

**Submission to the Assembly Health Committee
Enquiry on the Safeguarding Board for Northern
Ireland by the British Association for the Study
and Prevention of Child Abuse and Neglect**



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Introduction

The British Association for the Study and Prevention of Child Abuse and Neglect (BASPCAN) is the largest multi-disciplinary association in the United Kingdom for professionals and volunteers working in the field of child protection. It is the only multi-disciplinary association of its kind, bringing together personnel from all agencies who work in the field with children in need, and with those who are abused and neglected. The Association was established to protect children from suffering, or likelihood of suffering, significant harm, ill-treatment, impairment of health or development by the encouragement and promotion of any methods, services and facilities calculated to safeguard and promote the welfare of such children. It aims to educate and inform the public at large, and in particular those persons professionally qualified in relevant fields, in all aspects and effects of abuse and neglect on children generally. We do this by multi-disciplinary collaboration and education. Membership is drawn from a range of professions and disciplines including paediatricians, police officers, social workers, health visitors and teachers. The Association has an active Northern Ireland Branch that has run a number of well attended events, including a conference in 2009 on safeguarding children from minority ethnic backgrounds, and seminars on the role of young witnesses in court, female sex offenders and health professionals identification of abuse and neglect.

BASPCAN are grateful to the Committee for providing this opportunity to comment on the policy proposal for the establishment of the Safeguarding Board for Northern Ireland (SBNi) in advance of the legislation being brought before the Assembly.

As a UK wide organisation BASPCAN are well placed to comment upon the proposals for the establishment of the Safeguarding Board for Northern Ireland in light of the experience of the introduction of Local Safeguarding Children Boards in England and Wales. Overall BASPCAN are supportive of the proposals which have been brought forward by the Department of Health, Social Services and Public Safety. The intent to strengthen the strategic leadership and inter-agency co-ordination that are at the heart of an effective system for protecting children from all kinds of abuse and neglect and in promoting their welfare are welcomed.

- **What are the essential elements that you would like to see to ensure a fully integrated and coordinated response to safeguarding of children?**

Parents and extended family have the primary responsibility for providing children with the care they need and in ensuring their protection from harm. Where parents are either unable to unwilling to do this, and extended family are unable to step in, then the state has a duty to intervene.

Effective child protection systems should have five interlocking objectives that aim to:

- reduce the prevalence and incidence of child abuse and neglect through preventative approaches
- reduce the child mortality rate as a consequence of having a system for identifying and protecting children at risk of significant harm
- prevent children identified as being in need of protection from experiencing repeated harm
- address the effects of the harm experienced by children on their development, and promoting their welfare resulting in improved psychological and social functioning and improved educational attainment
- address the needs of other family members so that they are in a better position to provide for the care and future protection of the child

Over the past forty years in Northern Ireland a very effective system for supporting and protecting children has been developed. This has been based on personal social services and the police having the lead responsibilities for protecting children from harm due to abuse and neglect. Various research studies conducted into the local child protection system have highlighted the positive outcomes for the majority of children and their families where social services have needed to intervene to keep children safe¹. Social workers have sought to meet children's needs in conjunction with other professionals, such as health visitors

and paediatricians, and colleagues from other agencies, such as those in education, the police and, very importantly, the voluntary and community sectors.

As such, BASPCAN welcome the proposal that the new SBNI will build upon the success of the Area Child Protection Committees (ACPCs) which it will replace in providing a forum for developing and implementing a strategic vision for safeguarding children on an interagency and multidisciplinary basis.

This will need to be underpinned by:

- a commitment by members of the SBNI to share and accept responsibility for the safeguarding of children
- a clear understanding of the primacy of the protection of children from abuse and neglect, within a broadened remit of keeping children safe
- individual agency representatives having a clear mandate for both contributing to the work of the SBNI, and in ensuring that their own agency adopts the work of the SBNI into their own business planning cycle and priorities
- a clear role for the SBNI in holding member agencies of the Board to account for their actions
- a clear focus on the outcomes to be achieved for children and their families

The proposals to strengthen some of these areas in comparison to the remit of the former ACPCs are welcomed.

