



# safeguarding analysis & decision making

for children's residential  
safeguarding leads and managers



# Session aims



To build **confidence and skills** in **identifying, analysing and responding** to potential child protection concerns in residential children's homes and schools



# working together...

confidentiality

respect

diversity of opinion can be enriching

look for the benefits of an alternative opinion

positive challenge

naïve questions are valuable

ask for support if you want it

take responsibility for your own learning

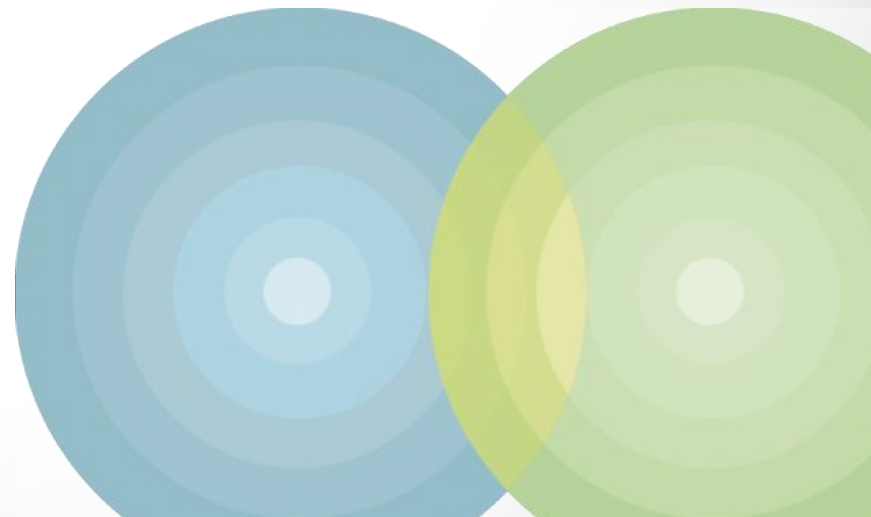
enjoy ourselves

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# today

- Legal framework-what you need to do and what's out there to help
- Assessment
- What children need from us



# Children's Home Regulations 2015

- Regulation 12: The protection of children standard is that children are protected from harm and enabled to keep themselves safe.
- Regulation 13: The leadership and management standard is that the registered person enables, inspires and leads a culture in relation to the children's home that—
  - (a) helps children aspire to fulfil their potential; and
  - (b) promotes their welfare



# SA Regulations

- Regulation 4.—(1) The **leadership and management standard** is that the registered person enables, inspires and leads a culture in relation to the supported accommodation undertaking that puts children first and prioritises their wellbeing and development.
- Regulation 5.—(1) **The protection standard** is that children are enabled to feel safe and that their needs are met.
- (2) In particular, the registered person should— (a) ensure that children—
  - (i) are protected from harm;
  - (ii) are enabled to keep themselves safe;
  - (iii) have their individual needs met;
  - (iv) have 24-hour access to help in a crisis or emergency situation;



# KCSIE 2023

- Safeguarding and promoting the welfare of children is **everyone's** responsibility. Everyone who comes into contact with children and their families has a role to play. In order to fulfil this responsibility effectively, all practitioners should make sure their approach is child centred. This means that they should consider, at all times, what is in the best interests of the child.
- **All staff should be aware of systems within their school or college which support safeguarding**, and these should be explained to them as part of staff induction.
- The emphasis throughout KCSIE is shared responsibility for safeguarding, but it starts with the Head.



