as part of an agreed plan and contribute to the reviewing of the child’s progress.

The flow charts starting on page 12 illustrate the processes for safeguarding children:

- from the point that concerns are raised about a child and are referred to a statutory agency that can take action to safeguard and promote the welfare of the child (flow chart 1);
- through an initial assessment of the child's situation and what happens after that (flow chart 2);
- taking urgent action, if necessary (flow chart 3);
- to the strategy discussion, where there are concerns about the child's safety, and beyond that to the child protection conference (flow chart 4); and
- what happens after the child protection conference, and the review process (flow chart 5).

Everyone working with children and families should...

- Be familiar with and follow your organisation's procedures and protocols for promoting and safeguarding the welfare of children in your area, and know who to contact in your organisation to express concerns about a child's welfare.
- Remember that an allegation of child abuse or neglect may lead to a criminal investigation, so don't do anything that may jeopardise a police investigation, such as asking a child leading questions or attempting to investigate the allegations of abuse.
- If you are responsible for making referrals, know who to contact in police, health, education, school and children's social care to express concerns about a child's welfare.



- When referring a child to children's social care you should consider and include any information you have on the child's developmental needs and their parents'/carers' capacity to respond to these needs within the context of their wider family and environment. This information may have been obtained during the completion of a Common Assessment (2006). Similarly, when contributing to an assessment or providing services you should consider what contribution you are able to make in respect of each of these three domains. Specialist assessments, in particular, are likely to provide information relevant to a specific dimension, such as health, education or family functioning.
- See the child and ascertain his or her wishes and feelings as part of considering what action to take in relation to concerns about the child's welfare.
- Communicate with the child in a way that is appropriate to their age, understanding and preference. This is especially important for disabled children and for children whose preferred language is not English. The nature of this communication will also depend on the substance and seriousness of the concerns and you may require advice from children's social care or the police to ensure that neither the safety of the child nor any subsequent investigation is jeopardised. Where concerns arise as a result of information given by a child it is important to reassure the child but not to promise confidentiality.

- Record full information about the child at first point of contact, including name(s), address(es), gender, date of birth, name(s) of person(s) with parental responsibility (for consent purposes) and primary carer(s), if different, and keep this information up to date. In schools, this information will be part of the pupil's record.
- Record in writing all concerns, discussions about the child, decisions made, and the reasons for those decisions. The child's records should include an up-to-date chronology, and details of the lead worker in the relevant agency – for example, a social worker, GP, health visitor or teacher.

If you have concerns about a child's welfare...



Everyone should...

- Discuss your concerns with your manager, named or designated health professional or designated member of staff, depending on your organisational setting. If you still have concerns, you or your manager could also, without necessarily identifying the child in question, discuss your concerns with senior colleagues in another agency in order to develop an understanding of the child's needs and circumstances.
- If, after this discussion, you still have concerns, and consider the child and their parents would benefit from further services, consider which agency, including another part of your own, you should make a referral to. If you consider the child is or may be

a child in need, you should refer the child and family to children's social care. This may include a child whom you believe is, or may be at risk of, suffering significant harm. If your concerns are about a child who is already known to children's social care, the allocated social worker should be informed of your concerns. In addition to children's social care, the police and the NSPCC have powers to intervene in these circumstances.

- In general, seek to discuss your concerns with the child, as appropriate to their age and understanding, and with their parents and seek their agreement to making a referral to children's social care unless you consider such a discussion would place the child at an increased risk of significant harm. (Appendix 1 sets out six key points on information sharing reproduced from *Information sharing: Practitioners' guide* (HM Government 2006) – Section 4 of this information sharing guidance provides more in-depth guidance on consent, confidentiality and information sharing. See www.ecm.gov.uk/deliveringservices/informationsharing)
- When you make your referral, agree with the recipient of the referral what the child and parents will be told, by whom and when.
- If you make your referral by telephone, confirm it in writing within 48 hours. Children's social care should acknowledge your written referral within one working day of receiving it, so if you have not heard back within 3 working days, contact children's social care again.

