



Northern Ireland
Assembly

COMMITTEE FOR
HEALTH, SOCIAL SERVICES AND
PUBLIC SAFETY

OFFICIAL REPORT
(Hansard)

**Evidence Session on Safeguarding Board
for Northern Ireland with Professor Jan
Horwath**

4 March 2010

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Members present for all or part of the proceedings:

Mr Jim Wells (Chairperson)
Mrs Michelle O'Neill (Deputy Chairperson)
Dr Kieran Deeny
Mr Sam Gardiner
Mr John McCallister
Mr Conall McDevitt

Witnesses:

Professor Jan Horwath) University of Sheffield

The Chairperson (Mr Wells):

I welcome Professor Jan Horwath, who is professor of child welfare at the University of Sheffield. Members have a copy of Professor Horwath's paper. Professor Horwath, you have been present for the previous witness sessions, so you are aware of the format. I hope that you do not find the experience too intimidating. We do not often hold our meetings in the Senate Chamber, which is rather grand and can be difficult. Feel free to speak for about 10 minutes, after which members will ask questions. You may have gained a flavour of the questions that we

asked other witnesses on what is a terribly important issue and one that is extremely topical in the Province.

Professor Jan Horwath (University of Sheffield):

Thank you for the opportunity to share some of my experiences with you. At the beginning of my paper, I outlined those experiences, and I shall draw on them during my presentation and when I answer any questions that members may have. My experience is based primarily on development work, originally with area child protection committees (ACPCs) in England, Wales and Northern Ireland and, more recently, with local safeguarding children boards (LSCBs). My experience also includes work for the Welsh Assembly on the development of a self-assessment and audit tool. The Welsh Assembly is rolling out that tool, which is being used by all safeguarding boards in Wales to provide them with some way of measuring the quality of their functions.

Based on those experiences, it seems that three key elements are essential to a fully integrated, co-ordinated and strategic response to safeguarding, such as that behind the development of the safeguarding board for Northern Ireland (SBNI). The first of those three elements is having clarity on the nature of the task, the core business, priorities and outcomes that the safeguarding board and its partners hope to achieve for children. The second element is the active engagement of all partner agencies that work with children and families. The third element is having clarity on the leadership role of members of the safeguarding board and ensuring that clear governance arrangements are in place, not only at board level but for the relationship between the safeguarding board and other partnerships and key agencies.

I shall talk briefly about each of those three elements, and, if members wish me to clarify anything or want to find out more, please ask. It is clear from the operation of safeguarding boards in England and Wales that the effectiveness of the board depends on all members having a shared understanding about what they want to achieve. That applies not only to immediate objectives but to the long-term strategic overview. A crucial issue that emerges time after time is the question of what is meant by core business. The policy proposal from the Department of Health, Social Services and Public Safety (DHSSPS) refers to the importance of the safeguarding board getting the “core business” right, but what does that mean? Is the board’s core business the protection of children who are on the child protection register at level four of the Hardiker model? There must be a clear definition of what is meant by “core business”.

In drawing on the serious case reviews (SCRs) of child deaths, it must also be taken into account that the most vulnerable children in society are those who are knocking on the door of the child protection system but not accessing it. The placing of strict controls on what constitutes core business could leave extremely vulnerable children at risk. How, therefore should the core business be defined, and how should the SBNI take account of the variations across Northern Ireland? In one trust area, the core business could be deemed to concern children on the child protection register; whereas it could be deemed that the priority in another trust area should be working with children from ethnic minority groups or disabled children. How will local variations be reflected in the definition of core business at board level?

The third element concerns the interface between the area child protection committee's focus on a tight definition of child protection, the wider notion of safeguarding and the even wider notion of children living in a safe and stable environment. How will that interface between the roles of the safeguarding board and other strategic partnerships that have an interest in children be negotiated?

