

This is the third report of the joint chief inspectors' review of arrangements to safeguard children. The two previous reports were published in 2002 and 2005. The second *Safeguarding children* (2005) report had three main findings:

- The priority given to safeguarding across agencies had increased since 2002 and children's views were being taken into account more widely. Agencies were also working together better to identify and act on welfare concerns.
- Policy commitments to safeguarding were not always reflected in practice and some agencies, especially in the justice system, did not give sufficient priority to safeguarding children.
- There were specific concerns about arrangements for particular groups of children, including looked after children,¹ children with disabilities and some children in health and secure settings.

Much has changed in the landscape of children's services since the previous report. In particular, there is a greater emphasis on safeguarding all children and improved inter-agency support for children in need of protection from abuse or neglect. Most of the provisions of the Children Act 2004 are now fully in force and the framework supporting the Every Child Matters: Change for Children programme is largely in place. Procedures for vetting people who work with children and for joint working to act on welfare concerns have been, or are in the process of being, strengthened. There is increasing recognition in the National Health Service (NHS) of the importance of the safeguarding children standard in the National Service Framework for Children, Young People and Maternity Services. Legislation is in hand to improve care services for children and young people, and the Government is giving attention to improving the experiences of asylum-seeking children.

Inspection arrangements for children's services at local authority level have also changed significantly since 2005. Evidence in this report comes from the annual performance assessment (APA) of each local authority's children's services. It also comes from the programme of joint area reviews (JARs) carried out by a range of inspectorates working together in each of the 150 upper tier local authority areas in England.² This inspection activity has looked at how well services work together to improve outcomes for children and young people. In addition, the report draws on a wealth of evidence from

other targeted and mainstream inspections. It refers to a wide range of published material about safeguarding children.

The definition of safeguarding itself has developed since the first review was published in 2002. At that time, many services saw safeguarding as commensurate with child protection. Since then, there has been a discernible shift to a wider view of safeguarding and of the role of public services in promoting the welfare of children and young people. The Government has defined the term 'safeguarding children' as:

'The process of protecting children from abuse or 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.'³

Adopting this wider definition, this report looks at arrangements for safeguarding children and young people in four key areas:

- the effectiveness of the overall safeguarding systems and frameworks that are in place
- the wider safeguarding role of public services
- the targeted activity carried out to safeguard vulnerable groups of children; this includes updated evidence on the groups considered in the previous report, including asylum-seeking children, children in secure settings, looked after children and children treated by health services
- the identification of and response to child protection concerns by relevant agencies.

The report highlights what has improved over the past three years and assesses to what extent the considerable activity that has taken place at both national and local levels has affected outcomes for children. It also identifies those areas that are still in need of improvement.

Note: Unless otherwise specified, where 'areas' are referred to throughout this report, they are the 150 local authority areas in England with responsibility for providing council services for children and young people.

Executive summary

The third review of arrangements for safeguarding children covers a broader range of topics and is based on more extensive inspection evidence than the previous two *Safeguarding children* reports. New arrangements for the integrated inspection of children's services were introduced in 2005, when the last review was published. Since then, the inspectorates with a remit in this field have carried out wide-ranging joint area reviews. Individual inspectorates have also continued to carry out in-depth inspections of specific topics or particular services. The different types of inspection are carried out using approaches that are tailored to the topics and services involved, and inspectorates use different judgement frameworks for assessing and reporting on performance. They mostly support and confirm each other's findings. On occasion, however, differences in findings arise between joint area reviews and other types of inspection. The report draws attention to these variations wherever this is the case.

The report shows that much has changed since 2005 and provides evidence of improvements in children's services and in outcomes for children and young people. In particular, there is a greater emphasis on safeguarding all children and improved inter-agency support for children in need of protection from abuse and neglect. Every Child Matters: Change for Children, the Children Act 2004 and a range of other initiatives have provided a much-needed impetus for change. Most children feel safe, and are safe, in their homes and communities. However, there are still serious concerns that some children are not well served and these children need particular attention to ensure that they are properly safeguarded. As in 2005, this includes some children who are looked after, children who are asylum seekers and children and young people in secure settings.