Social workers and their managers, in responding to a referral, should...

- Following a referral, you and your manager should decide on the next course of action within one working day and record this decision on the Referral and Information Record (Department of Health, 2002). Further action may include undertaking an initial assessment, referral to other agencies, provision of advice or information, or no further action.
- If you and your manager decide that you should take no further action at this stage, tell the referrer of this decision and the reasons for making it. Where a referral has been received from a member of the public, do this in a way that is consistent with respecting the confidentiality of each party.
- New information may be received about a child or family where the child or family member is already known to children's social care. If the child's case is open, and there are concerns that the child is or may be suffering harm, then a decision should be made about whether a strategy discussion should be initiated. It may not be necessary to undertake an initial assessment before deciding what to do next. It may, however, be appropriate to undertake a core assessment or to update a previous one, in order to understand the child's current needs and circumstances and inform future decision-making. If this information causes you to be concerned about a child's safety then discuss it with your manager. If you consider the child is or may be suffering harm, decide whether, as the child and family will be well known to children's social care it is appropriate to hold a strategy discussion without undertaking an initial assessment.

- You and your manager should consider whether a crime may have been committed. If so, discuss the child with the police at the earliest opportunity, as it is their responsibility to carry out any criminal investigation in accordance with the agreed plan for the child.
- When you have received a referral from a member of the public, rather than another professional, remember that personal information about referrers, including anything that could identify them, should only be disclosed to third parties (including subject families and other agencies) with the consent of the referrer. If the police are involved, you will need to discuss with them when to inform the parents about referrals from third parties, as this will have a bearing on the conduct of police investigations.

Police officers should...

- Where you become involved with a child about whom you have child welfare concerns, refer to children's social care and agree a plan of action.
- Where you are contacted by children's social care about a child, consider whether to begin a criminal investigation and lead on any investigation.
- Undertake the evidence gathering process whilst working in partnership and sharing relevant information with children's social care and other agencies.
- Take immediate action where necessary to safeguard a child, consulting with children's social care and agreeing a plan of action as soon as practicable.

What should happen later in the child protection process



Social workers and their managers should...

- Lead on the assessment and planning processes, ensuring planned interventions are carried out and the child's developmental progress reviewed, and provide support or specific services to the child or member of the family as part of an agreed plan.

Police officers should...

- Investigate any allegations of crime or suspected crime and use the information gained to assist other agencies in understanding the child's circumstances, in the interests of the child's welfare.
- Investigate the criminal history of any known or suspected offender and where appropriate refer to the multi-agency public protection arrangements (MAPPA) so that any future risk of serious harm can be properly assessed and managed.

Everyone else should...

- provide relevant information to children's social care or the police about the child or family members;
- contribute to initial or core assessments and undertake specialist assessments, if requested, of the child or family members;

- provide support or specific services to the child or member of the family as part of an agreed plan, and contribute to the reviewing of the child’s developmental progress.

If you need further information



Framework for the Assessment of Children in Need and their Families. Website:

[http://www.dh.gov.uk/PublicationsPolicyAndGuidance/
PublicationsPolicyAndGuidanceArticle/fs/en?CONTENT_ID=
4003256&chlc=fss1lca](http://www.dh.gov.uk/PublicationsPolicyAndGuidance/PublicationsPolicyAndGuidanceArticle/fs/en?CONTENT_ID=4003256&chlc=fss1lca)

Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children. Website:
[http://www.everychildmatters.gov.uk/resources-and-practice/
IG00060/](http://www.everychildmatters.gov.uk/resources-and-practice/IG00060/)

