

Date: Wednesday 23 June 2004

Venue: Committee Room 3, National Assembly for Wales

Title: Welsh Assembly Government's Response to the Report of the Commission for Health Improvement on the audit of child protection arrangements

Purpose

On 28 January 2003 the Report of the Victoria Climbié Inquiry, chaired by Lord Laming, was published.

As part of its response to the Laming Report the Welsh Assembly Government asked the Commission for Health Improvement (CHI) to audit and report on the protection and children and young people in the NHS in Wales. The audit also encompassed many of the recommendations made by Lord Carlile in his report *Too serious a thing: the review of safeguards for children and young people treated and cared for by the NHS in Wales*, published in March 2002.

This paper is to draw members' attention to the initial response of the Welsh Assembly Government to the CHI report published in March 2004.

Summary

1. In January 2003, the Welsh Assembly Government received Lord Laming's report into the death of Victoria Climbié. Although Victoria did not live or die in Wales, the circumstances surrounding her death were of such concern that the Welsh Assembly Government decided to take appropriate action to ensure that such a case could not occur in Wales. Accordingly the following steps were taken to ensure that appropriate child protection arrangements were in place in local authorities and the NHS in Wales:

- The Minister for Health and Social wrote to local authorities, health authorities, LHBs and NHS

trusts on 26 March 2003 drawing their attention to a checklist of recommendations contained in Lord Laming's report that related to improving basic good practice. The Chief Executives of these organisations were asked to let the Minister know, by the end of May, what action they had taken or were planning to take to ensure that these recommendations are implemented.

- The Chief Inspector of the Social Services Inspectorate for Wales issued an audit framework and an electronic tool to all local authorities in Wales to assist them audit their position against the good practice recommendations.
- The Commission for Health Improvement was asked to audit and report on the arrangements for the protection of children and young people by the NHS in Wales. This was based on the recommendations contained in Lord Carlile's review of safeguards in the NHS in Wales and Lord Laming's report.
- The Welsh Assembly Government published its response to Lord Laming's report in September 2003.

The CHI Audit

2. In conducting the audit of child protection arrangements in the NHS, CHI asked boards and senior staff of all the NHS organisations in Wales to complete a self assessment audit of their services for protecting children and young people in Wales. This was the first audit of this kind to be undertaken.

3. Although there is much work going on to improve the existing child protection arrangements in the NHS in Wales, CHI rightly commented that this work must continue to ensure that arrangements across Wales are robust enough to cope with ever changing challenges in this area.

4. The main findings from CHI are:

- That national guidance in *Working Together to Safeguard Children* needs to be updated to take account of the re-organisation of the NHS in April 2003 and the recommendations contained in the reports by Lord Carlile and Lord Laming.
- There needs to be clarification about the status of the All Wales Child Protection Procedures in relation to the NHS.
- Organisations need to consider arrangements for children and young people cared for outside the paediatric areas.
- There needs to be clarification about the role of local health boards in specifying and monitoring child protection arrangements in relation to independent contractors.
- Record keeping systems need to be addressed.
- The need to improve the involvement of independent contractors in child protection arrangements.
- The need to ensure that named professionals are given protected time.
- The need to ensure that checks with the CRB are made upon appointment of permanent staff and that re-checks are undertaken from time to time
- That checks are made with the CRB on temporary and bank staff.
- All staff who work with children need to be properly trained especially those in general practice.

- Systems need to be developed for the clinical performance monitoring and management of named professionals.

The SSIW audit of local authorities

5. The Social Services Inspectorate for Wales has visited every authority in Wales in the last 3 months as part of the process of validating of each authority's self-audit. An overview report will be available later this year.

The Welsh Assembly Government Response

6. On 16 April the Minister for Health and Social Services wrote to Mr David Melding, Chair of the Health and Social Services Committee, and to members of the Committee enclosing copies of the CHI Report and indicating that the Welsh Assembly Government response would be published later in the year. This will take account of the outcome of the SSIW audit of local authorities to ensure that any common lessons that can be identified from both audits are appropriately addressed.

7. In the meantime the Assembly Government has noted the nine principal findings identified in the CHI report "*Summary of Key Findings*" and has identified seven upon which an early, interim response can be made. This is summarised at Annex A.

Conclusion

8. The Annex to this paper is not a comprehensive response to the CHI report. A number of CHI's findings require further consideration and discussion with the NHS. The Welsh Assembly Government also wishes to take account of the conclusions from the SSIW audit of local authorities in producing its full response to the CHI report.

