

Response from: Royal College of Paediatrics and Child Health



To: Department for Education Call for Evidence- Working Together to Safeguard Children

Due: 06th September 2023

About the RCPCH

The **Royal College of Paediatrics and Child Health (RCPCH)** is responsible for training and examining paediatricians, setting professional standards and informing research and policy. RCPCH ('the College') has over 22,000 members in the UK and internationally. We work to transform child health through knowledge, research and expertise, to improve the health and wellbeing of infants, children and young people across the world.

This document sets out RCPCH's response to the Department for Education's ('the department') Consultation on Working Together to Safeguard Children: changes to statutory guidance. The consultation sets out specific questions, answers to which have been submitted to the online consultation platform, and are outlined in full at **Annex A**. The text below sets out a small number of specific themes on which RCPCH would welcome further discussion with the department.

Outcomes

It is reassuring to see that there is a shift towards an outcomes focused approach to policy design within this rewrite. However, it is important that the right outcomes are identified in order to ensure that changes to services are designed with their impact on children, their families and the professionals who work with them in mind.

It is important to consider both outcomes which matter to children and, separately, the outcomes which matter to professionals. Both are important, and may vary, and so as a result some approaches within *Working Together* may have two sets of outcomes, both of which should be attributed equal importance and assessed through measurable data.

If the UK Government is to develop specific 'outcomes-focused' change, there is more work to be done in order to better understand what an outcome truly is, and how it should be measured. It is important that mechanisms for data collection and reporting are built into new systems to ensure that the burden of collection does not impact practitioners' capacity to deliver front-line services.

The College would welcome the opportunity to support UK Government in contributing to a child health segment of a co-designed 'outcomes bank', which clearly sets out a number of child health outcomes, and how they are measured.

The College also recommends that it would be in the interests of children and families and the efficient, cost-effective delivery of services for changes to *Working Together* to be subject to robust, independent, academic evaluation – commissioned centrally by UK Government.

Expert Child Protection Units

The College recognises the significant opportunity to improve services through Expert Child Protection Units. We feel that in order to recognise the ambitions set out by the consultation, a number of further steps are required to best utilise this legislative change and ensure that the Units are able to improve outcomes for children.

It is important that *Working Together* is accompanied by robust additional guidance which clearly outlines, in a practical sense how these units should work. Guidance documents could outline factors such as resourcing, commissioning, and specific delivery arrangements such as whether the units should run in a physical location, or virtually.

Further work will need to be done to explore whether these units should operate as a child facing service, or behind other services. It is important that the skills and expertise held by front-line practitioners are considered and appropriately allocated, so that new systems and processes do not draw experienced staff away from front-line delivery and support in safeguarding services. The College would suggest that, in designing these units as child-facing, there is a unique opportunity to provide children's advocacy services and better design child protection processes through co-design to ensure that the needs of children and young-people are incorporated from the start.

The College would welcome the opportunity to contribute to further debate, discussions, and planning of these important services.

Every child's best interests are different

All children and families will have different challenges, needs, and preferences. These are impacted by the life experiences specific to the child and members of their family, as well as their background and developmental stage. It is important that legislation and statutory guidance is designed with sufficient flexibility to ensure that practitioners are able to meet the need of every child and young person. Processes must be in place which support practitioners to correctly assess and act upon the best interests of children. Furthermore, it is important to correctly identify and act upon situations where the individual child's best interests differ from the best interests of the carer or family.

As a signatory to the UN Convention on the Rights of the Child (UNCRC), the UK has a duty to ensure we afford protection to all children in the UK, regardless of protected characteristics such as their age, disability, race, religion or belief, sex, any pregnancy and maternity, sexual orientation or gender reassignment as well considering whether a child is care experienced, related to criminality or moving geographically. It is important that *Working Together* is used as a spring-board to threads this through all future statutory guidance and legislation in order to

ensure that practitioners are able to provide care and support to all children. With this in mind, it is important that sufficient due diligence is carried out on proposals to widen the net for kinship care, voluntary arrangements and other child protection placements. Steps must be taken to make sure that new placements are in the best interests of the child, both in terms of safety and their wellbeing.