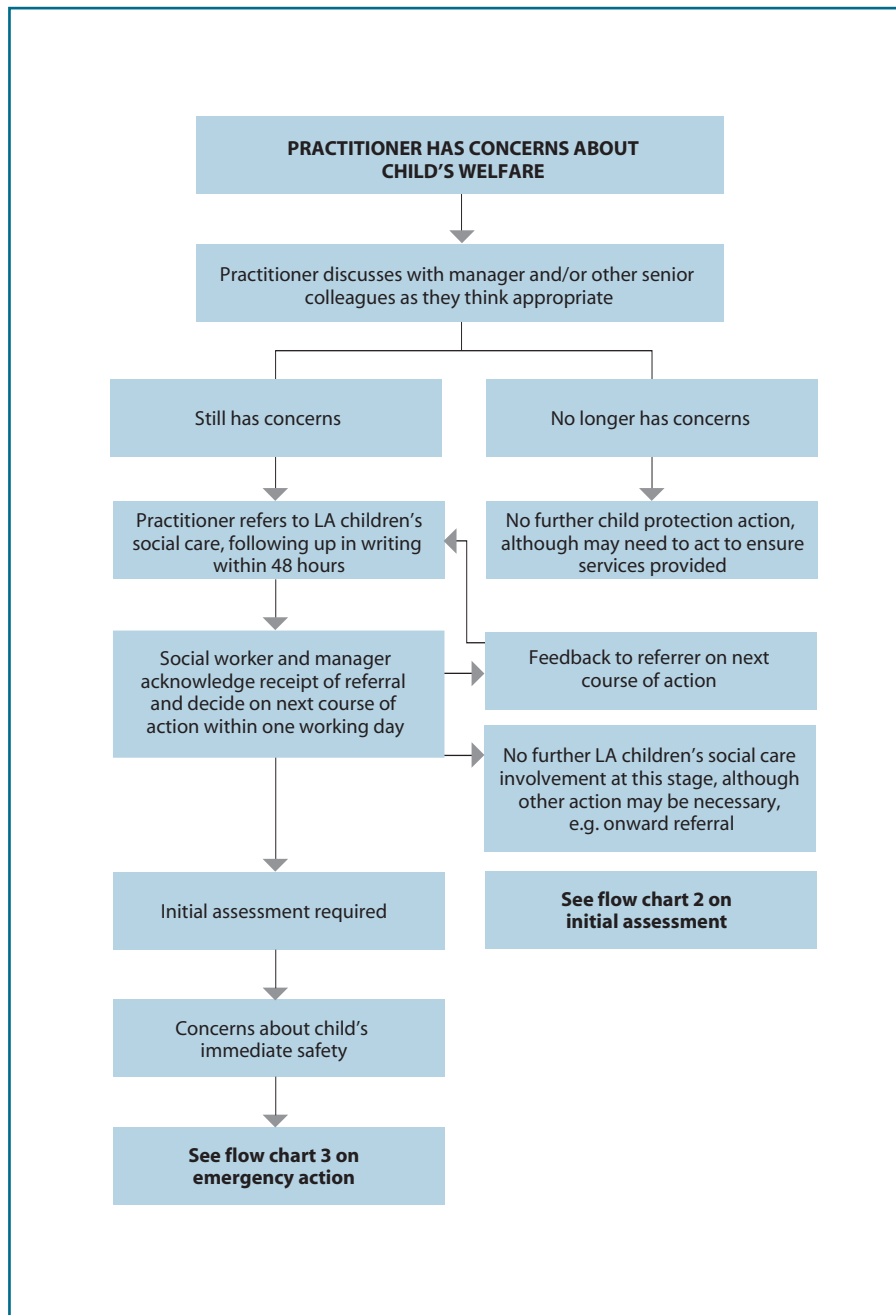
What To Do If You’re Worried A Child Is Being Abused. Website:
[http://www.everychildmatters.gov.uk/search/?asset=dowmeat&id=
=17378](http://www.everychildmatters.gov.uk/search/?asset=dowmeat&id=17378)

Information sharing: Practitioners’ guide. Website:
<http://www.ecm.gov.uk/deliveringservices/informationsharing>