The safeguarding framework

This chapter assesses the framework for safeguarding children that is now in place, the effect it has had on outcomes for children and young people and the improvements that are still needed. Much of this framework has changed significantly following the implementation of the Children Act 2004 and the Every Child Matters programme.

Local Safeguarding Children Boards (LSCBs) are in place and demonstrate greater independence in their chairing and reporting arrangements than when they were first

established in 2006. They are beginning to focus on a wider safeguarding role in addition to child protection. A survey carried out in 2007 shows the following:

- Some statutory partners are not yet involved in the work of LSCBs in all areas. These include Connexions services, Cafcass and the Youth Offending Service.
- Few LSCBs are giving high priority to targeted activities to safeguard specific vulnerable groups; these include looked after children, those in private fostering arrangements, asylum-seeking children in the community and in short-term holding centres and immigration removal centres, children in mental health settings and children in secure settings, especially when placed outside their area.
- LSCBs are not yet in a position to demonstrate the impact of their work, since few have set themselves measures of their impact on safeguarding.

Strategic partnerships for delivering services to safeguard and promote the welfare of children are established in all areas. Agencies work together better to safeguard children than they did in 2005. Every Child Matters is providing a cohesive framework for joint working. There are several areas for improvement:

- Joint commissioning of services for all children in need is under-developed.
- The time-limited nature of some funding arrangements constrains the development of joint services. Examples include social worker posts in prisons and youth inclusion programmes, which have achieved positive results.
- The extent to which relevant agencies work together to safeguard children and young people through local multi-agency public protection arrangements (MAPPA) to manage the risks posed by sexual and violent offenders varies. For example, MAPPA are not represented on all LSCBs; there is a lack of clarity about the role, function and responsibilities of Youth Offending Teams (YOTs) in MAPPA; and prison staff attendance at MAPPA reviews in the community varies.

There is now much greater awareness of the need for and importance of **Criminal Records Bureau (CRB) checking** for staff whose jobs bring them into contact with children. Agencies comply well overall with legal requirements for CRB checking for new recruits. However, there is inconsistency in the extent to which agencies follow best practice, particularly with regard to:

- the extent to which checks are carried out or updated on staff who have been in post since before the requirement for CRB checks was established in 2002; this particularly applies to staff in NHS trusts and youth offender institutions
- re-checking of staff who have been CRB checked on appointment but who have not been re-checked after three years, which is accepted good practice.

The wider safeguarding role of public services

Agencies that work with children and young people have a wider role than simply protecting them from neglect and abuse. This role involves keeping them safe from accidents, crime and bullying and actively promoting their welfare in a healthy and safe environment. This chapter considers how agencies interpret and carry out this wider safeguarding role in different settings and services.

Inspections found evidence of a strong commitment by agencies to focus on the **wider safeguarding needs** of children and young people in addition to child protection. This is reinforced by the increasing integration of children's services and the shared framework provided by Every Child Matters. However:

- a shared, consistent understanding of safeguarding is still lacking, particularly between social care services and the criminal justice system
- there is a lack of a common approach to safeguarding across secure establishments (secure training centres and youth offender institutions), where the focus is disproportionately on containment and does not apply a proper balance between security and welfare needs.

The majority of settings where children are cared for or educated comply with requirements and regulations for **keeping children safe**. Inspections also found examples of good partnership working to prevent accidents to children. However:

- some children and young people continue to express significant levels of concern about their personal safety and about being bullied, particularly in institutional and secure settings
- there are concerns about standards of safety for children and young people in some fostering services, 10% of children's homes and most of the youth offender institutions that hold boys.

There is better identification of needs at an early stage and increasingly effective provision of **preventive and earlier intervention services**. These include services provided by children's centres and preventive services to tackle substance misuse by children and young people. Key areas for improvement include:

- The continuity of funding for some preventive services, such as sex education, is uncertain, which constrains service provision.
- Dedicated programmes have started to reduce the incidence of teenage pregnancy, but have yet to make a significant impact on teenage pregnancy rates.
- Drug and alcohol misuse remains a significant factor in offending behaviour but young people leaving custody may fail to access mainstream substance misuse services since work carried out in custody is not consistently available or always followed up in a timely way.