Throughout the below response, the College have highlighted that there is a key voice missing from this engagement piece - the voice of children and young people. As this statutory guidance is designed **for** children, it must be designed **with** children. Throughout our responses, we have provided several suggestions as to how this voice can be captured. These include:

- Commissioning youth voice organisations to allocate resource to specific engagement on the current proposed changes to Working Together.
- Ensuring that responses to this consultation submitted by organisations who represent young people are highlighted and considered in full when making changes to the proposals set out in the new draft for Working Together, even if they arrive in a format that is, arguably, not anticipated or the usual way in which consultation responses are received.
- Ensuring that future consultation events take place during school term time, where children are more likely to have access to support to participate.
- Identify key areas within the consultation, such as those impacting care-leavers, and ensure that consultation takes place with individuals with lived experience within these key areas.
- Designing, and including within the statutory guidance and accompanying documents, defined engagement plans for future reviews of *Working Together* in order to ensure that all future versions of the document are driven by the voice of children and young people from the very start.
- Extending this consultation in order to allow youth organisations to work with their young people to collate a response once activities re-commence in the airport.

Both the College and RCPCH&Us, our youth voice organisation, would be happy to meet with the department to further discuss the inclusion of children and young people's voices in this work, in order to ensure that children's rights are upheld in this space.

With kind regards,



Professor Andrew Rowland

Officer for Child Protection

Royal College of Paediatrics and Child Health

Annex A: RCPCH response to questions outlined in the Department for Education’s Open Consultation on Working Together to Safeguard Children: Changes to statutory guidance.

(Q 1 – 6: About you section, populated with RCPCH’s details)

Questions 7 – 10: Section 1: A shared endeavour

7) Do you agree that we should change the title of Working Together to reflect help and protection for children and families to ‘*Working Together to Safeguard Children: a guide to multi-agency working to help, safeguard, protect and promote the welfare of children.*’?
Yes/**No**/Don’t know

8) The proposed four principles for working with parents are:
1. Effective partnership working with parents and carers happens when practitioners build positive, trusting and co-operative relationships.
2. Language should be respectful, clear and not punitive.
3. Practitioners enable parents and carers to participate in decision-making.
4. Practitioners involve parents, families and local communities in designing processes that affect them.
To what extent do you agree that the four principles are the right ones to drive better practice and engagement with parents and carers?

Strongly agree/**agree**/neither agree not disagree/disagree/strongly disagree

9) To what extent do you think the new expectations for multi-agency working will support leaders and practitioners to work together more effectively and improve outcomes for children and their families? (See pages 15-17 of the draft statutory guidance).

Very likely/likely/neutral/**unlikely**/very unlikely

10) Is there anything else you want to comment on in A Shared Endeavour?

Document Title

When considering the title of the document, it’s important to consider the viewpoint of young people in order to assess how important a clear title is to them, and to ensure that the title reflects to young people exactly what Working Together means for them and their rights. Conflating too many ideas within the title risks undermining or ‘watering down’ the core child protection aspect of this document.

Shared Endeavour

While, in principle, we agree with the sentiment outlined in the Shared Endeavour guidance and support the graded-approach for leaders at different levels, there is little tangible action outlined in the section. Clearer, active definitions and examples of best practice are needed if leaders are to truly grasp and understand these expectations.

Outcomes

We are pleased to see an outcomes focused approach as outlined on page 56. However, outcomes for children must be defined, and there absolutely must be a shared definition of what it means to design an ‘outcome for children’, how these can be measured and where they apply. RCPCH has proposed the development of a repository of defined, measurable outcomes for open-access on the

gov.uk webpage to aid with the design of policy. Please contact the SPEG group for further information.

Parental engagement

RCPCH has not seen sufficient evidence that the four principles of engaging with parents will be more effective. We'd recommend that an academic evaluation is carried out in order to understand effective principles in this area, as well as engagement with those who have lived experience interacting with the children's social care system as parents and as care-experienced young people.

Questions 11 – 19: Section 2: Multi-agency safeguarding arrangements

11) To what extent do you agree that these proposed changes provide greater clarity on what the expectations are of safeguarding partners?

Strongly agree/**agree**/neither agree not disagree/disagree/strongly disagree

12) To what extent do you agree with the list of joint functions of Lead Safeguarding Partners and Delegated Safeguarding Partners?

Strongly agree/**agree**/neither agree not disagree/disagree/strongly disagree

13) In your local area, how would delegation from the lead safeguarding partner to delegated safeguarding partner be interpreted and delivered in practice?