# Munro 2011

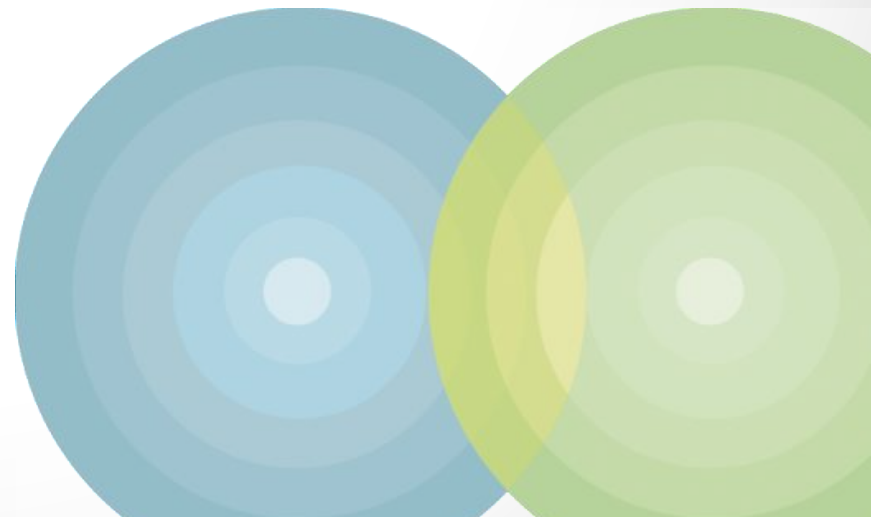
“ In child protection we are considering ‘the value and likelihood of the possible benefits of a particular decision against the seriousness and likelihood of the possible harms’ ”





If you don't ask the right questions, you don't get the right answers. A question asked in the right way often points to its own answer. Asking questions is the ABC of diagnosis. Only the inquiring mind solves problems." – Edward Hodnett

- *Be – curious , non assumptive , open.*
- *Make it safe for the team*
- *Clear boundaries*
- *IS THE RIGHT CULTURE IN PLACE ?*



# principles underlying risk analysis

Is your initial risk analysis right?

We need to **distinguish...**

- what has brought things about in the **past**
- what keeps things going in the **present**
- what is likely to happen in the **future**
- **Identifying relevant risk now helps prevent the likelihood of safeguarding issues in the future**

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# analysis, analysis, analysis...

- what do we **know**?
- what do we **think**?
- what should we **do**?

(then make sure it happens!)

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## what do we **know** (coming to the home)

- Explore history-testimony, documented evidence-accuracy?
- Use research and knowledge
- summarise **risks**
- avoid **assumptions**
- **Test It out-how long do you take before you believe you understand the child's potential for risk?**

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# what do we **think**

- hypothesising
- use of tools
- Use of research
- compare knowledge and evidence to thresholds