- **Are the functions of the SBNI as outlined at Chapter 3 of the Policy Document adequate?**

The core functions as outlined in Chapter 3 are appropriate for the proposed SBNI, and the links with the ten year strategy for children and young people developed by OFMDFM, and other structural factors such as children's services planning are welcomed. Whilst the focus on the interconnection between complementary fora is acknowledged, the SBNI provides Northern Ireland, uniquely within these isles, with the potential of having a clear overarching strategy for keeping children safe that crosses the traditional government and

agency parameters. As such a prime objective for the new Board should be the development of an over-arching vision for keeping children safe. ***The Committee may wish to explore this issue further.***

- **Given that one of the roles of the SBNI is to secure accountability, how can one panel member hold another to account?**

BASPCAN recognises that accountability is a challenge when agencies will operate under their own separate legislative and policy mandates. In England and Wales the issue of holding individuals agencies to account has been problematic in places, but in other areas the issue seems to have been resolved, principally around ensuring that there are separation of functions and transparency in the operation of the Board. In this regard the chairing arrangements of the Board are key².

BASPCAN welcomes that governance is built into the SBNI proposals in a number of ways:

- in contrast to England and Wales the Chair of the SBNI will be accountable to the Minister, rather than officials within the Health & Social Care Board
- a duty to make arrangements to safeguard and promote the welfare of children is to be **imposed** on core members – and those with whom they have arrangements. This does not alter their legislative requirements on their own agency, rather it requires them to carry these out in way that safeguard and protects children
- lines of accountability through Local Safeguarding Panels to SBNI and through this to the Minister for Health, Social Services and Public Safety on behalf of the NI Executive
- provision for the independent chairing of both the SBNI and Panels
- provision for the appointment of lay members
- a requirement for senior representation from key agencies
- structural involvement for other stakeholders through the provision of a Safeguarding Forum, Patient Client involvement and the

development of measures to involve young people. The operation of a sub group structure should also help ensure that a wide range of stakeholders have the opportunity to be represented in the work of the SBNI

- proposed mechanisms to ensure that agencies on SBNI audit and report on their safeguarding practice.

It may be helpful to ensure that in the proposed legislation every agency represented on the SBNI has a legal duty to publish a statement once per year detailing their contribution to the work of the SBNI and their actions in promoting the safeguarding of children within their work.

- **How representative is the proposed membership; are all aspects of child protection covered i.e. what about the Courts and judiciary? Does the essential wide representation come at the cost of unwieldiness? What level of seniority of staff should be represented?**

In order for any forum to operate effectively it is important to have the right people in attendance whilst also being mindful of the need to maintain overall effectiveness. BASPCAN welcome the proposal to have a core membership on the SBNI that reflects those agencies with statutory responsibilities towards children and families. BASPCAN would propose that a senior doctor is a core member of the SBNI given the very valuable contribution that medical practitioners make to the identification and management of abuse and neglect. The proposal for a Safeguarding Forum is welcomed.

In relation to the interface with the courts, BASPCAN would propose that the Chair of the SBNI becomes a member of the Children Order Advisory Committee. This should provide a mechanism for ensuring that the specific work of the courts in keeping children safe dovetails with the wider child protection and safeguarding agenda.

- **How should the chairperson of the local safeguarding panels will be appointed and should these will be paid posts**

BASPCAN support the proposals outlined in the policy document that these posts be independently appointed, and agree that the post holders should be remunerated.

- **How clear is the interaction between the DHSSPS, the Health and Social Care Board and the Trusts and the SBNI regarding who will have primacy on issues / policy areas and who does what.**

This is a very important issue, as highlighted in the inquiry into the circumstances surrounding the death of David Briggs in 2000³. Whilst delineating lines of responsibility is not always straightforward, there is a need to ensure that these issues are clarified at an early stage, and that this also includes the potential for overlap with regulatory and inspectorial bodies such as RQIA and CJINI.

BASPCAN are of the view that DHSSPS should have ultimate responsibility for ensuring that the systems for child protection are effective, through a clear policy and resourcing lead. However, the SBNI needs to have sufficient autonomy to make representations to DHSSPS about appropriate issues.

A wider issue relates to the relationship between Government Departments, and how the Executive will ensure that the safeguarding agenda across Departments and the agencies for which they have responsibility will be enacted. Without clarity in this respect it is possible that different members of the SBNI may feel conflicted in the priorities they are required to meet.

- **Should there be a legal duty on relevant agencies to cooperate as well as safeguard?**

Whilst placing a legal duty on relevant agencies to co-operate with one another may appear desirable, in practice it is likely that this would be difficult to enforce. The extensive research into those factors which promote inter-agency co-operation in the protection of children highlight that the key factors are clarity of roles and responsibilities; agreement as to the strategic direction of travel; agreed

policies and procedures; and an agreed process for addressing issues of concern about joint working.