My work in England and Wales identified that safeguarding boards, children and young people's strategic partnerships and community safety partnerships are all falling over each other when it comes to working with children who have experienced domestic violence. However, they work separately rather than adopting a co-ordinated approach. Other children with priority needs fall through the gaps because of the presumption that a safeguarding board or strategic partnership will deal with them. Therefore, a safeguarding board must build clear and explicit relationships with other partnerships.

As the Department's policy proposal states, it is important for the SBNI to have an independent identity. There must be clarity on what is meant, for example, by "firm connections" between the safeguarding board, the children's services planning process and the young people's strategic partnerships.

In England, we found the annual reports that safeguarding boards are expected to produce to be a useful vehicle in our work with them. Those reports used to be a pretty bland PR exercise in which safeguarding boards merely outlined what they were doing. However, the recent changes to our 'Working Together to Safeguard Children' guidance make the report more of a working

document in which board members must critically evaluate their work to safeguard children. The report also holds individual board members to account on how they are working towards achieving the board's objectives.

The report is now a document that outlines strengths and weaknesses and clearly identifies the priority areas. The report is an extremely useful tool in negotiations with other partnerships about who will do what. They also provide subgroups and safeguarding panels with a clear framework on what they should do to contribute to the work of the board.

How can the active engagement of all partners be ensured? It is absolutely right that the board should comprise people who are at a senior level in their respective agencies. That ensures that they are able not only to commit resources but to sign up to a strategy and, it is hoped, provide the appropriate level of leadership. We experienced some issues in England and Wales with having senior members on safeguarding boards, the key one being the conflicting demands made on their time. As a result, their attendance is often poor or they send deputies who do not fully understand what is expected of them at the board or are unable to make the informed decisions that are necessary.

The second issue that came across in England and Wales, and one that the Committee may wish to consider, is that senior managers in agencies do not always come from a safeguarding background. Therefore, they do not understand some of the complexities involved, particularly in relation to operational issues. How, as a board, will members have access to the extremely detailed safeguarding knowledge that is required?

In common with the Children in Northern Ireland representatives who gave evidence earlier, I believe that it is important to have a duty to co-operate, because that sends out a clear message to member agencies about the need to forgo some agency autonomy in order to collaborate and co-operate. The duty to co-operate, which has existed in England and Wales since 2004, also helps to reduce the silo mentality. Although that duty gives the member agencies some teeth, it does not give them all the teeth that they require — you can lead a horse to water, but you can't make it drink. As my late colleague, Dr Tony Morrison, pointed out, the teeth of an effective strategic partnership are provided by committed leadership to safeguarding. Although co-operation is important, it will not be the panacea for all ills.

Finally, board members must understand what is expected of them in their roles and what their responsibilities are. That means that they must recognise that they are not only there as individual representatives of their agency, but as members of the board. As such, they have a responsibility to challenge and be critical of the work of other members.

Based on the experiences in England, it is necessary to differentiate between the role of the chairperson and the roles of the members of the board, particularly when it comes to accountability. When I read the policy proposal, for example, I was not clear about the accountability of the chairperson role, although that may be because of the way in which I read it. The SBNI chairperson will be accountable to the Minister, but will he or she be accountable on behalf of the board or in his or her own right? Those two strikingly different interpretations of the role have different implications for the chairperson and members of the board.

The second issue that is worth considering when examining roles and relationships is one that emerged time and time again in England and Wales: the relationships within the SBNI, the subgroups and the five safeguarding panels. Based on my experience, I advocate having the chairperson of each panel on the safeguarding board. Where that did not happen, the panels worked in a vacuum and often became engrossed and enmeshed in local issues, and they worked without having any strategic direction from the board.

The Chairperson:

Thank you. Your final suggestion was interesting and a novel one that we have not heard before. Do you accept that Northern Ireland has some advantage by virtue of the fact that the legislation for England and Wales was passed in 2004, and, therefore, we have had five or six years to learn from any mistakes, some of which you outlined?

