



Children's Commissioner Wales;
Sally Holland
(WalesOnline, 2015)

Wales has significant regulation and guidance to safeguard children.

In line with the United Nations Convention on the Rights of the Child, the Children's Commissioner for Wales, Sally Holland aims to safeguard and promote the rights and welfare of children and she can influence the government and other organisations to make a difference to children's lives (Children's Commissioner for Wales, 2017). Children's rights are described as the **four p's – provision, protection, participation and prevention** (Scottish Out of School Care Network, 2019).

The Right Way: A Children's Rights Approach in Wales is a framework for working with children, grounded in the UNCRC to help public bodies integrate children's rights into every aspect of decision-making, policy and practice.

In 2011 the Rights of Children and Young Persons (Wales) Measure made Wales the first country in the UK to make the United Nations Convention on the Rights of the Child part of its domestic law, ensuring that children's rights are included in all policy making in Wales.

Safeguarding and Confidentiality

(Background Image: iStock, 2018)

Data Protection Act 2018 and the General Data Protection Regulation (GDPR)

Safeguarding is everyone's responsibility

The rights of the child should be central to the approach and their best interests should always be paramount.

(Social Services and Well-being (Wales) Act 2014)

The legislation and guidance to safeguard children and put their needs central to safeguarding processes is in place especially in Wales. However, agencies need to balance safeguarding with confidentiality and in line with the Data Protection Act and GDPR.

There have been many versions of 'Working Together to Safeguard Children', a primary guidance for multi-agency working in child safeguarding which highlights the need for information sharing and the key principle that safeguarding is everyone's responsibility.

The **new Wales Safeguarding procedures** plan to translate legislation such as the Social Services and Wellbeing Act 2014 into practice as there was a shared belief of many practitioners, managers and policymakers that common systems and processes needed to be in place to protect children at risk of abuse and neglect.

These procedures were published in 2019 and each regional safeguarding board will be expected to adopt the procedures by April 2020 (Socialcare.wales, 2017).

'Keeping learners safe' (Welsh Government, 2015)

Welsh Government guidance for local authorities and governing bodies on arrangements for safeguarding children.

Under section 175 of the **Education Act 2002**, local authorities and governing bodies of maintained schools have a duty to safeguard and promote the welfare of children in line with legislation and guidance and are subject to inspection by Estyn on their ability to achieve this. Another duty under the Education Act (Section 31), and the **Social Services and Wellbeing (Wales) Act 2014**, is the establishment of **Local Safeguarding Children Boards**.

Estyn's (Estyn, n.d.) key principles relating to children:

- Opportunity to achieve their full potential
- To live in a safe environment
- To be safe from harm
- To experience emotional wellbeing

Forms of abuse:

- **Physical**
- **Sexual**
- **Psychological**
- **Emotional**
- **Financial**

(Social Services and Wellbeing Act (Wales) 2014, NSPCC, 2020).

Local Safeguarding Children Boards

- Multi-agency body set up in every local authority
- Each LSCB has an independent Chair
- Coordinate everything on the LSCB to safeguard children
- Ensure effective action takes place

(Estyn, n.d.)

'Conflicting social services and health practices concerning confidentiality crystallised around the design of record-keeping and information sharing procedures' (Frost & Robinson, 2007).

Professionals are given the assistance they need to undertake the complex and difficult work of protecting children with confidence and competence.

A positive shared-learning culture is an essential requirement for effective multi-agency practice.

PRINCIPLES of the Child Practice Review Framework

Organisational cultures and processes are experienced as fair and just, and promote supportive management and work environments for professionals.

A culture of transparency is created that, among other things, provides accountability and reassurance, has processes open to professional and public challenge, engages with and includes the perspectives of children and families.

(CELCIS, 2019)

Wales Accord on the Sharing of Personal Information



(Slideplayer.com, 2020)

'Poor or non-existent information sharing is a consistently reoccurring theme in learning from child practice reviews in Wales'
'Fears about sharing information should not be a barrier to safeguarding and promoting the wellbeing of children at risk of abuse or neglect' (Welsh Government, 2019).