- **Any opinions that your organisation may have on serious case reviews and the single database?**

The opportunity to review cases where the outcomes are adverse is an important aspect of the work of the SBNI. Local research⁴ indicates that the current case management review system commands wide spread confidence and support amongst senior professionals from a range of agencies and disciplines involved in child protection, but that refinements to the system would be appropriate to ensure that it operates as effectively as envisaged. The establishment of the SBNI provides the first opportunity in Northern Ireland to effectively ensure that the key lessons learnt from these reviews are translated into policy and embedded in practice. This should also allow the SBNI to put in place a system for auditing the implementation of recommendations from reviews, in order to bolster public confidence. ***The Committee may wish to explore how the SBNI aims to ensure that the lessons learnt from individual case management reviews are translated into action.***

BASPCAN are fully supportive of the proposal to integrate the child protection registers within the five HSC Trusts. This will facilitate a wide range of professionals to more efficiently and effectively make enquiries about children, for example, through hospital accident and emergency departments. However, the Association would not be supportive of any move to introduce a version of the English integrated children's system into Northern Ireland, as its worth has not been proven, based on the research conducted to date.

- **Where should the SBNI be based? Is the Public Health Agency appropriate?**

BASPCAN are supportive of any arrangements that ensure that funding for the operation of the SBNI is used as efficiently as possible. It therefore makes financial sense that the SBNI is located within an existing organisation in order to benefit from common services. This though raises an issue of whether the SBNI will be wholly independent. BASPCAN would suggest that this matter is reviewed

by the SBNI after the first two years of operation, and that the location of the Board within the Public Health Agency is an appropriate initial arrangement.

- **How can potential gaps or slippage between the current Regional Area Child Protection Committee and the newly formed SBNI be avoided?**

The amalgamation of the four ACPCs into a single Regional Child Protection Committee in November 2009 provides the first step in the transition arrangements towards the establishment of the SBNI. BASPCAN would support the establishment of the SBNI in shadow form for a short period before it becomes fully operational to allow for the setting up of systems in advance of the cessation of the Regional Child Protection Committee. As such, the early appointment of key staff to the SBNI would be a necessary precursor for this to be achieved.

- **Is the funding for the SBNI clearly defined? The Department have indicated that the £750,000 of funding is supplemented with existing funding? Does this kind of arrangement work?**

The success of the SBNI will depend to a large extent on its ability to take forward a substantial work schedule. This will be dependent on the resources available, and a recognition that the Board will not be able to benefit from being part of a larger organisation. For example, historically ACPCs provided other agencies with access to a very extensive training programme at nil cost, underpinned by the social services training budget. It is unlikely that this arrangement could continue under the auspices of the SBNI, and certainly not within the budget proposed. Similarly, it is unclear how the Local Safeguarding Panels will be financed.

Based on the experience in England and Wales, it is likely that the main costs for the SBNI will be core staff, media and public awareness campaigns, training events and research. The policy document lacks specificity about the staffing complement, and this issue should be resolved or else the priorities of the Board may be diluted for lack of resources. ***This is a very important issue and one that the Committee should explore further.***

It is unclear where additional funds from member agencies will come from during a period of financial retrenchment.

- **Any other issues that you feel may be of interest to the Committee.**

The policy document makes reference to the inclusion of arrangements for child death reviews. This is to be welcomed, although proposals for such arrangements are now overdue.

There is a growing recognition that certain aspects of the safeguarding agenda need to be considered on an all-island basis, such as the movement of sex offenders and other dangerous persons. Recent progress in this regard through the North-South Ministerial Council is welcomed, but the issue of child protection between different jurisdictions should be considered a core responsibility of the SBNI.

The policy document makes little reference to the need for local research to inform understanding of how the child protection within Northern Ireland operates in order to assist in its future development. This should be considered a core function of the SBNI and the policy document could usefully include a role for the Chair in commissioning appropriate research.

¹ For example, Devaney, J. (2009) Chronic Child Abuse: The Characteristics and Careers of Children Caught in the Child Protection System. *British Journal of Social Work* 39(1): 24-45; Hayes, D. and Spratt, T. (2009) Child Welfare Interventions: Patterns of Social Work Practice. *British Journal of Social Work* 39(8): 1575-1597.

² France, A., Munro, E.R., Meredith, J., Manful, E. and Beckhelling, J. (2009) *Effectiveness of the New Local Safeguarding Children Boards in England. Interim Report*. London, Department for Children, Schools and Families.

³ Lewis, R.J., Cole, D., Williamson, A. (2003) *Review of Health & Social Services in the Case of David and Samuel Briggs*. Belfast, DHSSPS.

⁴ Lazenbatt, A., Devaney, J. and Bunting, L. (2009) *An evaluation of the Case Management Review process in Northern Ireland and a scoping exercise of adverse incident reporting and alternative investigative systems*. Belfast, DHSSPS.