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**Department of Health, Social Services &
Public Safety**

Circular 3/96 (Revised)

**Sharing to Safeguard –
information sharing about
individuals who may pose
a risk to children**

**BACKGROUND –
INFLUENCES –
KEY DIFFERENCES &
EXPECTATIONS**

Departmental Circular (HSS (CC) 3/96)
– REVISED
JUDICIAL REVIEW OF:

Interagency Guidance on the Release of Persons
Charged or held in connection with Schedule 1
Offences against Children or Young Persons
under the age of 17.

JUDICIAL REVIEW 2004 (cont.)

- “The circular is merely guidance. It does not give powers to Trusts, Probation or any other bodies.
- Nor does it seek to impose duties on those bodies.”

JUDICIAL REVIEW 2004 (cont.)

“The circular should be seen as something that the person to whom it is addressed should **take into consideration**

That person is **free to depart** from the guidance if, after considering the same, it is felt that this would be appropriate.”

**BETTER CONFIDENCE -
BETTER TRUST**

“Sharing to Safeguard”

recognises this:

the words “**must**” or “**will**” in this circular are not to be interpreted as a requirement to do something

but rather as a requirement to **properly consider** if the steps set out should be taken

SHARING TO SAFEGUARD (CONT.)

.. where an individual or agency decides **not** to act in accordance with this guidance

- they should have had sufficient reason, and
- be able to explain and justify the decision and maintain a record

SHARING TO SAFEGUARD (CONT.)

Focus is not only on those:

- **charged or convicted of offences against children but also**
- **on the ongoing risks they may pose to children**

Influence –

Multi-disciplinary Child Protection Inspection

The 2007 Overview Report identified 77 key recommendations

- requiring a high level of inter-agency working**
- statutory agencies to engage more effectively in child protection.**

**BETTER
COMMUNICATION –**

**BETTER
CONSISTENCY**

Influence -

**“ Information Sharing Policy
Standards and Criteria”**

**for agencies working with Families and
Children in Northern Ireland**

This “protocol” is an essential guide to sharing information between practitioners in various agencies, particularly when there are safeguarding concerns.

The focus of Sharing to Safeguard is also:

- on unadjudicated individuals about whom an Agency has reasonable concerns**
- which lead them to believe that based on past behaviour a child/children is or is likely to suffer significant harm.**

There may be:

- **understandable concern that information is being shared about unadjudicated individuals**
- **but the level of proof rests on “the balance of probabilities” that they pose a risk to a child**
- **Such decisions will take place in a confidential inter-agency forum and**
- **the individual concerned is notified and has the right of challenge.**

Influence -

The Toner Review Panel

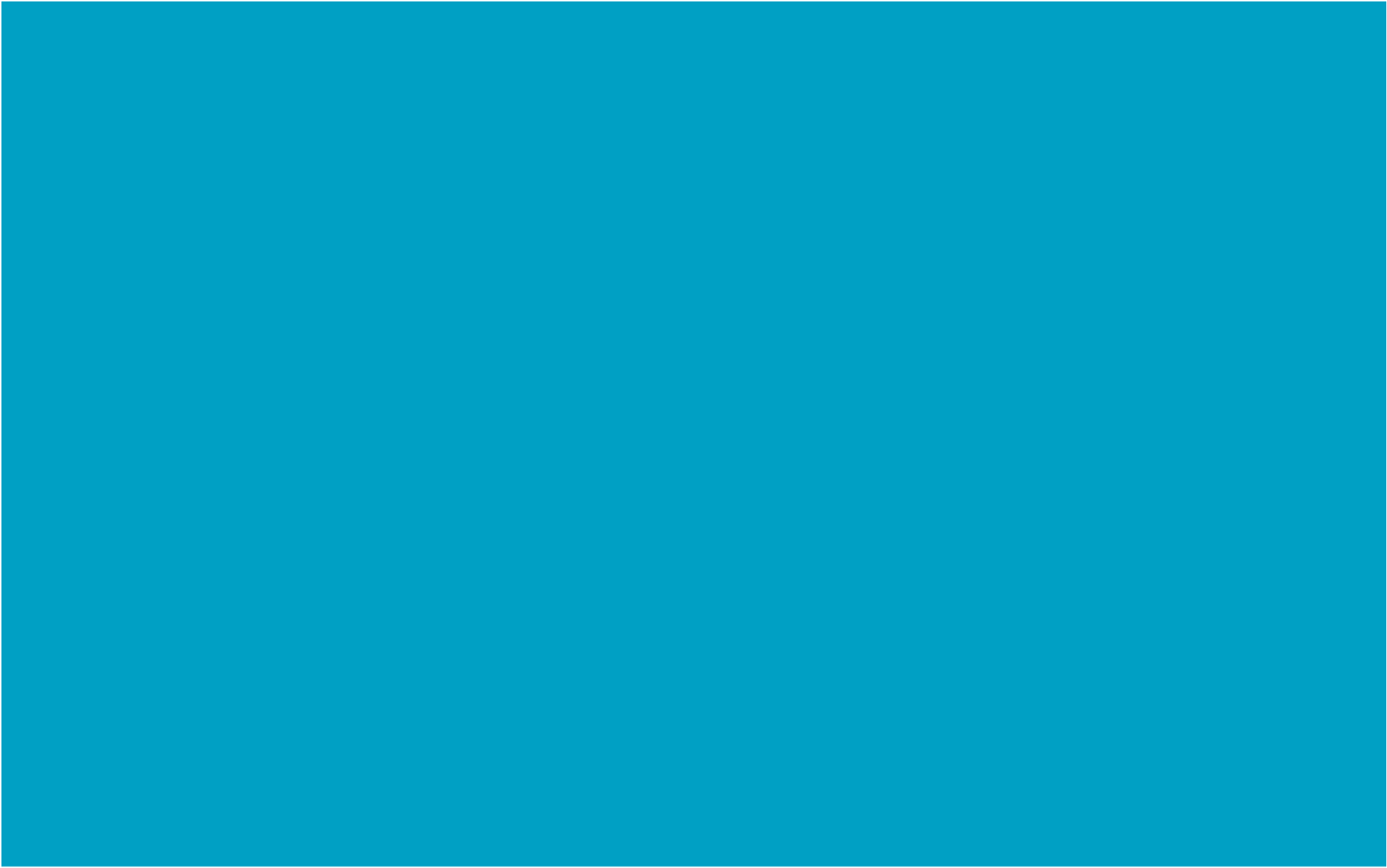
found deficits in communication of information between all agencies in respect of the criminal offences committed by Mr Arthur McElhill.