Action

9. The Committee is invited to consider the Welsh Assembly Government's interim response to the Report and to offer its views on how the Assembly Government might respond when publishing its full, considered response later in the year.

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PROTECTING CHILDREN AND YOUNG PEOPLE

Results of a self-assessment audit of NHS organisations in Wales

CHI Finding	Interim Welsh Assembly Government response
<p>National guidance as set out in <i>Working together to safeguard children</i> may need updating in the light of changes to the NHS in Wales and the reports published by Lord Carlile and Lord Laming. In addition the confusion surrounding the status of the All Wales child protection procedures needs to be resolved and the procedures need to be reviewed to ensure they are up to date.</p>	<p><i>Working Together to Safeguard Children</i> is the main statutory guidance covering children's safeguards in Wales. It is kept under constant review and supplementary guidance has been issued since its publication in 2000. This includes <i>Safeguarding Children: Working Together for Positive Outcomes</i>, recently published in direct response to many of the recommendations contained in the report by Lord Laming.</p> <p>The Welsh Assembly Government will be further reviewing existing guidance and will publish comprehensive new guidance in the light of the forthcoming establishment of Local Safeguarding Children Boards under the provisions of the Children Bill, currently before Parliament.</p> <p>The status of the <i>All Wales Child Protection Procedures</i> will be clarified when new guidance is published. Those procedures are not Assembly guidance and unlike <i>Working Together</i> which is issued as statutory guidance, have no statutory basis and are purely advisory.</p> <p>The Welsh Assembly Government will consider whether some of the guidance contained in the <i>All Wales Child Protection Procedures</i> is appropriate for incorporation in further Assembly statutory guidance.</p>

Most organisations have their own child protection policies and/or procedures, but the extent to which they apply outside dedicated children's services seems to vary. Some organisations recognise that where children are cared for outside paediatric areas the care environment is sometimes inappropriate.

The Welsh Assembly Government agrees that there is a need for effective child protection policies and procedures in all settings within the NHS.

Some local health boards [LHBs] are proactive in specifying and monitoring child protection arrangements. However, there is a general lack of clarity about local health boards' role in child protection, especially in relation to independent contractors such as GPs, dentists, optometrists and pharmacists.

Responsibilities are imposed on GPs in relation to children through General medical Services (GMC) professional regulation as set out in the document "Good Medical Practice". GPs have responsibilities for children in the same way as other health professionals as set out in the Children Act.

This matter is currently being discussed with the National Public Health Service and with GPC(W).

Record keeping systems need to be improved, especially 24 hour access to previous case records, single records for children and young people, and regular audit of records.

Recommendation 78 of Lord Laming's report said that "Within a given location, health professionals should work from a single set of records for each child." The Welsh Assembly Government has undertaken to consult with the NHS in Wales on taking forward this recommendation.

In its response to Laming the Assembly Government also referred to its proposed information strategy for the NHS in Wales, which proposes that each patient should have a single electronic health record and for patients and appropriate NHS staff to have access to those records.

Mechanisms for cross agency working are generally in place. However, ways of involving GPs more extensively in these arrangements need to be found.

In addition, systems and protocols for information sharing between key partners do not always exist and some organisations need to clarify guidance to staff on sharing information.

Most organisations check new recruits with the Criminal Records Bureau and check staff registration with their statutory professional body. However, not all organisations make checks on temporary staff and volunteers or carry out rechecks on permanent staff as a matter of course.

The Welsh Assembly Government has undertaken, in response to the Laming report, to work with the Post Graduate Deanery in Wales and the Royal College of General practitioners to facilitate the development of appropriate continuous professional development training for all GPs and members of the primary care team.

The Children Bill contains provisions for the establishment, through regulations, of information sharing procedures in Wales. The Welsh Assembly Government proposes to consult widely on any proposals before making regulations.

Welsh Health Circular (2003) 007 – "Pre and Post Appointments Checks for All Persons Working in the NHS in Wales" was issued 27 January 2003. It includes reference to the publication of the Carlile Report and re-iterates the importance of thorough checks pre and post recruitment. **Checks are expected to be carried out on employees, volunteers and hired personnel.**

NHS Bodies are expected to have designated appointments officers assigned to ensure that all appropriate appointment procedures have been followed up in each case.

The requirements will be reinforced through further guidance and all agencies will also be reminded of any statutory requirements to conduct checks on temporary staff and volunteers.