



## **Child Protection A GUIDE FOR FAMILIES**

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## **Foreword**

The Area Child Protection Committee is a group of people who decide the procedures that the helping agencies follow in their child protection work. This booklet explains the procedures that we have agreed for dealing with child protection cases.

We appreciate that many families involved in Child Protection Procedures may be upset and confused by the system of investigations, case conferences and registers. There may be considerable uncertainty and anxiety about the whole process. The Western Area Child Protection Committee is committed to working with families in an open and honest way. We believe that it is essential for families and professionals to work well together for the benefit of the children involved. A Social Worker from the Health & Social Services Trust or the NSPCC will explain what is going on but we realise that it is sometimes difficult to take everything in at once. If there is anything that you do not understand, please ask.

We hope that this booklet will be of help. We would welcome any ideas you might have about how to improve it.

Brendan Johnston  
Chairman  
Western Area Child Protection Committee

November 1998

## **Policy**

In order to help to protect children the Western Area Child Protection Committee encourages professionals working with families to be open and honest. Families will therefore be informed and consulted about what happens as much as possible consistent with the safety and well-being of the child.

## **Principles**

The Western Area Child Protection Committee's policy is based on the following principles:

- Children have rights of their own. These are independent of parents. In particular they have the right to have their basic needs satisfied and to be protected from harm. These rights also include the right to have their views and feelings heard in all decisions affecting them as far as is practicable.
- Children's basic needs are normally best met within the natural family offering security, consistency, and continuity of love and care.
- Parents have rights and needs which are independent of their children. In particular parents have legal duties and responsibilities which children do not.
- It is the duty of the State to assist and empower parents to carry out these duties.
- The protection of children from harm is the duty of both the parents and the State, and this relies on a partnership between the two.
- Where there is a fundamental conflict of interest between the interests of the child and those of the parents, the interests of the child must take priority over those of the parents.
- The State must use its powers and duties to protect children in an open and honest manner. It must treat adults and children with dignity and respect. It should not intrude on family life more than is necessary to protect children from abuse.
- Children and parents should be given as much information as is consistent with the interests of the child. They should also be involved in making decisions.

## **What is Child Protection?**

'Child Protection' are the words that we use when allegations of child abuse have to be investigated. However, child protection is not just about the investigation of a specific incident in which a child/children may have been harmed. It involves a thorough assessment of the needs of children and their families so that effective help and support are provided. Help and support should enhance children's welfare as well as protecting them from significant harm.

Anyone who is worried that a child might be at risk of harm or abuse must advise the Social Services, the NSPCC or the Police. This is called a 'referral'. Referrals can

come from neighbours, friends, relatives, a professional such as a teacher, nurse or doctor or the child or parents themselves. Sometimes the person making the referral may be anonymous or insist on remaining unidentified. In such instances it is not possible to disclose the source of the referral to a parent.

### **What does a Child Protection Investigation involve?**

The investigation of child abuse is a shared responsibility. It includes many agencies for example, Social Services, NSPCC, Police, Doctors, Nurses, Schools and the Probation Board. Each agency has agreed procedures which must be followed. These procedures are clearly set out in the Child Protection Policy and Procedures Handbook prepared by the Western Area Child Protection Committee.

The aim of the investigation is to decide what risk, if any, there is to the child/children. When an investigation takes place one or more of the professionals will arrange to see the parents in order to talk about the concerns and hear their views on the matter. This is usually a Social Worker. Sometimes the investigation will be a joint one involving a Social Worker and Police Officer meeting with the family. They will also contact anyone else with parental responsibility and they will, of course, where appropriate, talk to the child/children.

Checks will be made with professionals who know the family well. Medical examinations may be needed. These require the consent of parents. The investigation has to be detailed in order to get as full a picture as possible about the family and to check all the information very thoroughly in the interests of the child/children.

As far as possible parents are informed and consulted at every stage of the investigation. It is important that families are aware of the reasons for concern and understand the role of each of the agencies involved.

### **What happens if the investigation concludes there is no cause for concern?**

Sometimes the investigation concludes that there is no cause for concern in which case the matter need go no further. The Social Worker or Senior Social Worker will write to the family and tell them the outcome.

### **What happens if abuse is found?**

If it is considered that the child has been abused, arrangements have to be made to ensure that he/she is protected in the future. The Social Services and other professionals have to decide how best this can be achieved. They will consult with the family about this. It may be necessary to arrange an Initial Child Protection Case Conference.