We keep returning to the importance of co-operation, which every witness before the Committee has mentioned. Co-operation will be the holy grail of the entire process. You advocate statutory co-operation between all agencies. At first glance, that seems to be an attractive and appealing proposition, but is it merely window dressing, in that each of the agencies concerned has its own responsibility to different Ministers, authorities and chief executives? Can co-operation work in principle and in effect, or is it simply a matter of agencies saying that they will co-operate but going off and doing their own thing?

Professor Horwath:

I agree that there is a real danger of that, which is why I said that you can lead a horse to water, but you can't make it drink. There may be window dressing, whereby an agency states that it must have representation on the safeguarding board because of the duty to co-operate. In some places, the duty to co-operate has been interpreted as applying largely at operational level, and therefore, it is advocated that the front-line staff co-operate. However, the duty is not seen through at strategic level. Therefore, any duty to co-operate must reflect both operational and strategic strands of co-operation.

There is, however, a limit to co-operation. The more that I reflected on the work of the boards — I have experience of working with about 50 boards that have gone through the process of self-assessment and audit — the more that I came to believe that a board's effectiveness is very much down to strong leadership. It makes a huge difference when the right people, who are genuine champions for safeguarding, sit round the board table.

The Chairperson:

In your experience, where do those 144 paragons of virtue and outstanding individuals who are chairmen in England come from? What sort of person makes a good board chairman? They are crucial to the effective working of a system similar to the one that we will set up in Northern Ireland, although we will have only one board.

Professor Horwath:

It is interesting that we opted for independent chairpersons, as advocated by Lord Laming. The former Department for Education and Skills's priority review of safeguarding, which was completed in 2007, concluded that independence did not necessarily mean effective chairing. Rather, an effective chairperson is someone who is a champion for safeguarding, has the respect of all agencies that are represented on the board, is able not only to challenge critically but is open to being challenged, and has a sound understanding of safeguarding.

The Chairperson:

What is the background of chairpersons? Are they former solicitors, Health Service professionals or social workers?

Professor Horwath:

The majority have a background in children's social care. However, some good chairpersons come from health services. The important issue is that the chairperson has the characteristics of a good leader, because the success of so many partnerships and boards depends on a chairperson who has effective leadership skills.

The Chairperson:

I will break with protocol to allow to Conall ask his question before the Deputy Chairperson, because he has to leave at 12.20 pm.

Mr McDevitt:

Thank you, Chair and Deputy Chair, for letting me ask a question first, and thank you for your presentation, Professor Horwath. I want to return to the key relationship between the Minister and the chairperson of the board. You posed two questions, but I am not sure that you gave us your answers to them. In your expert opinion, which is the better relationship: one in which the chairperson is accountable to the Minister on behalf of the board, or one in which he or she enjoys a more personal relationship?

Professor Horwath:

If you want a board to engage properly in collaboration, the relationship must be one in which the chairperson is held to account on behalf of the board. The board must take some responsibility. Otherwise, people will remain very much in their agency silo and say, for example, that they are on the board to represent health and nothing more. The effective multidisciplinary strategic partnerships are those in which people take joint operational responsibility.

Mr McDevitt:

I return to the theme of cultural and behavioural shifts: one can legislate for everything and commit to paper what structures should exist, but previous expert witnesses told the Committee that the key barrier was cultural, and that was the area in which boards had failed.

I noted your advice to invest in extensive training and capacity building to ensure that people of a particular level in other organisations are appointed to the board. However, is there a political requirement to drive cultural change? Even after the establishment of independent boards, is there evidence from elsewhere that the political class — the Minister or the Assembly

— continue to take a close interest in the behaviour of those boards? Have they set out to keep the pressure on to force cultural change, or does the evidence suggest otherwise?