N/A

14) To what extent do you agree that having a mutually agreed representative from a safeguarding partner agency will increase ownership and accountability of partners?

Strongly agree/agree/neither agree not disagree/disagree/strongly disagree

15) To what extent do you agree that these proposed changes will strengthen the role of education in multi-agency safeguarding arrangements?

Strongly agree/agree/**neither agree not disagree**/disagree/strongly disagree

16) To what extent do you agree that making education a statutory safeguarding partner is the only way to secure the right level of collaboration in multi-agency arrangements?

Strongly agree/agree/neither agree not disagree/**disagree**/strongly disagree

17) Do you agree with the proposed changes to encourage more engagement with VCSE and sports clubs as part of multi-agency safeguarding arrangements?

Yes/No- more resource is needed for safeguarding partners/No- additional guidance is needed for safeguarding partners/**No- VCSE and sports clubs need to be provided with guidance or other support to engage**/No- Other support (not specified)/Don't know

18) To what extent do you agree that these proposed changes will make multi-agency arrangements more accountable and transparent?

Strongly agree/**agree**/neither agree not disagree/disagree/strongly disagree

19) Is there anything else you want to comment on in Multi-Agency Safeguarding Arrangements?

Information Sharing- Consistent Child Identifier

There is an urgent need for improved information sharing within and between services, and RCPCCH is calling for the national adoption of the NHS number as a consistent child identifier (CCI), used across health, social care and education to join-up information about a child and build a full picture of any risks and concerns across services.

This would allow agencies to more readily share data with each other in order to better understand the potential whereabouts of a child, and what support they may need to enter back into education. Using a single consistent child identifier reduces discrepancies which can often occur when using other identifying information such as a child's surname, address or date of birth. Such discrepancies can result in pieces of information being missed, resulting in an incomplete or inaccurate picture of a child and their needs, as was highlighted in the Child Protection in England report.

Information Commissioner's Office

There is a risk of divergence between this statutory guidance and the guidance issued by the Information Commissioner's Office (ICO)- this would create confusion among the sector, resulting in issues with information sharing. Working Together should reflect the ICO's guidance or vice versa- there cannot be differences. If it is your intention that these are the new rules, it must follow that the ICO needs to revise its guidance in light of the new rules.

Joint functions listed are very high level. It would be useful to have examples of how that is operationalised through a good practice section or non-statutory guidance for practitioners to utilise.

It is imperative that responses to the [consultation on Information Sharing Advice for safeguarding practitioners](#) are considered alongside the responses to this consultation and that the final results are triangulated in order to ensure that there is complete unity between information sharing statutory guidance across safeguarding.

Statutory Safeguarding Partners

RCPCCH suggests that the rationale for identifying only education as a key statutory safeguarding partner is not clear enough. There may be an opportunity to identify other key partners within the network of those providing support to children who should also be recognised as SSP's, and it would be beneficial to consider the evidence for this.

Questions 20 – 28: Section 3: Help and support for children and their families

20) To what extent do you agree that these changes will strengthen whole family working and tailored support for children and families ahead of wider system reforms?

Strongly agree/**agree**/neither agree not disagree/disagree/strongly disagree

21) Do you agree that the features outlined for Family Group Conferences will improve family network engagement in decision making and supporting

children?

Yes/No/**Don't know**

22) Do you agree that the proposed changes will help to improve the outcomes of children and their families who receive support under section 17 of the Children Act 1989?

Yes/**No**/Don't know

23) Do the proposed provisions for the role of the social work qualified practice supervisor or manager ensure appropriate social work oversight?

Yes/No/Don't know **N/A**

24) In your opinion, are there practitioners who should not be lead practitioners?

Yes/No/**Don't know** If yes, Why? <free text>

There needs to be objectivity, so that young people and their families can have confidence in the process of appointment of lead practitioners. A clear framework which protects independence is important and ensures safeguards are in place to prevent automatic decisions being applied.

25) Do you agree with the proposed changes to strengthen assessment and support for disabled children?

Yes/**No**/Don't know

26) Does the new information clarify the role of children's social care in the assessment of suitability for a MBU placement?

Yes/No/**Don't know**

27) To what extent do you agree these changes will give practitioners across all agencies and organisations, a clearer understanding of the work HMPPS do and the contribution HMPPS makes to keeping children safe?