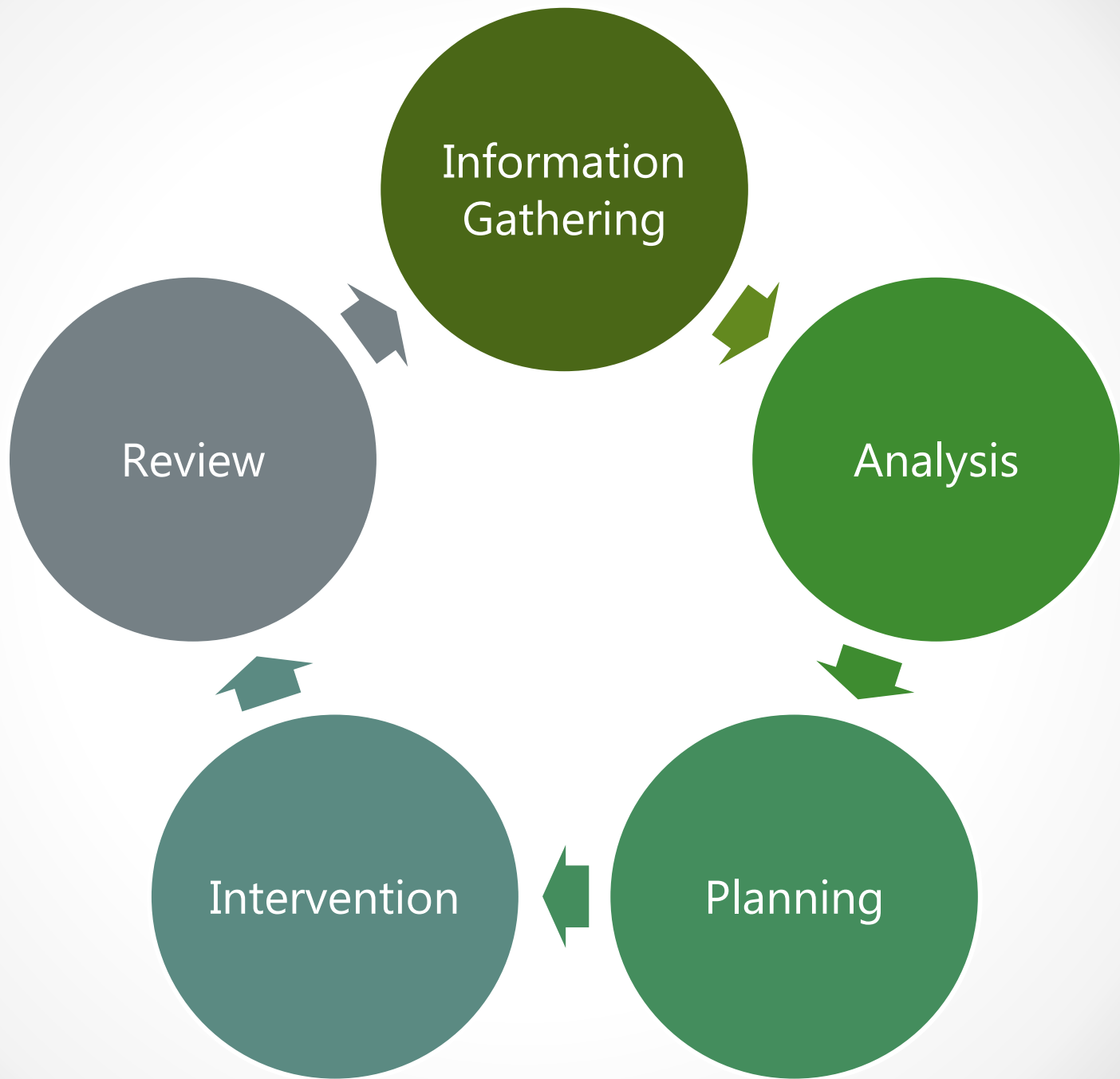


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# What should we do

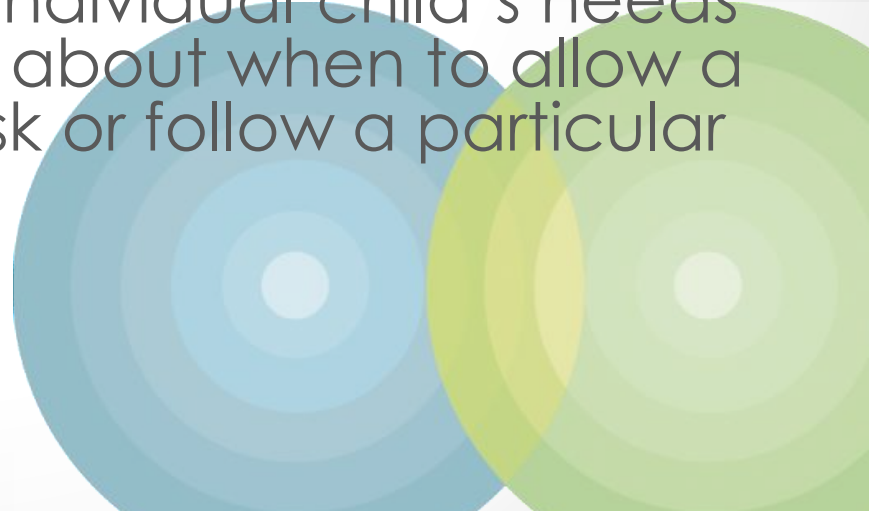
- link to **plans** (e.g. positive behaviour management, risk assessments, care plans)
- link to **policies** (e.g. CSE, lifting & handling, child protection)
- research
- Context
- Thresholds
- Referral paths
- Process(es)
- Support v not contaminating evidence (in specific incidents)-How do you support the child?
- Protecting the child
- Supporting staff