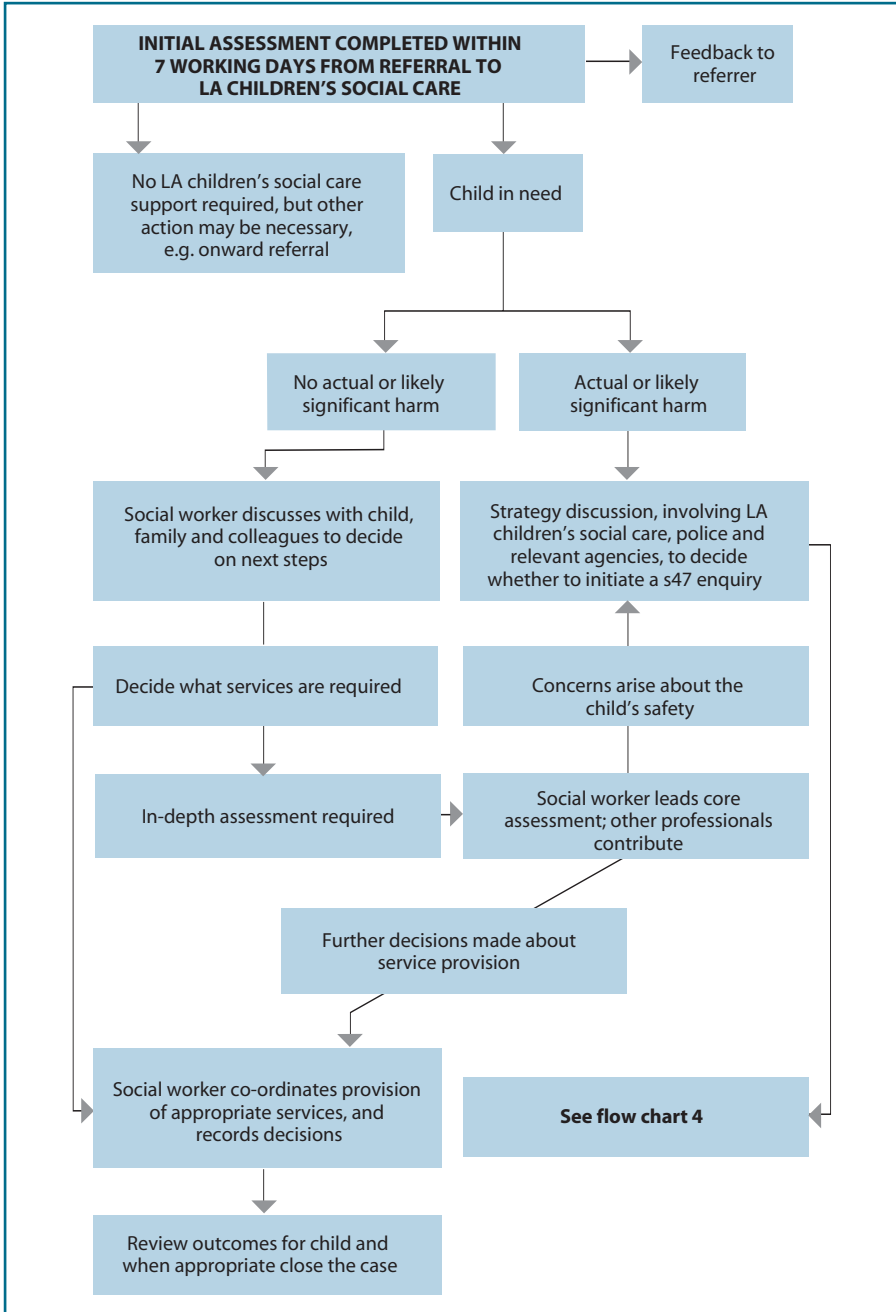
The Common Assessment Framework for Children and Young People: practitioners guide. Website: <http://www.ecm.gov.uk/caf>

The Exemplar Records for the Integrated Childrens’ System
Website: <http://www.everychildmatters.gov.uk/ics>