### **What is the purpose of a Medical Examination?**

A child may need a medical examination. This may be needed to help in the investigation. More importantly it may be necessary to find out if any treatment is required. This examination could help to ease anxiety on the part of the child and/or parents. The examination will be carried out by a Doctor who has had special training.

Parents, or someone whom the child trusts, may accompany the child to the medical examination.

### **Do Parents have to agree to a Medical Examination?**

The professionals involved are committed to working in partnership with families. They will, wherever possible, seek the views of parents and other family members at each stage of the child protection process. Parental consent to a medical examination will be sought. If the child is considered old enough to be able to understand and to act independently, his/her views will also be ascertained.

During the investigation a child's interests must always come first. If a child is unwilling to undergo a medical examination or if it is considered to be too traumatic, it will not proceed. On the other hand if parents refuse to give permission and the Health & Social Services Trust thinks this is unreasonable, it may apply to the Court for direction to interview or medically examine the child. When this happens, parents should seek legal advice.

### **Will children be taken away from their parents?**

Many parents become worried and frightened that their children will be taken away from home. In most cases this does not happen. Every effort is made to keep families together. The vast majority of children stay at home and are provided with appropriate services to help them and their families. Obviously parental agreement, co-operation and participation are very important.

However, the safety and well-being of children must come first. If those at the Case Conference think a child is at serious risk at home, they may recommend that he/she be cared for by someone else. This can sometimes be with parents' agreement. At other times it may involve going to Court, which may still be with the agreement of parents. If this happens, parents and children depending on their age, will be able to put their views to the Court. Families should seek legal representation to help them with the Court Hearing.

The Case Conference doesn't make the final decision about going to Court. This is the Social Services' responsibility. This decision is never taken lightly. Cases are only taken to Court in exceptional circumstances and always in the best interests of the child.

### **What is a Child Protection Case Conference?**

This is a meeting of people who are concerned, in the course of their work, about the care of children. The conference is arranged by Social Services and the procedures identify the people who must be invited.

Those invited to the Conference will include:

- Social workers
- Nurses
- Doctors
- Teachers

- Police
- Education Welfare Staff
- Probation Officers.

The Case Conference is normally chaired by a senior member of Social Services staff.

### **Confidentiality**

All professionals taking part in a Case Conference are bound by strict rules of confidentiality. They are not allowed to discuss the family's circumstances with anyone except people they work with who need to know.

### **What is the purpose of a Child Protection Case Conference?**

The purpose of the Conference is:

- to share information
- to identify problems the family may be experiencing
- to assess the level of risk, if any, to child/children
- to decide whether or not to place the child/children's name(s) on the Child Protection Register
- to recommend the appropriate action to be taken for the protection of the child/children.

### **Can families attend the Case Conference?**

It is important to involve families as much as possible in making decisions about their child/children. Therefore parents and anybody else with parental responsibility may be invited to attend. This can be for the whole or part of the Case Conference. This gives parents and professionals an opportunity to meet each other and share concerns about the child/children. Participation in Case Conferences can be difficult for parents and it may be helpful to have a relative or a friend to accompany you. It is important to remember that the main purpose of the Conference is to assess risk and ensure the protection of the child. It is not a Court or tribunal.

Parents have a very important part to play in protecting their child/children. They have a right to know what professionals think may be going wrong in the care and protection of their children. However, there may be situations where the Chairperson of the Case Conference decides that their presence would prevent a full and proper consideration of the child/children's interests. It will be very rare for parents not to be allowed to attend. When this happens an explanation will be given. The reasons that a parent/carer may be excluded from a Case Conference include:

- Where it is not considered to be in the best interests of the child.
- The presence of a parent/carer is deemed to be dangerous to the child.
- Parents/carers who present a significant risk of violence to other Conference participants.
- Parental attendance would create difficulties with Police investigations or criminal proceedings.
- A parent under the influence of drugs and/or alcohol.

- Situations where conflict between parents, or parents and children, makes it impossible for all to attend.
- Parents who suffer from mental health difficulties which make it inadvisable for them to participate in the Conference.

If the Chairperson decides that parents should not attend the meeting they can put their points to the Conference in other ways. This can be by letter or tape recording. If parents wish, a Social worker or other professional can speak for them.