Most areas consider that they are making progress towards comprehensive provision of **mental health services** for children and young people (child and adolescent mental health services – CAMHS). Service provision is increasingly appropriate to the age of the children concerned and children's centres are helping to promote mental and emotional health. There remain significant shortcomings:

- a shortage of suitable hospital beds for children in some areas and long waiting times for access to services
- limited access to secure mental health beds for children and young people in custody, who often have to wait several months to be assessed
- a continuing lack of adequate provision for children and young people with learning difficulties and/or disabilities.

Many areas have identified **domestic violence** as a high priority area for action. Joint working arrangements to combat domestic violence have been strengthened, particularly between the Crime and Disorder Reduction Partnerships, children's services, the police and health services. The police, Probation Service and the Crown Prosecution Service (CPS) have clear arrangements for dealing with cases of domestic violence. However:

- a fifth of LSCBs identify combating domestic violence as a high priority but have yet to demonstrate the impact of their work on outcomes for children and young people

- responses by the probation service to the needs of children and young people whose parents/carers commit offences and who have a background of domestic violence were judged inadequate in half the cases reviewed
- there are significant variations in the knowledge and understanding of domestic violence among practitioners in the Children and Family Court Advisory and Support Service (Cafcass), which has a role in identifying and safeguarding children who are affected by domestic violence.

Safeguarding groups of vulnerable children

This chapter considers groups of children who are particularly vulnerable and/or need targeted interventions or special services. It shows what has changed since the previous *Safeguarding children* report in 2005 and what remains to be done to ensure that these children are adequately safeguarded. The chapter concludes that, despite the evidence of improvements, there has been slow progress for some groups of children. Furthermore, considerable concerns persist about the welfare of asylum-seeking children held in immigration removal centres and children and young people in custodial settings.

Inspections have identified improvements in the safeguarding of **looked after children and care leavers** since 2005. These include: better planning of placements in care and greater stability of placements; a reduction in out-of-area placements; more effective health monitoring; and increasing allocation of children to named and qualified social workers. However, some children are still not well served and improvements are needed in the following areas:

- One in 10 children's homes and fostering services are judged to be inadequate in keeping the children in their care safe. Inspections highlight the lack of experienced and competent staff and insufficient compliance with requirements for the supervision of staff.
- The choice of placement remains limited for most children and some children feel it is hard to influence decisions that involve them.
- Rates of educational attainment and school attendance remain unacceptably lower for looked after children than for other children.

- Children and young people in most areas continue to experience frequent changes of social workers. The lack of continuity has an adverse effect on the implementation of their care plans.
- Some looked after children and young people who go into custody subsequently have less contact with their allocated social worker than required or expected; this was the case in one in six YOT areas inspected. This is a particular problem where children are in custody a long distance from their home area.
- Social workers in prisons have provided support to looked after children and young people and have started to liaise well with other services. The uncertainty about continued funding for these posts significantly constrains their future development.
- There is a lack of suitable accommodation for care leavers and young people leaving custody in most local authority areas.

Organisations are working together better to identify **children and young people who go missing** from home, care or education and to deal with the underlying causes when they run away. However, no single agency has responsibility for maintaining reliable statistics on the numbers of children involved and information about the scale of the problem is fragmented and collected inconsistently.

Recognition of the needs of **young carers** has increased in children's services and in schools and support for them to attend school and leisure services has improved. However, processes for identifying young carers are underdeveloped, which makes it difficult to plan capacity to meet the potential demand for services.

Since 2005, attention to safeguarding at a strategic level within Cafcass has increased. Cafcass has also made progress in increasing the participation of children and in strengthening the voice of **children in family justice proceedings**. However, the quality of front-line practice in two Cafcass regions has recently been judged to be inadequate, posing potential risks to some children.

Improvements in witness care have benefited **children who attend court as victims and witnesses** and the courts treat child witnesses with care and sensitivity. However, inspections found that there is little systematic consideration by YOTs and probation services of the specific needs of children as victims.

