

EW/JD/EF

26 February 2010

Ms Stella McArdle
Clerk, Committee for Health, Social Services and Public Safety
Room 412
Parliament Buildings
Stormont
BELFAST
BT4 3XX

Dear Ms McArdle

Re: Proposed Safeguarding Board

The Western Health and Social Care Trust places the protection of children and the promotion of their rights as one of its highest priorities. As such the Trust is grateful to the committee for the opportunity to comment on the proposed legislation that will take forward the setting up of the Safeguarding Board for Northern Ireland (SBNI).

The Trust will structure its reply to the committee along with very helpful potential key issues that the committee had highlighted in its letter to myself received on 27 January 2010.

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

It is now a well established fact that children can only be protected and safeguarded from harm if there is a clear inter-agency multi-professional approach which has children's welfare as its paramount concern overriding all other considerations. The SBNI must have a focus both on strategic issues such as the development of robust child protection policies and procedures and on the operational implementation of these policies on a multi-disciplinary inter-agency basis. The Trust agrees with the sentiment addressed in the detailed policy proposal that addressing child protection within a safeguarding framework requires effective leadership and investment in a workforce that is competent, skilled and well managed. The Trust also believes that the protection and safeguarding of children

must be seen in its holistic context and this, therefore, requires the development of services to support families which addresses the aspects of protection and prevention.

The SBNI must be the lead driver in developing integrated co-ordinated services across Northern Ireland as well as taking cognizance of the cross border aspect which is particularly relevant in the Western Trust area.

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

The Trust believes that the functions as outlined in the policy document are adequate, however, it is important that the SBNI itself once it is established, can review and develop these functions as necessary. The Trust believes that this review must be conducted on an inter-agency multi-disciplinary basis which promotes positive outcomes as outlined in the ten year strategy Our Children, Our Young People, Our Pledge. The Trust supports the proposal that the SBNI whilst having regard to the 6 high level outcomes will pay particular attention to “Living in safety with stability” as its core outcome. It supports the view that in addressing this core outcome it will have a positive impact on the other 5 outcomes which are closely connected to and interrelated with living in safety with stability.

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

The Trust’s delegated statutory functions are not impacted on in any way by the arrangements outlined in the detailed policy proposal. The Trust also believes that the proposal does not impinge on the accountability arrangements for other agencies that will sit on the SBNI.

It is important that the SBNI establishes clear lines of accountability between itself, the Safeguarding Panels and any proposed sub groups that it wishes to establish.

The role of the independent chairperson and the makeup of the SBNI will be crucial in maintaining clear lines of accountability within the safeguarding structure. The Trust agrees with the detailed policy proposal which states that individual agencies will be held accountable by the SBNI through the Chair and ultimately by the Minister for Health, Social Services and Public Safety and the Executive for the discharge of these responsibilities. Members will also remain accountable to their own organisation.

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

The Trust believes that the proposed membership of the SBNI is representative of all the statutory, voluntary and community interests. It is important that a balance is struck between sufficient representation to fulfill its core responsibilities and duties [as per last sentence].

The Trust believes that the agency representatives need to be of sufficient seniority to ensure that decisions taken by the SBNI are implemented in their organisation. At the same time, it is essential that members are aware of and understand child protection/safeguarding issues that will be considered by the SBNI.

The relationship the SBNI has with its Safeguarding Panels is also crucial in that the role of the Safeguarding Panel will be much more operationally focused than the SBNI itself.

The Trust agrees with the detailed policy proposal that membership should be reviewed twelve months following implementation to ensure that it is appropriate to the functions of the SBNI.

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

The Trust believes that the chairperson should be independent and appointed through the public appointment system. They should be remunerated in accordance with similar posts in the public sector.

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

The Western Health and Social Care Trust is a provider organisation which delivers services. The Department has the ultimate responsibility for policy development and the HSCB has ultimate responsibility for commissioning services. However, as stated above it is important that all agencies work together to ensure that safeguarding arrangements in Northern Ireland are integrated and comprehensive.

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

Under the English legislation there is a duty to co-operate on relevant partners such as District Councils, Police, Probation, Youth Offending, and a number of other agencies. The Trust believes that the assembly should give serious consideration to imposing a legal duty on relevant agencies to co-operate as well as safeguard.

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

The Western Health and Social Care Trust believes that the current case management review process is inadequate and should be re evaluated by the SBNI.

The Trust is aware that Queens University and the NSPCC have conducted a number of evaluations in relation to the case management review process and have made several recommendations with regard to taking the process forward. It is important that the SBNI take consideration of these recommendations.

The Trust believes that moving towards a regional child protection register in Northern Ireland is beneficial.

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

The Western Health and Social Care Trust agrees with the proposal to site the SBNI within the Public Health Agency; as a key task of the Public Health Agency is safeguarding and prevention.

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

The Trust believes that in this transitional period between the current Regional Area Child Protection Committee and the setting up of the SBNI it is vitally important to maintain a clear focus on child protection issues and on the child protection responsibilities of all agencies. The relationship between the Trust panels and the Regional Area Child Protection committee is clear and unambiguous and the focus on child protection issues will not be diminished in this transitional period.

It is important that the transfer of responsibilities from the Regional Child Protection Committee to the SBNI is carefully managed to ensure that no potential gaps are created. The Trust recommends that the existing arrangements are not stood down until the SBNI is operational.

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

It is important that within this difficult financial climate the financial arrangements for the SBNI are protected. However it is equally important to ensure that the Trust has sufficient resources to discharge its responsibilities in relation to safeguarding in its holistic context.

Sufficient resources must be allocated in order to allow the Trust to discharge its statutory responsibilities.

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

The Trust is currently experiencing increasing demand for all its child care services. We do believe that the Assembly should consider the discrepancies between the funding for child care services in Northern Ireland and funding available in the rest of the UK.

The Trust firmly believes that child protection and safeguarding are best provided with an emphasis on family support which both incorporates protection and prevention. As previously stated addressing this agenda requires effective leadership and investment in a workforce that is competent, skilled and well managed. Safeguarding goes beyond traditional child protection responsibilities and is everybody's concern, not just that of Social Services.

The UNCRC recognises the right of children to family life and acknowledges the unique relationship between parents and their children. The Trust firmly believes that parents and families must be supported in their role of caring for children and where tensions arise between state intervention and family life, all actions should be taken in the best interest of the child.

Yours sincerely

Elaine Way [Mrs]
Chief Executive