Professor Horwath:

The structure in England and Wales is slightly different, because there are 144 LSCBs in England. It was clear that our initial area child protection committees were to be non-political. They were made up entirely of professionals, but, because of the issues and some high-profile child deaths, it was felt that there had to be some political engagement at the board's local operational level. Therefore, every LSCB now includes the area's elected member with responsibility for children. They do not have voting rights, but they are there to observe what is going on. If issues arise that require more resources, for example, those elected members have a responsibility to consider an appropriate political response at a local authority level.

Mr McDevitt:

Has that been positive in changing the culture, or has it made no difference?

Professor Horwath:

It is early days, but the boards that I worked with welcomed the inclusion of elected representative, because it has given political masters an insight into the complexity of safeguarding children in their locality.

Mrs O'Neill:

I want to pick up on the point that was made about membership. Everybody agrees that the appointed members appointed should come from a senior level in their organisation to enable operational and strategic decisions to be taken. However, the problems highlighted in the English example led to changes, which mean that representation is now by designated professionals at board level. The Department's policy proposal to the Committee suggests that that will be done through subgroups and panels. Should we change that ?

A balance is needed to appoint someone at a high enough level in an organisation to make a decision while developing capacity-building training for managers. However, that training might not be enough, and someone without experience of working in the field would find that a difficult role. What is your opinion?

Professor Horwath:

Some safeguarding boards proposed that senior managers be appointed without professional advisers. Interestingly, all of the boards that I worked with have moved towards having professional representation at board level. That does not mean that those professionals have voting rights. However, they are there as observers and advisers, and that resulted in much clearer decision-making, because it is informed by people who really understand the operational issues.

Mrs O'Neill:

I agree that putting senior managers on a safeguarding training course for a week does not guarantee that they will understand how the process works in practice.

Professor Horwath:

There is also a question about how far one can go with training. In my experience, senior managers on safeguarding boards want them to succeed, but there are so many demands on their time that, simply finding the time to read the papers and receive the proper briefing from their respective agencies, and so on, presents a genuine challenge. We must be clear about what will be the expectations of people sitting on the boards and how far their agencies will facilitate their involvement. The majority of senior managers to whom I have spoken are expected to perform that role on top of everything else.

Mrs O'Neill:

Unless people are passionate about a subject, they find it hard to find the time to read the papers before a meeting and other practical work.

You commented on the communication problems that have been experienced in England. You suggested that the chairpersons of local panels sit on the board, and I think that that is an excellent way to address that difficulty. Your paper highlighted that, although the board could be trying to set strategic priorities, local areas could be doing something completely different. Your suggestion would help to alleviate the problem.

Professor Horwath:

Yes; that should work. The safeguarding panels will face a real challenge: they must respond to the needs of the local community, but they must do so within the context of what the SBNI wants

to be the overall strategic direction.

Mrs O'Neill:

You talked about core business and how it needs to be defined. Do you suggest that the core business should be set at board level and that different priorities may be set at local level?

Professor Horwath:

I am saying that you need to take that into account. On the English boards with which I worked over a number of years, one day each year was allocated for taking stock, reflecting on the key issues and determining how they should define their core business. The ACPCs in Northern Ireland did the same. Core business changes as the board becomes established and members of the board become more confident that the child protection practices are sound. At that stage, the boards can begin to think about which groups of children should take priority. However, it must be recognised that the priorities will vary across Northern Ireland. How will the SBNI take account of those local variations? We must decide, for example, how to create enough flexibility to identify the important issues in Belfast, as distinct from those in Antrim.

The Chairperson:

We will have only five panels and one board. Do you recommend that, in England, the Children Act 2004 be amended to make it compulsory for the chairpersons of each panel to sit on the board? Has that idea arisen through practice?

Professor Horwath:

The system in England is markedly different. As far as I know, only two or three very large counties have the equivalent of the five safeguarding panels that are proposed for Northern Ireland. In England, specific task groups sit beneath the board. One task group is responsible for training throughout a local authority area, another is responsible for developing policies and procedures, a third is responsible for performance management, and so on. Therefore, the functions of the board are devolved to subgroups. As far as I can work out, Northern Ireland will have subgroups plus the safeguarding panels.