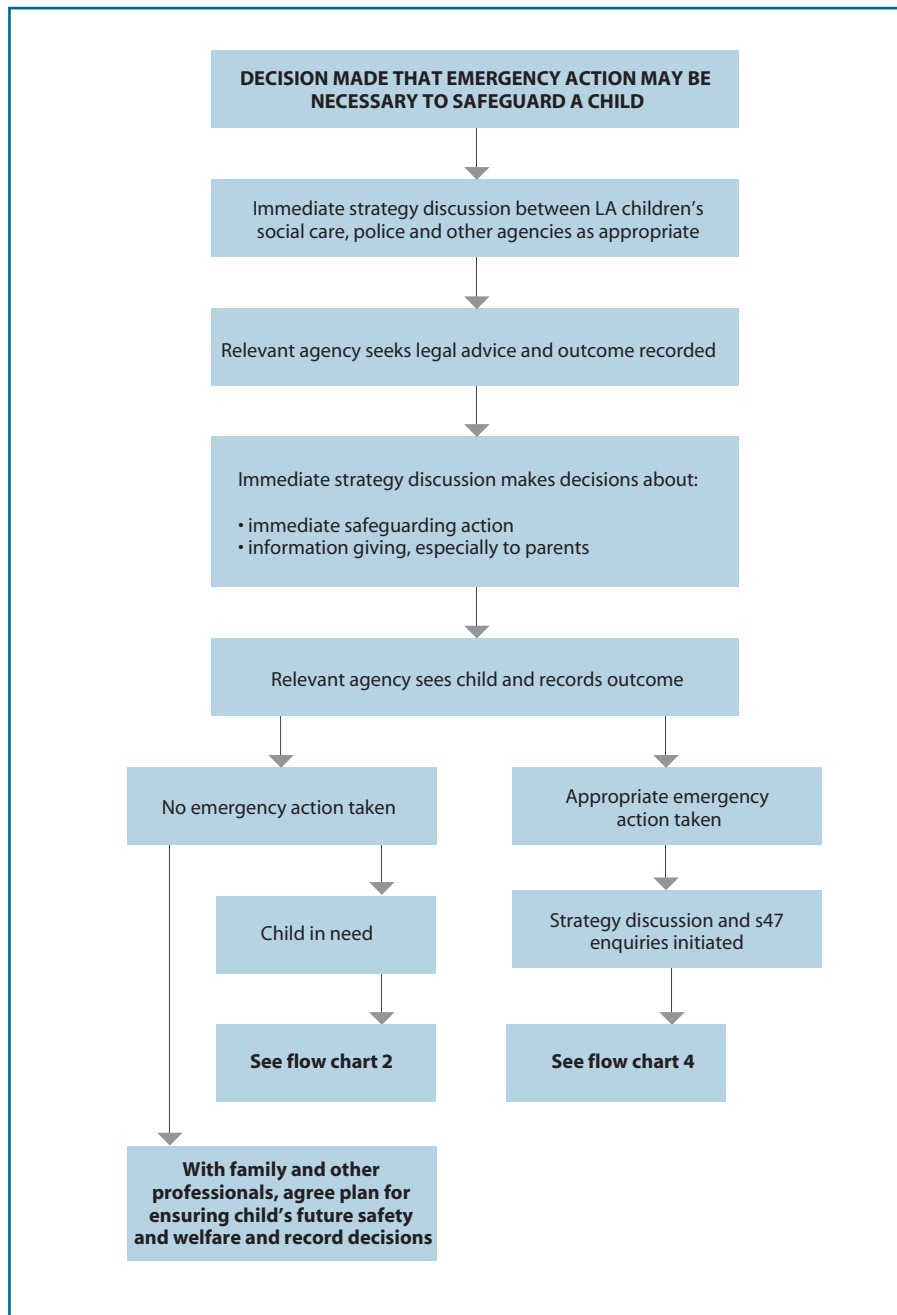
Flow chart 1 – Referral