Recommendations:

- **One key individual in social services to have lead responsibility to liaise, build and maintain relationships with the PSNI.**
- **Greater involvement of Social Services staff with the Public Protection Teams (PSNI).**
- **Trust and Probation Service should ensure that they sustain joint progress on the care plan.**

- **The Board and Trust to review the arrangements for providing information to, and reporting back from the ASORMC (LAPPP) meetings.**
- **DHSSPS and ACPC should ensure clarity in child protection guidance on convening a risk management meeting where the identity of the offender is known to Social Services.**
- **Also guidance should ensure that staff are alert to the importance of assessing the potential risks posed by offenders to their own children.**

**BETTER PARTNERS –
BETTER SAFEGUARDS**



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Key Differences & Expectations

Operating the revised circular

- Commencement – 27 October 2008
- New systems - underpinning notification
- Planned review – of systems/circular content

Key Differences

- Revised circular – replaces the Schedule 1 Offences to the Children and Young Person’s Act 1968 - uses Children (NI) Order 1995 definition of a child
- Revised Circular – examples of relevant offences set out in the circular/behaviour that will act as a trigger.
- Circular provides framework for agencies to share information about **unadjudicated** individuals
- Revised circular – includes young persons who present a risk to a child/children

Key Differences (continued)

- Revised circular – includes notification/information sharing about non custodial sentences and those where a prosecution does not proceed
- Revised circular – not just about sharing information – provides advice for agencies to work together to assess level of risk posed by individuals
- Revised circular has essential linkage with the PPANI arrangements

KEY STATUTORY AGENCIES

- POLICE SERVICE NI
- PROBATION BOARD NI
- NI PRISON SERVICE
- YOUTH JUSTICE AGENCY
- NI COURT SERVICE
- SOCIAL SERVICES

Expectations

Agencies when applying the circular should ensure that:

- The child's welfare is paramount
- They maintain a balance between protecting children and respecting rights and needs of parents, families and any individual who may pose a risk
- There is good communication between agencies working with the child and family and those operating PPANI

Expectations (continued)

- There is early assessment of risk posed
- That actions taken are proportionate to risks
- That information is disclosed – in order to protect children
- That individuals about whom there are concerns are kept informed

Implications for relevant agencies

- Case volume?
- Trust LAPPP nominated officer – will have for all 3/96 (Rev) cases
- Agencies need an understanding of the circular including
 - notification requirements
 - action on receipt of information
 - input to assessment process and
 - action regarding outcomes

Strengthening the circular

- Regional SBNI – new statutory duty to cooperate
- Individual Agency monitoring of compliance with circular
- RQIA – compliance may form part of future child protection inspections

Strengthening the circular (cont'd)

- Learning from complaints/case reviews/independent inquiries
- Learning from good practice
- Operational matters will be raised with individual agencies and with the Department
- Department will consider need for amendment to the circular – 12 month review stage

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http://www.dhsspsni.gov.uk/index/hss/child_care/child_protection/child_protection_guidance.htm