The Chairperson:

Do you recommend that we make it compulsory for our panel chairpersons to sit on the SBNI?

Professor Horwath:

Yes.

The Chairperson:

That is an interesting idea. It has not come up before and is worth pursuing.

Mr McCallister:

I apologise for having missed the start of your presentation. My question follows on from Michelle's point on the same subject. Do you regard your suggestion as the best way of getting the right mix between what needs to be done locally and what needs to be done at a regional or national level?

Professor Horwath:

Yes. It is correct to say that one key issue is communication. Another is that people at the front line may not fully understand the nature of a safeguarding board. Last week, I met a group of 35 practitioners and simply asked them what the safeguarding board was. They had no understanding whatsoever, other than that they thought that it provided them with some training and wrote serious case reviews. Front-line staff must feel able to communicate their concerns about the blocks and barriers to practice up through a system that enables their senior managers to understand some of the problems on the front line. The safeguarding panels are well placed to pick up on local issues, and, if the chairpersons were represented on the board, they would act as conduits.

Mr McCallister:

You identified some of the difficulties in England in getting the flow of information from the front line up to board level and vice versa, and you use that to disseminate information in both directions.

Professor Horwath:

Yes, absolutely.

Mr McCallister:

There is a strong case for following your suggestion. In the wider context, it seems that defining the roles and responsibilities of the chairperson and the board is crucial to getting the

appointments right. It is a big ask to put in place such leadership and develop the SBNI so that it implements the necessary policies and practices. It is also a major challenge to find people who have been trained to that level.

Professor Horwath:

I can only agree with you.

Mr McCallister:

The Chairperson is about to tell me to ask a question: will you tell me about your ideas on how that can be achieved?

Professor Horwath:

Interestingly, there have been independent chairpersons for two or three years in England. My experience from going around the country is that the chairpersons seem to fall into three modes of operation. First, there is the type of chairperson who acts as a critical friend and is able to tell members of the board about any concerns and highlight certain things that are not being done. That type of chairperson gains the respect of representatives and is able to effect change.

The second kind of chairperson is no more than the glove puppet of, in our case, the chief executive and the member of the council. I guess that that kind of chairperson could emerge with a similar relationship to the Minister here. The chairperson might feel that they should simply do what is expected.

The third type of chairperson is passive and does nothing in proactively, but simply reacts. Different styles of chairperson are emerging in England.

Mr McCallister:

We can assure you that the Chairperson of our Committee is not a glove puppet.

Presumably, you are in favour of the first version of chairperson, whom you described as a critical friend in identifying issues. Such a person makes his or her mark on what needs to be done and shows the type of leadership to which you referred earlier. It is a matter of ensuring that we end up with a chairperson of the first type, as opposed to a glove puppet or passive type. The correct leadership will be crucial to making the system work.

Professor Horwath:

Yes, because the respect of the agencies is vital. My understanding is that a safeguarding board cannot intervene in the operation of individual agencies. How else can agencies be engaged if not through respecting where the board is coming from?

Dr Deeny:

I also apologise, Professor Horwath for missing the start of your presentation. It looks as though you have a new Committee crew.

Unfortunately, there are many ongoing health issues. My question is one that I also asked of witnesses last week. Your paper mentions your background in literature on multidisciplinary partnerships. It seems obvious to most of us that, in England, and certainly here, communication is the big problem. I live close to Omagh, where there was a major tragedy in which communication was the major problem, although the various agencies probably did their best.

As a GP, I wonder where you envisage primary care, by which I mean nurses and health visitors as well as doctors, fitting into the SBNI. Other agencies that may also be involved include the courts, the police and the Probation Board. How can improvements be made in communication, which has been clearly deficient previously? Communication is vital: if we can get all those agencies to communicate with each other, we will protect our children.

