

Effectively balancing the need for confidentiality with the responsibility of safeguarding children

What is Safeguarding, and why do children need safeguarding?

In the government guidance, Working together to safeguard children (2006) safeguarding was defined as :

'The process of protecting children from abuse and neglect, preventing impairment of their health and development, and ensuring they are growing up in circumstances consistent with the provision of safe and effective care that enables children to have optimum life chances and enter adulthood successfully.'

DCSF 2010:27

Who is responsible of safeguarding?

Everyone has a responsibility of safeguarding children, its is not just the responsibility of social workers ,but the responsibility of all organizations with a concern for a child. This was highlighted by lord laming (2003) in the inquiry of Victoria Climbié, Where failures of communication between agencies and practitioners involved ,was either non-existent or uncoordinated. Lamings (2003) inquest led to changes in which professionals promoted the welfare of children, implementing the shared responsibility of safeguarding children in UK policy.

(Cleaver , Cawson , Gorin and Walker.,2009), (Kennison and Goodman,2008),(HM Government,2006).

Information sharing and Confidentiality

Information disclosure within the UK in governed by:

The Human Rights Act 1998

The Data protection Act 2018.

General Data Protection Regulations

Common Law duty of confidentiality.

- Under GDPR ,Data Protection 2018 and The Human Rights Act 1998 . Information can be shared without consent to other professionals if there is a safeguarding issue.
- Practitioners and local organizations sharing information is critical for early identification of need. Sharing of information assists practitioners and agencies in identifying and providing appropriate services , that will be beneficial in safeguarding children and improving the child's welfare.
- Working collaboratively ensures children and families receive the right help at the right time.
- Any information collected must also be accurate and understandable. To ensure appropriate outcomes are made if based on that information .

(HM Government, 2018), (NHS,2020),(Cleaver ,et al., 2009), (NSPCC,2018), (Kennison and Goodman, 2008),(UN,1998).

Identifying abuse and When to intervene

A child in need of intervention ,was defined in The Children's Act (1989) as:

- a child who is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision of services by a Local Authority.
- a child whose health or development is likely to be significantly impaired, or further impaired, without the provision for him of such services.
- a child is disabled.

Practitioners then have a legal duty to intervene if they feel a child is in need.

Assessing the child and putting in place a child in need plan for child and family

This is then done through a Child in need plan meeting where the child and his or her parents/carers, together with key agencies all meet, to produce a pathway plan for the child to improve circumstances .

Children's rights and child centered approaches to safeguarding

Children should be considered of having capacity to make certain decisions for themselves. This includes safeguarding, when applicable, ensuring the child is the focus when decisions about their lives are being made, working in partnership with the child and their families.

This is implanted into policies and legislation such as :

- The Children's Act 2004
- The United Nations Convention on the Rights of the Child
- The Equality Act 2010

Ensuring children are given all relevant information , have opportunities for engagement, and informed about decisions made for them.

(Department for education,2015),(The Children's Act,2004, s17)

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