References

- Ayscoughfee Hall School (2020). Safeguarding Children. [image] Available at: <https://www.ahs.me.uk/page/?title=Safeguarding+Children&pid=37> (Accessed 19 January 2020).
- CELCIS (2019) The Welsh Child Practice Review. Available at: https://www.celcis.org/files/4815/5689/6659/CELCIS_Protecting_Children_Briefing_Paper_-_The_Welsh_Child_Practice_Review.pdf (Accessed 10 January 2020).
- Children's Commissioner for Wales (2017) Available at: https://www.childcomwales.org.uk/wp-content/uploads/2017/10/CCWPowersPaper_Final_E.pdf (Accessed: 12 January 2020).
- Estyn (n.d.) *Estyn Policy and Procedures for safeguarding*. Available at: <https://www.estyn.gov.wales/sites/www.estyn.gov.wales/files/documents/Estyn%20Safeguarding%20Policy%20En.pdf> (Accessed 10 January 2020).
- Frost, N. and Robinson, M., (2007) 'Joining up children's services: safeguarding children in multi-disciplinary teams'. *Child Abuse Review: Journal of the British Association for the Study and Prevention of Child Abuse and Neglect*, 16(3), pp.184-199.
- Good Practice Wales (2020) *Wales Accord on the Sharing of Personal Information (WASPI)*. Available at: <https://www.goodpractice.wales/waspi> (Accessed 10 January 2020).
- iStock (2018). Illustrative. A family in silhouette. [image] Available at: <https://blogs.timesofisrael.com/my-new-parenting-goal-to-be-like-god/> (Accessed 19 January 2020).
- NSPCC (2020) *Child Protection System in Wales*. Available at: <https://learning.nspcc.org.uk/child-protection-system/wales/#heading-top> (Accessed: 14 January 2020).
- Slideplayer (2020) Wales Accord on the Sharing of Personal Information. [image] Available at: <https://slideplayer.com/slide/10340278/> (Accessed: 10 January 2020).
- Social Services and Well-being (Wales) Act 2014, c. 7*. Available at: <https://gov.wales/sites/default/files/publications/2019-05/social-services-and-well-being-wales-act-2014-the-essentials.pdf> (Accessed 20 Jan. 2020).
- Socialcare.wales (2017) *Wales Safeguarding Procedures 2019*. Available at: https://socialcare.wales/cms_assets/hub-downloads/Wales-Safeguarding-Procedures-Frequently-asked-questions.pdf (Accessed 20 January 2020).
- SOSCN (2019) Scottish Out of School Care Network. *UNCRC*. Available at: <https://soscn.org/UNCRC> (Accessed 20 January 2020).
- The Blue Butterfly Emporium (n.d.). Watercolour Cymru Wales Map Rainbow Print. [image] Available at: https://www.amazon.co.uk/s?k=The+Blue+Butterfly+Emporium&i=handmade&search-type=ss&ref=bl_dp_s_web_0 (Accessed 19 January 2020).
- together, Scottish Alliance for Children's Rights (2017). Children's Rights in Wales. [image] Available at: <https://togetherscotland.blog/2017/02/13/legislating-for-the-un-convention-on-the-rights-of-the-child-in-wales/> (Accessed 19 January 2020).
- WalesOnline (2015). Professor Sally Holland is the new Children's Commissioner for Wales. [image] Available at: <https://www.walesonline.co.uk/news/wales-news/new-childrens-commissioner-wales-calls-9076796> (Accessed 19 January 2020).
- Welsh Government. (2015) *Keeping learners safe*. Available at: <https://gov.wales/sites/default/files/publications/2018-11/keeping-learners-safe-the-role-of-local-authorities-governing-bodies-and-proprietors-of-independent-schools-under-the-education-act-2002.pdf> (Accessed 12 January 2020).
- Welsh Government (2019) *Social Services and Well-being (Wales) Act (2014) Working together to safeguard people: information sharing to safeguard children*. Available at: <https://gov.wales/sites/default/files/publications/2019-07/working-together-to-safeguard-people-information-sharing-to-safeguard-children.pdf> (Accessed 21 Jan 2020).