Professor Horwath:

You referred to the literature review that I carried out with Tony Morrison, from which it clearly emerged that, if we want people on the front line to work collaboratively and take an integrated approach to practice, that sense of collaboration must be reflected throughout the organisation. That requires senior managers to adopt a more integrated, strategic approach. It also requires everyone who works with children and families, whether directly with children or through contact with their parents, to engage in a strategic partnership that will create the right operational context.

Safeguarding boards in England have a real issue about how GPs are contracted, and one GP cannot represent his or her colleagues. The same problem applies to schools, particularly independent schools. The engagement by many primary care services with adult social care

services, youth justice and probation services has had a significant impact through giving clear messages to staff in those agencies that they cannot walk away from their safeguarding responsibility. However, that must be mirrored by senior managers working together; otherwise it will not happen at the front line.

The Chairperson:

Although I asked this question of witnesses last week, it must be asked of someone who has direct experience of the situation in GB. England has a wonderful new structure and the Children Act 2004, which established the boards. However, we still turn on our televisions and regularly see appalling cases, such as the recent case in Doncaster, in which social work teams have let down vulnerable families. Has the Act led to any real improvement in the standard of child protection in England and Wales, or has it just provided a wonderful new structure within which the same mistakes and problems arise?

Professor Horwath:

That is a good question, to which there are two elements. First, one can create conditions that are likely to promote effective working on the front line. Safeguarding boards, if they operate effectively, can certainly contribute towards creating those conditions by promoting multidisciplinary working. However, that is only half the problem, the other half of which relates to the allocation of resources. Unless the developments in what is perceived to be good quality practice go together with resources that enable that practice, there is a limit to what the safeguarding board can do.

Some social workers are incredibly pressured by having to make horrendous decisions about whom they will visit on a given day. They are so burnt out that they cannot think clearly, do not have time to record information properly and do not receive proper supervision. As long as that remains the case, the safeguarding board will not be able to address some of those fundamental problems on its own.

The Chairperson:

Over the past five years, there has been a 23% increase in child gateway referrals here. The danger is that the new legislation could build up false hopes of a real sea change in child protection, and yet the wonderful new structure could be swamped by the sheer weight of numbers and a lack of money. Therefore, it is interesting that you said there has not been a

commensurate rise in funding in GB to ensure that the boards oversee a much better type of child protection. Is the situation merely less bad because of the presence of the safeguarding boards, as opposed to there having been any real improvements?

Professor Horwath:

The safeguarding boards make a significant contribution to creating the right environment and conditions for collaborative working. However, if social workers and health workers are not in place, if the front line is completely staffed by inexperienced workers, and if, as is the case in the UK, supervisors have only two years' experience, it is simply not possible to ensure that children are safe. Unless the safeguarding board is able to conjure resources from somewhere and unless funding is made available to ensure high quality front-line practice for all those children who need it, the work of the safeguarding board will be limited.

The Chairperson:

In your experience, does each LSCB regard part of its role as campaigning and lobbying for additional funding for the social work teams in its area?

Professor Horwath:

Yes, but it will be interesting to see what happens when the changes in the annual reporting procedures for the safeguarding boards are introduced. As I mentioned in my presentation, revisions are currently being made to the 'Working Together to Safeguard Children' document, which contains guidance on the functioning of the safeguarding boards. Those revisions state that the annual reports of the safeguarding boards must provide critiques of safeguarding practice in their areas. That means, for example, criticising children's social care. If 75% of the teams operating in a certain area are understaffed, the report must question how they can possibly be providing a proper service. The new reporting system will make agencies and partners aware of some of the operational issues in a far more explicit way than was previously the case. What power the safeguarding board will have to do anything about that is a different matter, because, as I said, the board does not have the power to intervene in the operation of agencies. However, it can certainly bring the issue to public attention.

