

How can agencies effectively balance the need for confidentiality with their responsibility for safeguarding?



Keeping Children Safe

(Keeping Children Safe, 2017)

ECAY5001
Abi-Marie
Grace :
1806352

Social Services and Well being Act 2014

Safeguarding

Action that is taken to promote the welfare of children and protect them from harm

(NSPCC Learning, 2020)

Key points

- ❖ *Keeping welfare and safety as the focus.*
- ❖ *Ensuring children are protected from mistreatment or abuse.*
- ❖ *Safe placement and no harm to the child's development or health*
- ❖ *Ensuring best outcomes.*

Legislation

UNCRC:

- ❖ **Article 3:** "the best interest of the child shall be a primary considerations." (UNCRC, 1990)
- ❖ **Article 6:** parties shall ensure to the maximum extent possible the survival and development of the child." (UNCRC, 1990)
- ❖ **Article 19:** Places responsibility on agencies to protect children from all mistreatment and abuse.

1989 Children's Act

- ❖ Focuses on the welfare and wishes of the child.

2004 Children's Act

- ❖ Promotes a focus on all agencies working together in harmony to protect children's welfare and re affirms the 1989 act.

Data Protection

1998 Data Protection Act

Regulations placed on how personal data should be stored and shared.
Replaced by the 2018 data act.
GDPR: Based on seven principles including lawfulness, fairness and transparency.

2018 Data Protection Act

- ❖ Transparency between organisations.
- ❖ Protects data already held in preparation for Brexit.
- ❖ Only allows the passing of information to be "adequate, relevant and limited to only what is necessary" (Data Protection Act, 2018)

Wales Accord on the Sharing of Personal Information

- ❖ Ensures correct data sharing between individuals and organisations.
- ❖ A recognition that sharing of information will be direct and regular.
- ❖ Prevents gaps of knowledge and errors in the safeguarding process.

Keeping Children Safe

- ❖ Established in 2001.
- ❖ Eleven Standard in place to protect the safeguarding of children internationally.
- ❖ Four keys standards that work in balance with confidentiality.

- 1: "A written policy on keeping children safe."
- 2: "Guidelines on behaviour towards children."
- 3: "Equal rights of all children to protection."
- 4: "Implementing and monitoring of the standards."

(STANDARDS FOR CHILD PROTECTION, 2011)

- ❖ Places the duty on safeguarding board to protect children.
- ❖ Further they can request information from other board of individuals to facilitate the passing of information.
- ❖ This keeps all agencies up to date with relevant information

When it all goes wrong

Child A

- ❖ Let down by 2 hospitals, police departments and social services.
- ❖ 64 individuals involved in her care that failed to prevent her vast mistreatment and death.
- ❖ Twelve key moments in which organisations missed chances to intervene.
- ❖ A direct example how failures in safeguarding and confidentiality procedures can have terrible results. A failure in multi-agency working.
- ❖ Resulted in Every Child Matters being produced.
- ❖ A piece of legislation to prevent such mistakes ever occurring again.

References

Every Child Matters. (2003). [PDF] Available at: <https://www.gov.uk/government/publications/every-child-matters> [Accessed 20 Jan. 2020].

Guide to the General Data Protection Regulation (GDPR). (2018). .

Keeping Children Safe. (2017). *Keeping Children Safe*. Available at: <https://www.keepingchildrensafe.org>. [Accessed 20 Jan. 2020].

Laming, L. (2003). *The Victoria Climbié Inquiry*.

Data Protection Act 1998. Available at: <http://www.legislation.gov.uk/ukpga/1998/29/contents> [Accessed 20 Jan. 2020].

Children Act 2004. Available at: <http://www.legislation.gov.uk/ukpga/2004/31/section/25> [Accessed 20 Jan. 2020].

Social Services and Well-being (Wales) Act 2014. Available at: <http://www.legislation.gov.uk/anaw/2014/4/contents> [Accessed 20 Jan. 2020].

Data Protection Act 2018. Available at: <http://www.legislation.gov.uk/ukpga/2018/12/contents/enacted> [Accessed 20 Jan. 2020].

Children Act 1989. Available at: <http://www.legislation.gov.uk/ukpga/1989/41/section/1> [Accessed 20 Jan. 2020].

NSPCC Learning. (2020). *Safeguarding children and child protection / NSPCC Learning*. Available at: <https://learning.nspcc.org.uk/safeguarding-child-protection/> [Accessed 23 Jan. 2020].

Standard For Child Protection. (2011). Keeping Children Safe.

The United Nations Convention on the Rights of the Child. (1990). UNICEF UK.

Waspi.org. (2020). *Wales Accord on the Sharing of Personal Information - WASPI*. Available at: <http://www.waspi.org/home> [Accessed 20 Jan. 2020].