## Risk & Responsibilities under the CH Guide to Regulations

- 9.5 Staff should continually and actively assess the risks to each child and the arrangements in place to protect them. Where there are safeguarding concerns for a child, their placement plan, agreed between the home and their placing authority, must include details of the steps the home will take to manage any assessed risks on a day-to-day basis.
- 9.7 Children's home staff should take reasonable precautions and make informed professional judgements based on the individual child's needs and developmental-stage about when to allow a child to take a particular risk or follow a particular course of action.





# SA Risk (Guide to Regs)

- The safety of young people in supported accommodation is paramount. The registered person should ensure that staff have the relevant skills and knowledge to identify safeguarding risks and early signs of poor mental health and know how to take action and/or escalate their concerns if existing resources are not available or flexible enough to meet the young person's needs.
- Staff should be aware of any additional risk that may be present in the event of an emergency placement—including where they may have limited information on the young person—and should have the relevant skills and knowledge to appropriately manage this risk and take action.

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# WTTSC 2018

Assessment is a dynamic and continuous process that should build upon the history of every individual case, responding to the impact of any previous services and analysing what further action might be needed. Social workers should build on this with help from other practitioners from the moment that a need is identified. A high-quality 32 assessment is one in which evidence is built and revised throughout the process and takes account of family history and the child's experience of cumulative abuse.



# DYNAMIC RISK ASSESSMENT

What is Dynamic Risk Assessment?



# risk assessment

Assess the **impact** against the **likelihood**.

What is your **level of concern**?

|            |                | Impact         |                |                |                  |
|------------|----------------|----------------|----------------|----------------|------------------|
|            |                | Low            | Concern        | Harmful        | Significant harm |
| Likelihood | Very unlikely  |                |                |                |                  |
|            | Possible       |                |                |                |                  |
|            | Suspected      |                |                |                |                  |
|            | Likely         | <b>LEVEL 1</b> | <b>LEVEL 2</b> | <b>LEVEL 3</b> | <b>LEVEL 4</b>   |
|            | Almost certain |                |                |                |                  |

# the **legal** framework

...

what must we do...?

**What can help us....?**

- 9.8 The registered person should build a strong safeguarding culture in the home where children are listened to, respected and involved in both the development of the home and decisions about the home.
- 9.9 Children must feel safe and be safe. Staff should support children to be aware of and manage their own safety both inside and outside the home to the extent that any good parent would.
- 9.10 Staff should support children to understand how to ask for help to stay safe and that the home is an environment which supports this.
- 9.11 All staff should strive to build positive relationships with children in the home and develop a culture of openness and trust that encourages them to be able to tell someone if they have concerns or worries about their safety.
- 9.14 Supervision of staff practice should ensure that individual adults in the home are engaged in the safeguarding culture of the home

Guide to the Regulations 'A safeguarding culture and ethos'

# duties under Reg 12 (CH) and Reg 5 (SA)

ensure staff...

- assess and reduce risk to **each child**
- help each child understand how to **keep safe**
- support young people to recover and learn when things go wrong
- **identify signs and act** effectively
- manage relationships **between children**
- understand roles/responsibilities for children they are **keyworker** for
- know and act on child protection **policies**
- understand the relevant roles and responsibilities assigned to them by the registered person in relation to protecting children.