The Chairperson:

There are 144 safeguarding boards in England, 22 in Wales, and Scotland has its own model. You may have heard the Committee ask about the flow of information between the various

county or metropolitan bodies that control child protection. Have the boards in England and Wales been able to improve that flow of information? If a Huntley-type figure moves from one district to another, is there is a clear information trail to indicate that there is something to worry about? Has that flow of information improved since the safeguarding boards have been established?

Professor Horwath:

That is difficult to answer, because changes have been made to the way in which that information is recorded in England, and a system called ContactPoint has been established. That system holds information on every child in England and identifies vulnerable children. Professionals across the country can access information and highlight any concerns about a particular child. However, we do not know how that system will work.

The child protection registers were abolished in 2006, and children are now subject to child protection plans rather than being placed on a register. To be honest, I do not know to what extent that has improved the exchange of information on children about whom there are significant concerns.

The Chairperson:

Is the information held on the child as opposed to the abuser?

Professor Horwath:

Yes, but we also have panels that hold information on the abuser.

The Chairperson:

If the abuser moves with the child, does that mean that two sets of information should automatically be flagged up in the relevant county council or metropolitan borough to which they move?

Professor Horwath:

As I do not know how automatic that process is or what would trigger that information being made available, I cannot answer that question.

The Chairperson:

I am sure that you listened with interest to the fact that our problem will be that our five panels and the board will have to liaise closely with the authorities in the Republic. The Republic of Ireland is only a ten-minute drive from some of our major towns and cities. We have witnessed difficulties in maintaining that information trail; if I was an abuser and wanted to continue that behaviour, I could hop across the border, and it seems that there is not much to stop me doing that. I am interested to see how that works in England and Wales, where at least the legislation is uniform, but you said that the automatic flow of information is not guaranteed.

Professor Horwath:

That is correct.

Mr McCallister:

In following on from that, it will be interesting to see how that exchange of information will work with families who move from here to England, the Republic of Ireland or Scotland, and vice versa. The Chairperson rightly asked whether the pattern of exchange of information is unclear even within the single system in England. We have such a fluid system of people moving around that we would wish to keep some record of their whereabouts, so that people do not simply fall off the radar. That is a worrying thought.

Professor Horwath:

The idea behind the development of ContactPoint is that that information will be available. However, the system is still in its very early days, so it is difficult to know whether that will work, and it is available only in England.

The Chairperson:

We often say that, because Northern Ireland legislation lags behind that in the rest of the UK, we learn from earlier mistakes, and sometimes we do. Are you saying that we still do not yet have a clear enough view of what has been happening in GB to form a realistic picture of what we must do to improve the process?

Professor Horwath:

Do you mean in relation to safeguarding boards?

The Chairperson:

Yes. We have the option of slavishly following the GB legislation and making only minor amendments to account for the Northern Ireland situation. Alternatively, should we consider what has happened in England and Wales, and decide that, given that major problems have arisen there, we need to change our legislation accordingly. In the past five or six years, have you gained sufficient experience in England to be able to pinpoint areas that we need to change?

Professor Horwath:

Yes. We are beginning to see the fruits of having safeguarding boards. I outlined three conditions at the beginning of my presentation, the first of which was that we must be clear about the core business: what we are doing, where we want to be and what we want to achieve for children. Secondly, we must be clear about roles, responsibilities and accountability. Thirdly, we must ensure that everyone who has contact with children and families is represented around the table. When those three elements work well, they undoubtedly create the right conditions for effective collaboration at operational and strategic level.

From my experience of working with boards over the past few years, my conclusion is that all those elements boil down to having the right people, by which I mean those who are genuinely committed, sitting around the table. Time and time again, I visited a board that felt flat and moribund. However, when I returned six months later, the arrival of a new health representative had breathed new life into it. It strikes me that a change in the chairperson can alter the whole dynamic of the board. The importance of effective leadership in making the boards work must not be underestimated.

The Chairperson:

Can any element of safeguarding work without a statutory and rule to make co-operation mandatory? In our situation, if co-operation were to remain within a voluntary model, would that be workable?