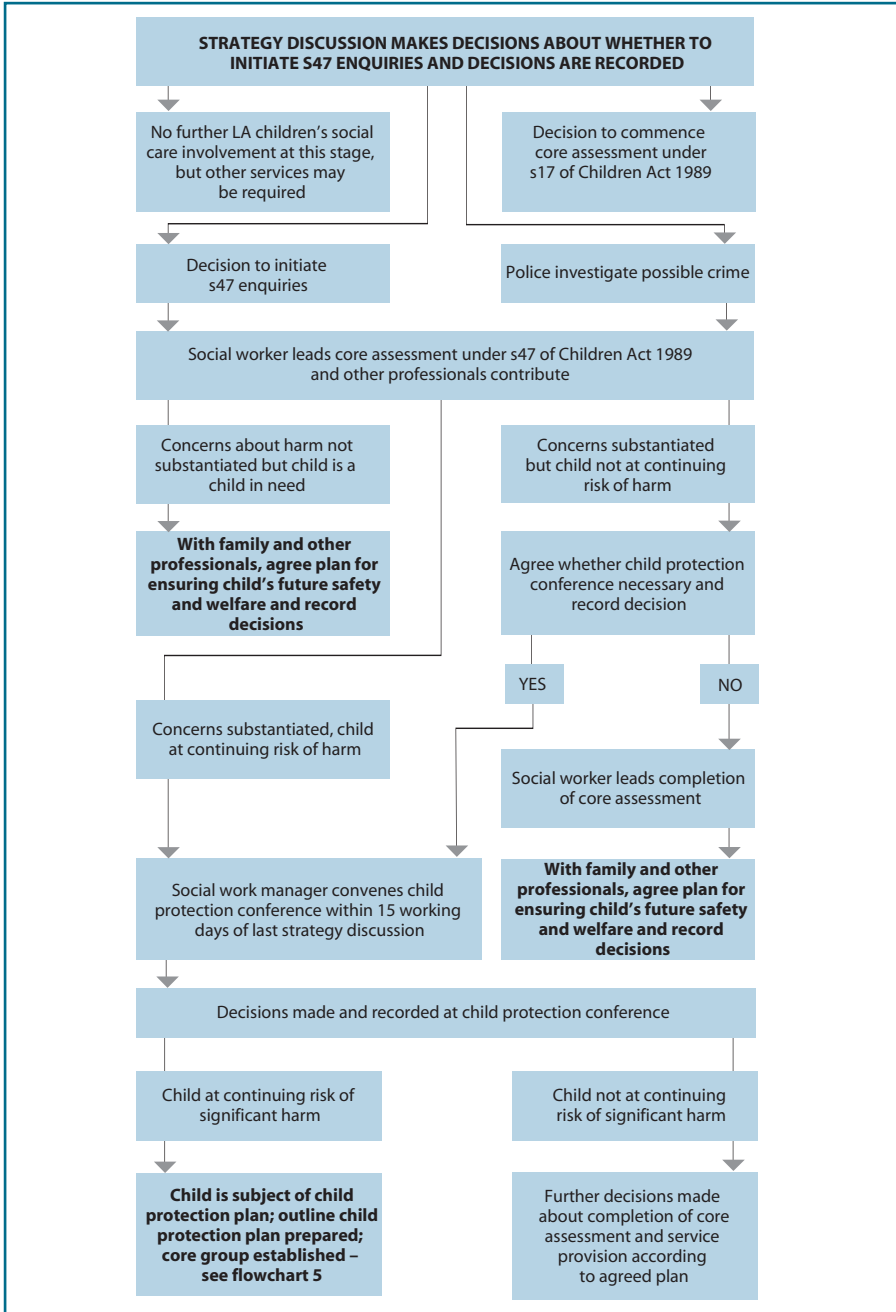
Flow chart 2 – What happens following initial assessment?