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# RM/NI/RSM duties

- arrange day-to-day care so as to keep each child safe/help the child keep themselves safe- **how?**
- locality assessment (CH and SA)- **what does this bring? How do you use it?**
- premises are designed, furnished and maintained to avoid hazards
- check effectiveness of child protection policies- **How**





# Good cultures

- put people who need care and support at the heart of the service
- ensure managers and leaders are dedicated to delivering high quality care and support, and act upon feedback
- ensure managers and leaders are open, visible, approachable and empower others
- embed a person-centred culture of fairness, support and transparency
- ensure managers and leaders encourage and support a strong focus on inclusion, equality, diversity and human rights
- ensure the workplace culture meets the needs of people who need care and support, staff and other stakeholders
- ensure problems and concerns are always a priority and are committed to resolving them. **CQC findings**



# Good children's homes

- Put children and young people at the heart of everything they do
- Respect other's views, experiences and opinions but has parameters for practice and acceptable norms
- Are open and transparent so staff and young people are not afraid to challenge or bring concerns to management.
- Have accessible and approachable managers who listen and respond.
- Have Managers who are confident, inspiring, inclusive and pro-active.
- Have owners who are involved, interested and supportive
- Have a knowledgeable workforce who know what is expected of them (policies and procedures)
- Are outward looking
- Welcome outside scrutiny and challenge.
- Accept that mistakes may happen but learns from them and does not repeat them.
- Are reflective and take action
- Have high expectations but support staff and young people to meet them.
- Create good places to live and work-reduce stress and sickness and improve outcomes across the board
- Are solution focused-



# Relevant legislation/Regs

- Children Act 1989
- Care Standards Act 2000
- Children (Leaving Care) Act 2000
- Children Act 2004
- Safeguarding Vulnerable Groups Act 2006
- United Nations Convention on the Rights of the Child (UNCRC)
- Cheshire West decision (DOL)
- SA Regulations and Guide
- CH Regulations and Guidance
- Children and Young Persons Act 2008
- Children and Families Act 2014
- Working Together 2018
- CA Guidance and regs vols 1-3
- CH regs 2015
- Sexual Offences Act 2003
- Care Planning, Placement and Case Review Regs 2010
- Protection of Freedoms Act 2013

# Statutory Guidance on:

Advocacy

Complaints

Children's Act

IRO Handbook

Children's Savings  
accounts

MFH

CH Regs

What to do if you're  
worried a child is being  
abused: Advice for  
practitioners

Provision of  
accommodation for  
16/17 year olds who may  
be homeless

- KCSIE 2023
- Promoting health and wellbeing
- CSE
- Re-engaging NEET children
- The care leavers guidance
- Safeguarding Trafficked Children
- Surveillance Camera Code of Conduct 2013
- Staying put.....

# Current relevant documents

- The Report of the Independent Inquiry into Child Sexual Abuse. 2022
- Safeguarding children with disabilities and complex health needs in residential settings 1 & 2 & response
- The Competition and Markets Authority's Children's Social Care market study 2022;
- Child Protection in England 2022
- The Independent Review of Children's Social Care 2022.
- Stable Homes Built on Love
- Planned review of Regulations
- The Independent inquiry into child sexual abuse IICSA



# Stable Homes: The Care Experience

- Prioritising loving relationships for all children in care and care leavers
- Seeking to strengthen and widen corporate parenting duties
- Boosting the number of foster homes and children's homes
- Ensuring a stable and skilled children's home workforce
- Reviewing standards of care, regulations and guidance
- Introducing a financial oversight regime of the largest providers of children's homes and fostering agencies
- Co-designing a regional model of care to establish Regional Care Cooperatives (RCCs)
- Creating opportunities for children in care and care leavers to achieve and exceed their potential through education, employment and training
- Having wraparound support and accommodation for all care leavers
- Decrease health disparities and increase life expectancy for children in care and care leaver



# KCSIE 2023

- A child centred and coordinated approach to safeguarding
- Emphasis on being part of a wider system
- Safeguarding being everyone's responsibility
- Every school to have a DSL
- Requirement to have the following policies:
  - Child protection
  - Behaviour policy
  - Staff behaviour policy
  - Safeguarding response to children who go Missing
  - Role of the DSL



# KCSIE contd

- All staff to receive safeguarding training as part of induction. Training must be renewed annually
- All staff to be aware of Local early help processes
- Indeed, **All Staff** to be trained in all aspects of safeguarding



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# Recap: protective features

- strong leadership
- knowledgeable staff
- outward looking, learning environment
- involvement of other agencies
- positive staff culture
- close inclusive relationships
- high quality supervision
- effective monitoring and placement review good interagency communication
- use of LADO
- child centred rights based approach
- calm, authoritative staff, with strategies to respond
- evidence based work with young people
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“ **Uncertainty and risk** are features of child protection work...Risk management **cannot** eradicate risk: it can only try to reduce the **probability of harm**....