Professor Horwath:

The statutory duty to co-operate means that you will get the right people around the table. There are no two ways about that. In England, it has made a difference by ensuring that people attend, but it does not ensure that they actively engage.

The Chairperson:

You are certainly earning the price of your ticket today, Professor.

Dr Deeny:

Child abuse is a terrible issue, and we must deal with it. I want to ask about the movement of abusers, which was mentioned at last week's meeting. Should that not be taken up at European level, never mind within these islands? Abusers can hop on a train and travel to France. Is there any legislation that ensures that airports can identify known or registered child abusers so that countries can refuse them entry? Or is there a system that can track their movement? Whether abusers move to Holland, Belgium or Germany, that country should be informed of their presence. If an abuser wants to continue abusing, he or she can get on the next flight or catch a train across the Channel Tunnel. Given that it is such a serious issue, should it not be addressed at European level?

Professor Horwath:

Some work is being done on the movement of abusers, but the work on tracking vulnerable children lags some way behind.

Mr McCallister:

You mentioned core business, roles and responsibilities. Is it difficult to get some of the boards to focus solely on their core business? Have they strayed beyond their remit to some extent? If so, is that down to the lack of leadership, and does it emphasise the need to get the right people on the boards?

Professor Horwath:

That is a very interesting question. We made the transition from area child protection to a local safeguarding board. In the 2006 guidance 'Working Together to Safeguard Children' there was, for the first time, a definition of "safeguarding" that reflects the four elements of safeguarding that are contained in the Northern Ireland proposal.

When I was involved in developmental work with the safeguarding boards, I asked them about their mission statements and how they would set out their store. At that time, the tendency was to try to be all things to all people. Interestingly, in the past couple of years, and particularly following the death of Peter Connolly, the boards have recognised that they may have been

spreading the butter too thinly on the bread. Safeguarding boards now ask themselves whether they have taken their eye off the child protection ball. They are returning to a focus on ensuring that their child protection house is in order. They do not focus solely on children on the child protection register. They also identify the most vulnerable groups in their communities and those children about whom they are deeply concerned. Thus, they identify their priorities.

In England, there is increasing communication between the safeguarding boards and the children and young people's partnerships that are responsible for planning children's services. The increased communication has made them realise that they must work together to identify the priorities of the safeguarding board and the implications of those priorities for planning children's services. Through those negotiations, they can avoid duplication and ensure that cases do not slip through the net.

Increasingly, I have been holding development days that bring together members of the safeguarding board and members of the children and young people's strategic partnership. I ask which body will be accountable for which group of children and how they will negotiate.

The Chairperson:

Finally, you will be glad to hear —

Mr McCallister:

You said that around 20 minutes ago.

The Chairperson:

It has been an hour under the lamp, as it were, for you, Professor. You have seen the range of duties and responsibilities that are proposed for Northern Ireland's board. Based on your experience in GB, do you believe that the Department has got its suggestions right? If the Committee is not happy, it has the power to amend the Bill when it comes before the Assembly. Are you happy that the Department has got the board's overall responsibilities right?

Professor Horwath:

Do you mean its functions?

The Chairperson:

Yes.

Professor Horwath:

One function that I did not notice, although that might be due to the way in which I read the proposal, was the child death overview panel. Will that be a function of the safeguarding board?

The Chairperson:

We need to clarify that with the Department. If it is not, and we believe that it is necessary, we can amend the legislation accordingly. That is entirely our call. Apart from that, is the thrust of the proposal right?

Professor Horwath:

Yes.

The Chairperson:

Thank you very much, Professor Horwath, for your useful input. We have benefited enormously from having you and Professor France share your views with us, based on your experience across the water. That will help us when the legislation arrives. We regard the legislation as incredibly important. It is a topical issue in Northern Ireland, and there is huge public interest in it. We must get the legislation right. Thank you again.