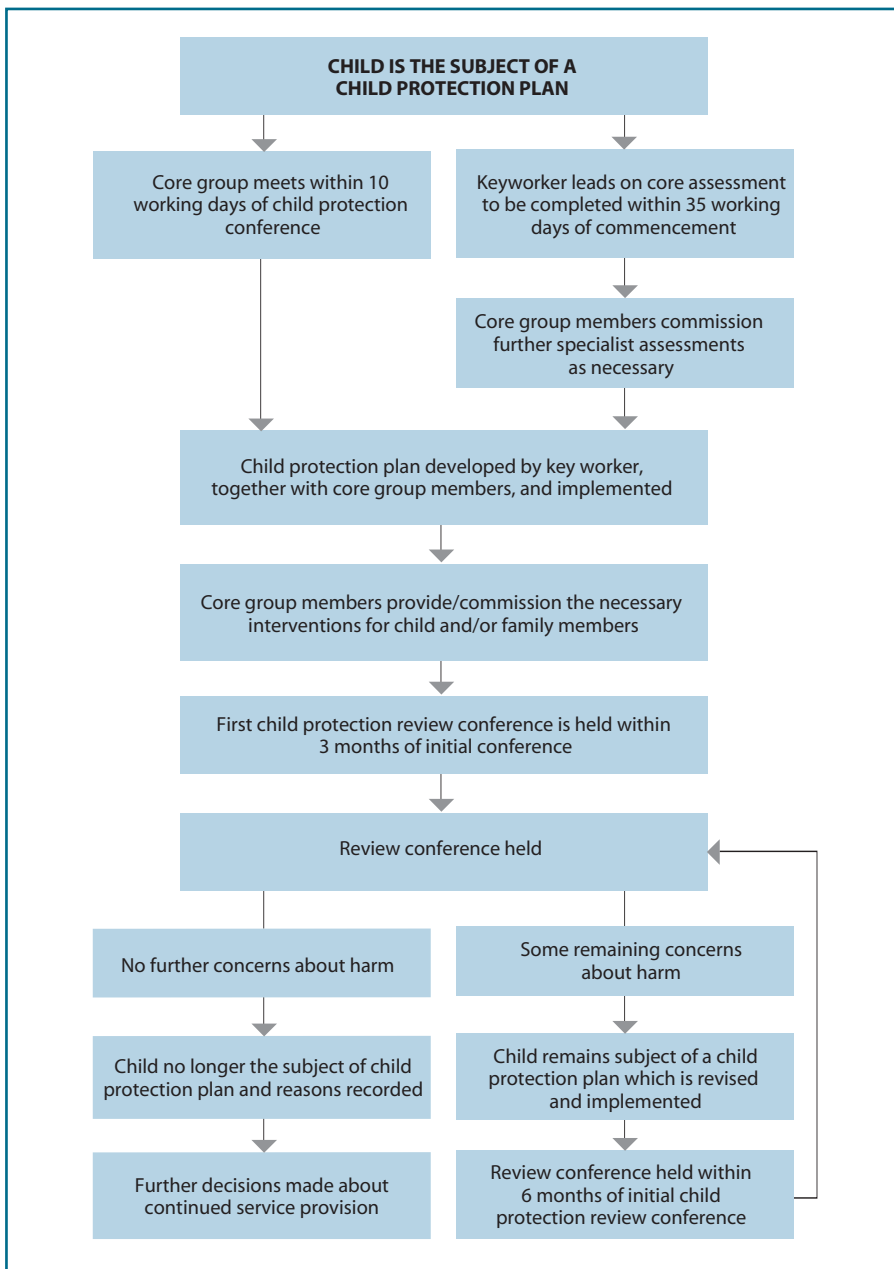
Flow chart 3 – Urgent action to safeguard children



Flow chart 4 – What happens after the strategy discussion?



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




Appendix 1 – Information sharing: Practitioners guide

(Reproduced from *Information sharing: Practitioners' guide* (HM Government, 2006, Page 5)