Youth specialists in the Crown Prosecution Service (CPS) normally prosecute the cases of **children and young people who have committed an offence** and their handling of these cases is mostly satisfactory. Inspections also found many examples of good practice in YOTs' direct work with children and young people who offend. However:

- inspections raise continuing concerns about the length of time young people spend in court custody facilities before being transported to a secure setting
- assessments by YOTs of the needs of young people who offend often lack rigour and are not informed by home visits in a significant minority of cases
- concerns remain about the adequacy of health services for children and young people who offend, who are more likely to have physical and mental health needs than other children
- access to therapeutic treatment for young people convicted of a sexual offence is limited, particularly for young people in custody
- access to and sustaining of both statutory education and post-16 education, training and employment for children and young people who offend are inconsistent
- the needs of children and young people with learning difficulties who offend are not well identified or catered for.

Inspections have reported improvements since 2005 in arrangements for safeguarding **children and young people in secure settings**. These include: more robust child protection procedures; better communication between YOTs and youth offender institutions; and the introduction of social workers in youth offender institutions. Nonetheless, considerable concerns remain about the welfare of young people in these settings.

- The recommendation from the second *Safeguarding children* (2005) report concerning the use of restraint on children and young people has not been implemented. Restraint techniques currently in use still vary between different types of setting and some rely on pain compliance.
- Other security and disciplinary measures applied to children and young people in youth offender institutions, including routine strip-searching without sufficient assessment of risk, are based on the risks posed by adult prisoners and are inappropriate for children and young people and do not take sufficient account of the specific vulnerabilities of children.

- Children placed in secure settings at long distances from their homes are less well monitored than those placed within their home local authority area.

Most NHS trusts (95%) comply with the National Service Framework core standard for safeguarding **children and young people who use health services**. The majority of hospital trusts admit children to child-only wards and nearly all have made progress in providing child-friendly environments, appropriate security and play areas. Concerns remain in the following areas:

- the lack of priority given to children's safeguarding by some NHS trust and primary care trust (PCT) boards
- the extent to which health staff receive training in child protection
- the maintenance of skills in treating children by specialists including surgeons and anaesthetists.

Agencies are working together better to provide services across health, education and social care for **children with learning difficulties and/or disabilities**. Early needs identification for very young children is mostly good and multi-agency assessment has improved. However, access is limited to specialist therapeutic and respite services, speech and language therapy, CAMHS, special equipment, and services for children with attention deficit hyperactivity disorder or autism.

Since the previous *Safeguarding children* (2005) report, there is greater recognition of the support and safeguarding needs of **asylum-seeking children**, especially those who arrive unaccompanied. Nationally, this is demonstrated by recent policy developments that aim to improve support. Locally, inspections have found good, targeted services in the community, especially in health and CAMHS. Concerns remain that:

- arrangements for the protection and care of children in short-term holding facilities at airports are inadequate
- a few local authorities provide less support to looked after children and care leavers who are unaccompanied asylum-seekers than they do to other looked after children and care leavers in their area.

The two immigration removal centres in England that accommodate **asylum-seeking families with children** have made significant improvements in working relationships with local social services and in the handling

of childcare cases. Despite this, there are continuing concerns about the effects of detention in immigration removal centres on children's well-being and about delays in carrying out welfare assessments of these children. The Government did not accept the associated recommendations made in the previous *Safeguarding children* (2005) report. However, in the light of recent inspection findings, they are repeated in this report.

There is increasing recognition by local services of the varying needs of **children from minority ethnic groups**. A range of services is available for specific groups and there is increasing involvement of community and faith groups in planning services. However:

- in some areas assessments of the needs of individual children and young people sometimes fail to address specific needs relating to ethnicity
- surveys show that young people from minority ethnic groups feel that they have a worse experience of prison than young people who are white.

In the larger armed forces command units overseas, there are overseas social work teams and LSCBs to safeguard **children of armed forces families**. Inspection arrangements exist for schools and adoption services overseas. However, there is currently no overall inspection of how children of armed forces personnel overseas are kept safe or of the fostering service available.

Inspections of military establishments providing training for **young armed services recruits** show that the management of their safeguarding and welfare has improved considerably since 2005.