Those involved in child protection must be “**risk sensible**”.

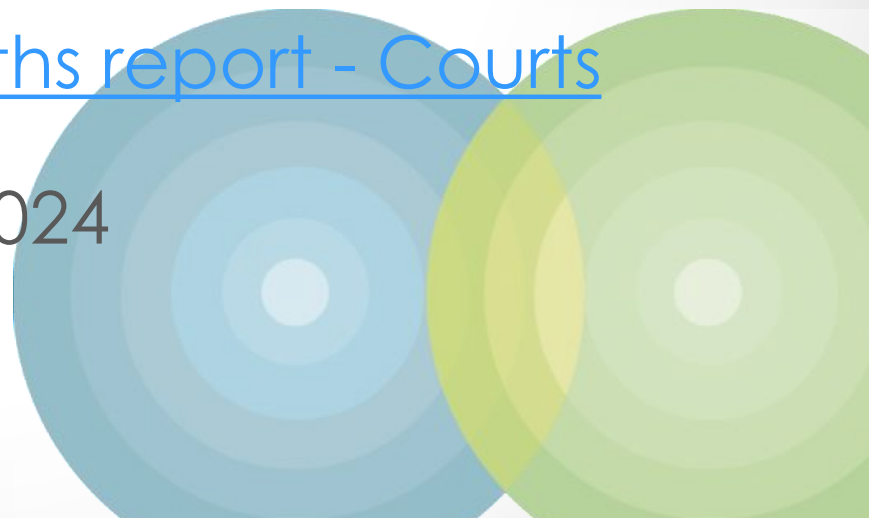
There is no option of being **risk averse** since there is **no** absolutely safe option

# Further reading

- The Report of the Independent Inquiry into Child Sexual Abuse
- Keeping children safe: allegations concerning the abuse or neglect of children in care: NSPCC
- Everyone's Invited
- Keeping children safe in education 2023
- Out of Harms Way: A new care system to protect vulnerable teenagers at risk of exploitation and crime
- [The Independent Inquiry into Child Sexual Abuse](#)  
[IICSA Independent Inquiry into Child Sexual Abuse](#)



- [Children's social care: national framework - GOV.UK \(www.gov.uk\)](https://www.gov.uk)
- Safeguarding children with disabilities and complex health needs in residential settings (Hesley) 1 & 2 and Gov response 2023
- 'A lot of it is actually just abuse' Young people and pornography: Children's Commissioner 2021
- Working together to safeguard children 2023
- [Ofsted code of conduct - GOV.UK \(www.gov.uk\)](https://www.gov.uk)
- [Prevention of future deaths report - Courts and Tribunals Judiciary](#)
- SCIFF updates January 2024
- SA SCIFF Feb 2024



# Sites and organisations

- [Safeguarding children and child protection | NSPCC Learning](#)
- Article 39
- [Homepage | Children's Commissioner for England \(childrenscommissioner.gov.uk\)](#)
- NICE
- [Welcome to the Parliamentary and Health Service Ombudsman | Parliamentary and Health Service Ombudsman \(PHSO\)](#)
- [HSE: Information about health and safety at work](#)
- Gov.uk updates
- Yvette Stanley Blogs
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# Sites and organisations

- Social Care Institute for Excellence  
[Social Care Institute for Excellence \(SCIE\)](#)
- Information commissioner office  
[Information Commissioner's Office \(ICO\)](#)



# Questions and future plans



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