Parents may wish to write to the Conference in any case. This is very helpful where parents choose not, or are unable, to attend. There is a form at the back of the booklet to allow parents to do this.

### **Attendance of Children/Young People**

Individual children/young people may be invited to attend the Case Conference depending on their age and understanding. It is felt that children aged 11 years or older should be given the opportunity to participate in the Conference. There may, however, be circumstances where a child younger than 11 years would have a particular contribution to make in which case such participation should be encouraged.

If children do not attend the Conference, Social Workers will, where appropriate, seek their views beforehand. They will then present them to the Conference.

### **What is the procedure for families attending Case Conferences?**

Before the Conference the Social Worker will explain the procedure to parents, carers and children.

The Chairperson of the Conference may meet with families immediately before the meeting to explain the purpose of the Conference and to seek their agreement to follow the procedure.

If families are not attending the full meeting, they will be asked to wait in another room while the Conference begins its business. A decision will be made if they can attend part or all of the remainder of the Conference. Families will then be invited to join the meeting and the Chairperson will introduce the members of the Conference. The Chairperson will outline the areas of concern that have to be addressed. It is most important that parents and children have the opportunity to make their views known to the Conference.

A child may attend with his/her parents or separately. If they attend separately this is to give parents time on their own or to give the child or young person an opportunity to talk to the Conference without his/her parents being there.

If they have been invited to attend part of the Conference, parents and children may be asked to leave once they have shared their views. Members of the Conference will then decide what arrangements, if any, need to be made to ensure the safety of the child/children

At the end of the Conference, parents and children if appropriate, will be told the outcome of the Conference. This information will also be given to them in writing within 14 days of the Conference.

### **What decisions can be made at a Case Conference?**

The Conference can conclude that the child is not at risk of abuse. In such circumstances the family may be offered help, if appropriate.

However, a Child Protection Case Conference can decide:

- whether to place a child's name on the Child Protection Register;
- under which category/categories of abuse the child's name should be registered;
- how families, not attending the Conference, will be told about registration and the plans made to protect the child in the future;
- who will be the Social Worker to work with the child and the family;
- the staff from other disciplines who will assist the family;
- on a protection plan to keep the child safe;
- a date for a Review Conference.

The Conference may also make recommendations, for example:

- whether the child's health should be investigated further by a Doctor;
- whether the child should leave home for a period of time with parents' agreement;
- whether Social Services or NSPCC should take legal action.

The categories of abuse for Registration are:

- ⇒ Potential Physical Abuse
- ⇒ Suspected Physical Abuse
- ⇒ Confirmed Physical Abuse
- ⇒ Potential Sexual Abuse
- ⇒ Suspected Sexual Abuse
- ⇒ Confirmed Sexual Abuse
- ⇒ Physical Neglect
- ⇒ Emotional Abuse
- ⇒ Potential Emotional Abuse
- ⇒ Potential Neglect
- ⇒ Suspected Neglect
- ⇒ Suspected Emotional Abuse.

*“Potential” equates to those circumstances where children are at risk of abuse because of the circumstances in which they are living.*

*“Suspected” equates to those circumstances where the evidence is clearly indicating that abuse has taken place but where there is no admission of such by the parent or carer.*

*“Confirmed” equates to those circumstances where abuse is admitted or decided by the Case Conference that abuse has occurred.*

### **What if families are not happy with the decisions and recommendations made at Case Conferences?**

If families and their Legal Advisers wish to discuss or challenge plans or proposals after the Conference, they need to pursue them with the agencies concerned. If either parents or children have a complaint about a particular agency’s service, they should take it up with the individual agency.

If parents wish to complain about the way a Case Conference was conducted, they should contact the Chairperson. If they are not satisfied with the outcome of these discussions, they may use the Health & Social Services Trust’s Complaints Procedure. The procedure for making a complaint will be explained by the Chairperson and/or Social Worker.

### **What is the Child Protection Register?**

A Case Conference decides whether to place a child’s name on the Child Protection Register. The Register is a list of the names of all children in need of protection in the area covered by the Health & Social Services Trust.

Before a child’s name is put on the Register, there must be:

- a risk of continuing abuse or significant harm; and
- the need for a formal Child Protection Plan to protect the child from the assessed risk.