Child protection

Effective child protection is a fundamental part of safeguarding children and young people. The previous two *Safeguarding children* reports showed that considerable improvements were needed in this area. This chapter assesses what has changed since 2005 and how well revised arrangements for child protection are working.

Nearly all local authority areas have revised their **child protection procedures** in line with new guidance in *Working together to safeguard children*.⁴ Some LSCBs

have produced joint procedures. Access to procedures and guidance to staff is generally good across agencies. There are still areas for improvement:

- Inspections continue to raise concerns that some practitioners do not have sufficient knowledge and understanding of child protection. They include staff in the NHS who have not received basic or intermediate child protection training, some front-line staff of Cafcass and a few instances in YOTs.
- Child protection in prisons has improved, but there are still areas of concern. These include the thresholds applied for external investigations and the rigour of internal investigations into allegations arising from the use of force.
- In just under a third of cases, serious case reviews have been judged to be inadequate because of a lack of rigour in carrying them out. There are also serious delays in producing them in nearly all cases, some of which are avoidable. These factors limit the impact of serious case reviews on sharing the lessons and good practice arising from these cases and on improving practice.

Most local authorities have established clearer **thresholds** for access to children's social care services. Arrangements for the management oversight of front-line practice in children's services have also improved. Nearly all local authority child protection services are judged to be satisfactory or better. However:

- there is evidence that thresholds are still not well understood by referring agencies and thresholds are sometimes raised by local authority children's services in response to workload pressures, staffing shortages and financial resources
- the identification and management of children and young people in the criminal justice system who might be at risk or in need of additional support are less well-developed than in social care services. YOTs' pre-sentence reports were poor in assessing vulnerability in one in five cases inspected, while prisons do not assess vulnerability on a continuing basis
- lines of accountability and responsibility for child protection are not clear in all agencies, including some NHS trusts, Cafcass, YOTs, parts of the police service and youth offender institutions.

Most areas are making good progress in developing the

Common Assessment Framework (CAF). Information sharing between agencies on child protection or welfare concerns has improved at an operational level and there are well-established information-sharing protocols between many agencies. However:

- methods for assessing needs relating to safeguarding are not aligned with the national framework for assessment of children in need in all agencies. For example, the assessment framework used by YOTs, and the way it is applied, lacks rigour, as do assessment processes in Cafcass
- difficulties persist in parts of the NHS and throughout the youth justice system about sharing sensitive information on the needs of individual children and young people.

The provision of **child protection training** for staff across agencies is generally good and many agencies have made considerable investments in training. Despite this:

- some training, such as training for prison staff in juvenile awareness, does not cover child protection issues in sufficient depth
- access to child protection training for some groups of staff is limited. These groups include staff in schools, youth services and children's homes, GPs, prison staff, some YOT staff, and nurses and hospital specialists.

Recommendations

The following recommendations arise from the third joint chief inspectors' review of arrangements to safeguard children. They are intended to improve safeguarding arrangements for children and young people. They also aim to increase agencies' compliance with statutory requirements and associated guidance for safeguarding and promoting the welfare of children. Some of the recommendations are directed to central government departments⁵; others are directed to local agencies that provide children's services. The recommendations are grouped under the chapter heading from which they arise.

The safeguarding framework

All agencies

- All agencies that have a statutory duty to cooperate (local authorities, district councils, police, primary care trusts (PCT), NHS trusts, Connexions, probation, Youth Offending Service, Cafcass, secure training centres and prisons) should ensure that they are fully compliant in respect of statutory membership of Local Safeguarding Children Boards by 1 September 2008.⁶

Government

- The Department for Children, Schools and Families*, the Home Office and the Ministry of Justice should clarify the roles, functions and responsibilities of agencies contributing to multi-agency public protection arrangements (MAPPAs) and ensure that relevant agencies meet them fully.

Local Safeguarding Children Boards

- Local Safeguarding Children Boards should ensure that robust quality assurance processes are in place to monitor compliance by relevant agencies within their area with requirements to support safe recruitment practices. These processes should include regular audits of vetting practice and random sampling of compliance with checks with the Criminal Records Bureau (CRB).

