



briefing

Health, Risk and Regulatory - November 2009

Safeguarding children

The Welsh National Health Service

Following the death of Baby Peter in 2008, Lord Laming issued his independent report, "The Protection of Children in England: A Progress Report" in March 2009. The Welsh Assembly Government responded to this Report by reviewing arrangements in Wales to ensure that children's services in Wales are sufficiently robust. The Healthcare Inspectorate Wales (HIW) report published in October 2009, "Safeguarding and Protecting Children in Wales: A review of the arrangements in place across the Welsh National Health Service" ("the Report") is the outcome of that review.

The Report also included a report by the Care and Social Services Inspectorate Wales (CSSIW). Both HIW and CSSIW set out to answer the following 2 questions:

1. Are all those working in healthcare organisations aware of their responsibilities relation to child protection and safeguarding and do they know how to properly deal with suspected child protection/safeguarding issues?
2. Are children and young people safe when accessing health services or visiting healthcare premises?

In order to produce their report the HIW visited every NHS Trust in Wales and 88 GP practices, in particular Accident and Emergency Departments, Paediatric Wards, Wards for the elderly with mental health problems, Medical Admissions Units and Medical Wards.

The Report identifies some overall progress and improvement in relation to child protection and safeguarding arrangements across healthcare organisations since the last full review undertaken in 2007. However, as Lord Laming's report found, there is

room for improvement, particularly in relation staff training and information sharing between agencies.

The Report makes 26 recommendations. These include:

- Service providers should ensure that information sharing policies are in place in line with the All Wales Child Protection Procedures. An amendment will be made to the Children and Families Measure to place a duty on the NHS to notify the local authority if it considers that substance misuse or mental health difficulties pose a risk to a child. The Deputy Minister for Social Services, Gwenda Thomas, stated that a "holistic approach" to information sharing should be adopted so that all health and social care staff identify it as a core part of all processes. Lord Laming also identified that information sharing between agencies continued to be problematic in his report.
- CRB checks should be applied consistently throughout all health care settings, including primary care. A new Vetting and Barring Scheme came into force on 12 October 2009 which aims to address this issue.
- National arrangements should be put in place to ensure that A&E attendance records and Child Protection registers are shared.
- Child protection training will be made mandatory for all staff groups. Whilst staff awareness of signs of child abuse is generally improving many adult services, particularly adult mental health and substance misuse services lack knowledge about child protection issues or do not consider it relevant to their role.
- Following the reform of the NHS in Wales, Health Boards must take the lead for all health services within the NHS for local inter-agency working. At the time of the Report all LHB's and former NHS Trusts had appointed the necessary Lead Officers/Executive Directors for Children and Young People's Services and the necessary designated doctors, nurses and midwives. Many of these staff

play an important role in Local Safeguarding Children Boards (LSCB's) and an urgent recommendation from HIW was that the new Health Boards clarify child protection structures as a matter of urgency.

- Steps should be taken to raise child protection awareness within GP practices. GP practices should also ensure that they comply with "A Guide for Safeguarding Children and Young People in General Practice" issued in 2007.
- Joint working is another area which should be further developed as the review suggests that currently the main burden is with social services. In order to further the aim of joint working, the Minister has asked the Director of Social Services Wales to lead a Welsh Safeguarding Forum which will include LHB Executives, the police, and other agency representatives.

Concerns raised as a result of the Report such as to the variations in NHS and Local Authority performance in relation to safeguarding children are to result in further action.

Gwenda Thomas, the Deputy Minister for Social Services has issued a statement on some of the key findings of the reports. The reports will be discussed by Assembly Members during November 2009 and specific proposals to implement the recommendations will be drawn up accordingly.

Further specific proposals are therefore expected as a result of the review.

More information

Morgan Cole have a dedicated Healthcare Regulatory team which specialises in advice and training on the law relating to children, safeguarding children and information governance. If your Health Board/staff need advice on information sharing, or require training for staff, please contact Eve Piffaretti.



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