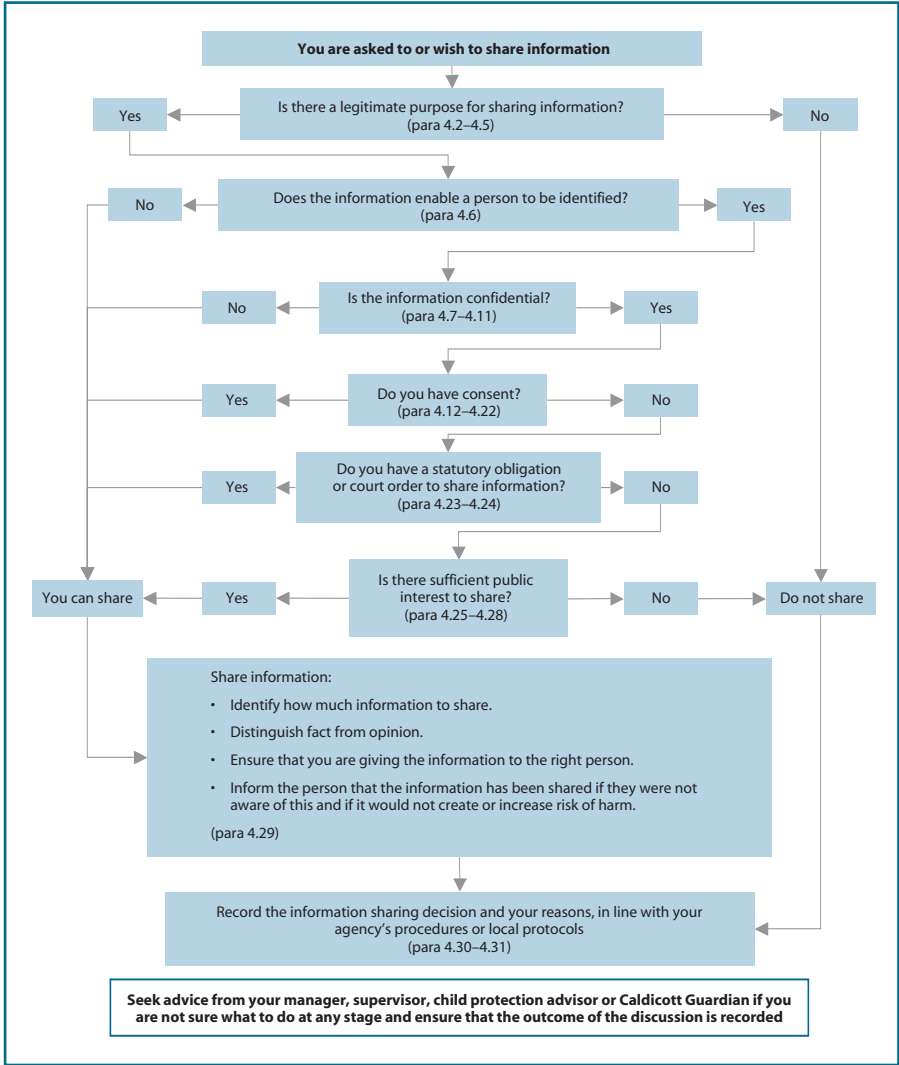


Six key points on information sharing

- You should explain to children, young people and families at the outset, openly and honestly, what and how information will, or could be shared and why, and seek their agreement. The exception to this is where to do so would put that child, young person or others at increased risk of significant harm or an adult at risk of serious harm, or if it would undermine the prevention, detection or prosecution of a serious crime including where seeking consent might lead to interference with any potential investigation.
- You must always consider the safety and welfare of a child or young person when making decisions on whether to share information about them. Where there is concern that the child may be suffering or is at risk of suffering significant harm, the child's safety and welfare must be the overriding consideration.
- You should, where possible, respect the wishes of children, young people or families who do not consent to share confidential information. You may still share information, if in your judgment on the facts of the case, there is sufficient need in the public interest to override that lack of consent.

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- You should seek advice where you are in doubt, especially where your doubt relates to a concern about possible significant harm to a child or serious harm to others.
 - You should ensure that the information you share is accurate and up-to-date, necessary for the purpose for which you are sharing it, shared only with those people who need to see it, and shared securely.
 - You should always record the reasons for your decision – whether it is to share information or not.

Flowchart of key principles for information sharing
 (Reproduced from *Information sharing: Practitioners' guide*
 (HM Government, 2006, Page 19). The paragraph numbers refer
 to those in the Information Sharing guidance.)



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