The wider safeguarding role of public services

Government

- The Department for Children, Schools and Families, the Department of Health* and the Ministry of Justice should increase and better target child and adolescent mental health services (CAMHS) in order to improve access to these services for children and young people with learning difficulties and/or disabilities and those who are in the criminal justice system.

Government, agencies providing services to children and young people and relevant inspectorates

- All government departments, agencies and relevant inspectorates should specifically include the impact of domestic violence on children and young people within their risk assessments for planning, delivering, evaluating or inspecting safeguarding services.

Safeguarding groups of vulnerable children

Local authorities

- Local authorities should make adequate provision of safe, sustainable and supported accommodation and stop the use of bed and breakfast accommodation for care leavers and young people both at risk of custodial remand or returning to communities from custodial settings.

Government

- The Department for Children, Schools and Families* and the Home Office should monitor at a national level the incidence of children missing from home.
- The Department for Children, Schools and Families and the Youth Justice Board* should provide guidance to staff working in custodial and residential settings on the behaviour management of children and young people. Such guidance should include a model behaviour management strategy and emphasise that restraint should only be used as a last resort and should not be used solely to gain compliance. The guidance should make clear that methods of restraint should not rely on pain compliance.

* In instances where more than one government department has been identified as having responsibilities in regard to the recommendations, a suggested lead department has been named to liaise and coordinate this work.

- The Department for Children, Schools and Families and the Youth Justice Board* should issue a requirement that all incidences when restraint is used in custodial settings and which result in an injury to a young person are notified to, and monitored and publicly reported by, the Local Safeguarding Children Board.
- The Department for Children, Schools and Families and the Youth Justice Board* should issue a requirement that all incidents of strip-searching of young people in custodial settings are risk assessed and recorded and that this data should be monitored by prison safeguarding committees. The Youth Justice Board should monitor the aggregated data nationally across the secure estate.
- The Department for Children, Schools and Families and the Ministry of Justice*/Youth Justice Board should provide long-term funding for social work input into youth offending institutions.
- The Department for Children, Schools and Families, Department of Health* and the Youth Justice Board should make the necessary provision to ensure that all children who display, or are convicted of, sexually harmful behaviours are assessed and their needs for treatment are met.
- The Department for Children, Schools and Families, the Department of Health* and the Ministry of Justice/ Youth Justice Board should ensure continuity in the provision of mainstream services, particularly health and education, when young people return from a secure setting into the community.
- The UK Border Agency should ensure that children are detained only in exceptional circumstances and for no more than a few days. The individual welfare needs of children should be taken into account, and that process documented, in any decision to detain and throughout the detention process.
- The Department for Children, Schools and Families should issue guidance to local councils to ensure that children whose detention continues for more than seven days are subject to an independent welfare assessment of their health, welfare, educational and developmental needs and have an individual care plan. The welfare assessment and care plan should inform weekly reviews of the continued detention of children.⁷

Child protection

Government and Local Safeguarding Children Boards

- The Department for Children, Schools and Families and Local Safeguarding Children Boards should ensure greater consistency in decision-making about when a serious case review should be commissioned.

Government and inspectorates

- Ofsted should report annually on the outcome of evaluations of serious case reviews.
- The Department for Children, Schools and Families should ensure that the national dissemination of biennial reports on the lessons learned is timely.

Government

- The Department for Children, Schools and Families and the Youth Justice Board* should ensure that the assessment tools used within the Youth Offending Service and secure settings are robust in addressing the safeguarding needs of children and young people.
- The Department for Children, Schools and Families, the Department of Health*, the Home Office and the Ministry of Justice should ensure that information-sharing arrangements between healthcare professionals and other professionals providing services for children are in place and monitored to ensure informed and coordinated service provision.
- The DCSE, supported by other relevant government departments, should provide an annual update of progress made on the recommendations in this report.

All agencies providing services to children and young people

- All agencies that have a statutory duty to cooperate (local authority children's services, district councils, police, primary care trusts (PCT), NHS trusts, Connexions, probation, Youth Offending Service, Cafcass, secure training centres and prisons) should clarify the chain of accountability and responsibilities for child protection from the front line through to their most senior level.