The Register is looked after by a senior member of Social Services staff in the Health & Social Services Trust. It helps to keep a check on the work being carried out with those children whose names are on it. Professionals whose job it is to care for children can obtain information from the Register. Great care is taken to check that inquiries are genuine before any information is given out. Those who may ask for information include Doctors, Health Visitors, Social workers, Police and Education staff.

Each child’s name remains on the Register until a Review Case Conference decides that protection is no longer needed. The first Review Case Conference is held 3 months after registration. After that it takes place every 6 months or more frequently if required.

### **When is a child’s name removed from the Child Protection Register?**

Every review Case Conference should consider if the child’s name should be taken off the register.

At least one of the following criteria must be met before a child’s name can be removed from the Child Protection Register:

- after proper assessment, a Case Conference decides that the risk to the child has been removed or reduced to an acceptable level and there is no further need for a protection plan;
- the child has been placed with permanent substitute carers and there is no contact with the abuser or contact is no longer considered to present a risk to the child;
- the abuser is no longer a member of the same household as the child and there is either no contact, or if there is contact, it is no longer considered to present a risk to the child;
- the child has moved to the area of another Trust which has accepted responsibility for the case;
- the child reaches the age of 18 years;
- the child marries;
- the child has died.

De-registration does not necessarily mean an end of services to the child and family.

### **Can families appeal against a decision to register or de-register?**

Yes.

The grounds for appeal are:

- the criteria for registration/de-registration were not met;
- that new information or facts became available after the decision was made to register/de-register;
- that information having a bearing on registration proved subsequently to be inaccurate.

If families wish to appeal against a decision regarding registration/de-registration they should inform their Social Worker who will discuss their concerns with the Chairperson of the Conference. The Chairperson will decide if the Conference should be reconvened and will inform the family of his/her decision in writing. If the original decision is confirmed and the family continues to be unhappy, they may notify the Trust Director of Social Care/Community Care in writing of their wish to appeal, taking care to explain their reasons, within 28 days of the Case Conference which made the decision to be appealed.

### **Finally**

As stated in the early part of this booklet families often find a child protection investigation a difficult and upsetting experience. Many parents feel powerless; children may be embarrassed and frightened. All professional staff involved realise that the child protection process can be traumatic. They welcome questions from families whenever it is not clear what is happening.

It is very helpful if families are able to participate in Case Conferences. The Western Area Child Protection Committee encourages families to ask for help or support if they have child protection problems. It is much better to seek help rather than let the problems get out of hand.

## **List of Addresses and Telephone Numbers**

### **The Duty Social Worker can be contacted at:**

|  |                              |
|--|------------------------------|
| Riverview House, Abercorn Road, Londonderry  | 01504 266111                 |
| Shantallow Health Centre, Racecourse Road, Shantallow,<br>Londonderry                        | 01504 351350                 |
| Waterside Hospital Grounds, Glendermott Road, Waterside,<br>Londonderry                      | 01504 346587                 |
| Limavady Health Centre, Scroggy Road, Limavady   | 01504 7 63131                |
| County Buildings, Barrack Street, Strabane   | 01504 382403                 |
| or Out of Office Hours at Altnagelvin Area Hospital  | 01504 345171                 |
| Health Centre, Mountjoy Road, Omagh<br>or Out of Office Hours at Tyrone County Hospital      | 01662 242567<br>01662 245211 |
| Community Services, 2 Coleshill Road, Enniskillen<br>or Out of Office Hours at Erne Hospital | 01365 344000<br>01365 324711 |

### **The Care Unit can be contacted at:**

|   |               |
|---|---------------|
| RUC Station, Maydown, Waterside, Londonderry                          | 01504 367337  |
| RUC Station, Enniskillen  | 01365 322823  |
| The NSPCC's Child Protection Helpline is                              | 0800 800500   |
| The NSPCC's Textphone (for people with communication<br>difficulties) | 0800 056 0566 |

### **Parents Advice Centre can be contacted at:**

|                                    |              |
|------------------------------------|--------------|
| 18 Great James Street, Londonderry | 01504 266663 |
|------------------------------------|--------------|

## Notes

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5. *What would you like the Case Conference to recommend?*

6. *Can you say why you think this would be the best thing for your child?*

7. *Is there anything else you wish to add?*

**Signature(s)** \_\_\_\_\_

**Date:** \_\_\_\_\_