Safeguarding Children – So whose responsibility is it?

"For children who need additional help, every day matters”.
Working Together to Safeguard Children (2013)

Safeguarding legislation (Children Act 2004) and government guidance defines safeguarding as:

- Protecting children from abuse;
- Preventing impairment of children’s health or development;
- Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care; and
- Enabling children to have optimum life chances to so as to enter adult life successfully.

The statutory guidance under Section 11 of the Children Act 2004, which covers the arrangements for safeguarding and promoting the welfare of children, has been superseded by ‘Working Together to Safeguard Children (2013)’, which came into effect on 15th April 2013. This replaces ‘Working Together to Safeguard Children (2010)’. As noted in the document, it is a guide to inter-agency working and covers the legislative requirements and expectations of the agencies to safeguard and promote the welfare of children.

While keeping children safe is everyone’s responsibility, the guidance details the many agencies and professionals who have a specific role to play in safeguarding children, including some less obvious ones, such as; The British Transport Police who have a role in identifying and supporting children who truant from school, and The UK Border Agency who must always consider the need to safeguard children and promote welfare when carrying out its duties. However, our article will focus on the role of Education, Health and Local Authorities.

A thought-provoking statistic included in the document: Working Together to Safeguard Children (2013) was that “in 2011-12 over 600,000 children in England were referred to local authority children’s social care services by individuals who had concerns about their welfare”.

Education
Section 175 of the Education Act 2002 places a duty upon local authorities in relation to schools and further education (FE) institutions and section 157 of the same Act, places the same duty upon Academies and Free schools, to safeguard and promote the welfare of their pupils and, where they identify child welfare concerns, to take appropriate action to address them in partnership with other organisations if appropriate.

Schools and FE institutions assign responsibility for safeguarding issues to a senior member of staff and it is their role to provide advice and assistance to other staff and to work closely with other agencies as necessary. However, this does not preclude other staff from raising concerns; all education staff have a role to play in identifying welfare issues and recognising signs of possible abuse or neglect.

Where education is concerned, safeguarding and promoting welfare is a much broader area than perhaps is realised and is not just about child protection issues. It covers issues
such as pupil health and safety, bullying, meeting the medical needs of children with medical conditions, providing first aid, school security and drugs and substance misuse. Schools also are required to raise awareness amongst children as to what is acceptable behaviour and can provide support and resources to children to address a number of the issues noted above. More recently, this can include areas such as cyber-bullying and their safety whilst using the Internet.

A school or college’s governing body also has a role to play in the wellbeing of its pupils. The Governors Handbook (www.gov.uk) states that governing bodies should hold their headteachers and senior management to account by checking that the school/FE has implemented effective safeguarding procedures and by keeping under review their track record in areas such as bullying.

Schools/ FE institutions/ Local Education Authorities also must have specific regard for the statutory guidance ‘Safeguarding Children and Safer Recruitment in Education’ (www.education.gov.uk) It sets out recruitment best practice, some of which is underpinned by legislation, to ensure the safety of children and young people through the correct selection of staff.

Health Services
All staff working in a healthcare setting who either work directly with children and young people or, who may come into contact with them or their parents / carers, need to be aware of their responsibilities to safeguard children and promote their welfare. This does not necessarily involve the direct identification of children suffering from abuse, but could involve being alert to the needs of parents / carers who may need extra help in raising and supporting their children. All health professionals play a critical role in safeguarding and promoting welfare due to their strong position in being able to identify needs and welfare concerns for example professionals such as; health visitors, school nurses and doctors/nurses providing emergency care.

Healthcare professionals have access to a range of advice and support services, which includes designated child safeguarding individuals. All providers of NHS funded services, including NHS Trusts, will have identified a named doctor, a named nurse and, if providing maternity services, a named midwife, who has responsibility for safeguarding. GP practices should also have a lead and deputy lead for safeguarding. In addition to statutory guidance there is also clinical guidance issued by the National Institute for Clinical Excellence (NICE) CG89 ‘When to suspect child maltreatment’ which outlines alerting features associated with maltreatment (www.nice.org.uk/cg89).

There is also a requirement for specific training for healthcare staff and The ‘Working Together to Safeguard Children (2013)’ guidance states that ‘all staff working in healthcare settings - including those who predominantly treat adults - should receive training to ensure they attain the competences appropriate to their role and follow the relevant professional guidance’.

Local Authorities
The Local Authority (LA) has a general duty to safeguard children and promote their welfare under the Children Act 1989 and 2004. To discharge their duty they need to work in partnership with a number of other agencies and ensure the integration of services. Such integration supports the early identification of issues and enables children and families to get the right and appropriate level of help needed.
The LA provides, commissions and co-ordinates a range of care and support, which is not limited to the children themselves, but also to the provision of services for parents / carers of children and young people whose behaviour impacts upon them, for example, substance misuse and domestic violence.

**So how do all these organisations work together?**

**Local Safeguarding Children Board (LSCB)**

LSCBs were established by the Children Act 2004, the Boards replaced the Area Child Protection Committee, to co-ordinate multi-agency activity to safeguard and promote the welfare of children and young people.

The Board is the key statutory mechanism for agreeing how the relevant organisations will co-operate to safeguard and promote the welfare of children and for monitoring the effectiveness of partner agencies. The Boards are key to improving multi-agency working are attended by representatives from: adult and children’s social care, police, health services, probation service, youth offending, family courts advisory and support service and education settings such as local colleges and schools. They are also responsible for developing, monitoring and reviewing child protection policy and procedures, practice issues and making sure training is available to everyone working with children.

**How Audit North Can Help?**

Audit North are specialists in risk management, governance and in providing assurance over systems.

We can provide an independent assessment on the effectiveness of the controls and systems in place to ensure that the organisation complies with its internal Safeguarding Protocols and Inter Agency Policy and maintains robust, timely and accurate information in respect of safeguarding alerts and referrals.