Strongly agree/**agree**/neither agree not disagree/disagree/strongly disagree

28) Is there anything else you want to comment on in Help and support for children and families?

It is imperative that The Government engages with disabled children and their families in order to better understand the support they need, and how flexible approaches can be built into policy to ensure that the unique needs of every child can be met. The Government must ensure an understanding that 'disability' does not only refer to physical disability, but also neurodevelopmental and mental disability. RCPCH suggests that organisations such as the National Council for Disabled Children are consulted with in full on changes to this policy area, and that services are co-designed with those who use them.

RCPCH has an overarching concern about the level of engagement which has been carried out directly with young people in relation to this work. This statutory guidance, stemming from

legislation, is, in its primary function, designed to meet the needs of children. We cannot establish how best to meet these without engaging directly with children and young people with lived experience across all areas of this document. We appreciate that legitimate, meaningful engagement is difficult to facilitate, however a start can always be made on this, with the help of external youth voice organisations, while the government looks to build in more robust measures for engagement with children and young people in future updates of this document.

Disabled children have a right to access healthcare which is in parity with the healthcare that other children and adults receive. Often, children's families are relied upon to provide certain support before the child turns 18, at which point an increased number of services become available to them as an adult. We ask the government to consider how providing increased support to disabled children and their families in childhood could result in better outcomes.

Questions 29 – 32: Section 4: Decisive multi-agency child protection

29) To what extent do you agree these standards will be effective in supporting improved multi-agency child protection work?

Strongly agree/agree/neither agree not disagree/disagree/strongly disagree

30) To what extent do you agree that the proposed changes make clear that the multi-agency safeguarding response applies when harm, or risk of harm, comes from outside the home, including online?

Strongly agree/agree/neither agree not disagree/disagree/strongly disagree

31) To what extent do you agree that the updated section 'supporting children at risk of or experiencing harm outside the home' makes clear what practitioners need to consider in supporting this group of children?

Strongly agree/agree/neither agree not disagree/disagree/strongly disagree

32) Is there anything else you want to comment on in Decisive multi-agency child protection?

The items for consideration appear to be clear and easy for a practitioner to follow. We would suggest that consulting with young people with lived experience, as well as single issue organisations with a focus on extra-familial harm, who will be absolutely crucial in understanding this complex and nuanced space.

Questions 33 – 34: Section 5: Learning from serious child safeguarding incidents

33) Will it be feasible for your local authority to submit notifications for the deaths of care leavers aged 18-25? ***We are interested in the practicality of reporting the deaths of care leavers aged 18-25 (where their care leaver status is known). This would be an extension to the notification of deaths of looked after children, regardless of whether abuse or neglect is known or suspected.***

Yes/Yes – but require more support of guidance (please provide detail in Q34)/**Not sure- would need to know more**/No

34) Is there anything else you want to comment on in Learning from serious child safeguarding incidents?

RCPCH feels that this is an extremely important area for consideration and welcomes that this review looks to address this.

There is a conflation between a serious child safeguarding incident (SCSI)- which may not always result in the death of a child but result in substantial trauma with lifelong impacts- and child death. Both are very important and significant and have different impacts. It is important to distinguish between the two and the different impacts they may have on the child/children involved, their families, friends and those who work with them.

General consultation feedback

RCPCH thanks the Department for Education for providing us with the opportunity to comment on this document. RCPCH asks that a full thematic analysis, with robust methodology, is carried out on the qualitative responses, in order to ensure that any concerns are actioned in the resulting final statutory guidance.

Additionally, on publishing we would request that quantitative answers are published in disaggregate, so that there is increased transparency over the feeling in the sector and to allow for us to obtain an understanding of the proportion of the respondents who selected a neutral answer. It is also essential that the government response to this consultation is published in multiple formats so that it can be understood by children of different developmental stages.

Throughout our responses, and in the additional narrative response shared with the Department, RCPCH has expressed disappointment with a lack of engagement with children and young people on this very important piece of statutory guidance. Our youth voice organisation- RCPCH&Us- have highlighted that posting consultations outside of school term time further reduces the number of participation opportunities available to children and young people, as they cannot be supported by schools or extra-curricular resources to share their thoughts and feed into a response. The summer holidays are a much-needed rest period for our children and young people, and we would encourage the Government to consider aligning more closely with the school year in further consultation activity.