

What happens . . .

when someone makes a Child Protection Referral?

Anyone can make a referral if they think a child is at risk of harm.

This may be:

- An agency (or worker) who is in contact with your child such as a nursery or school
- A health visitor or hospital,
- A neighbour or friend, who is concerned that your family needs support
- An adult service such as a drugs agency, a community care service, criminal justice
- Or a voluntary (community) group

Who makes a Child Protection Referral?

It's everyone's job to make sure children get the help they need when they need it.

In many cases a child will already be known to Social Work or other services and families will be receiving help or more support will be offered.

What is a Child Protection Investigation?

Falkirk Council has a legal duty to investigate situations where there are concerns regarding a child's well being or safety. If concerns are shared with Social Work or the Police

- that your child has been or is being abused
- or is in a risky situation and may come to harm

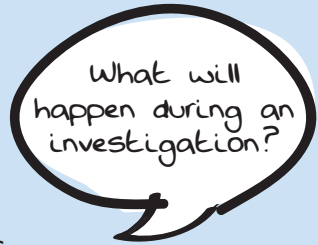
the situation must be investigated to make sure the child is safe.

As far as possible you will be kept informed unless there is a specific reason not to do this, for example if an allegation has been made that it is a parent who has harmed his/her child.

What happens . . .

when someone makes a Child Protection Referral?

The investigation will usually be carried out by a specially trained Social Worker and Police Officer. On occasion, depending upon the nature of the concerns raised, only one of these services might be involved in the investigation.



The investigation will involve seeing your child and any other children living in your home. Sometimes your child will need a medical examination and we would hope to arrange this with your consent.

To try to get a complete picture, contact may be made with other agencies who work with your child, for example, school, nursery, Doctor, Health Visitor or other family members and sometimes this can take several days.

It is important that you understand and are aware of the reasons for concern and understand the roles of the people involved and that we all share a responsibility for ensuring that children are kept safe and free from harm.



- There may be no need for further action
- More support can be offered to a child and family
- An Inter-agency Child Protection Case Conference may be organised*
- A child may or may not be registered on the Child Protection Register


Any action taken will involve working together with children and families.

* 39% of referrals resulted in a Child Protection Case Conference in 2006/07


What is . . .

a Child Protection Case Conference?

A conference is a meeting to bring together all those who are involved with and have knowledge of you and your family, share information and talk about what is best for your child. The purpose of the meeting is to make sure that your child is safe and that he or she is getting the help that he or she needs.



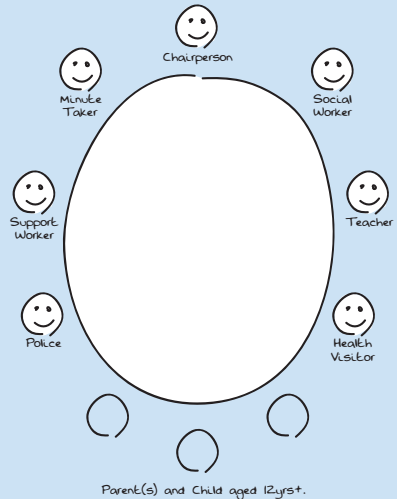
What is a Child Protection Conference?




Who will be there?

All those relevant people who know your family are invited, such as: teacher; health visitor; police, nursery staff, social worker.

You, and possibly your child, will be invited. You can bring someone along for support – perhaps a friend or family member.



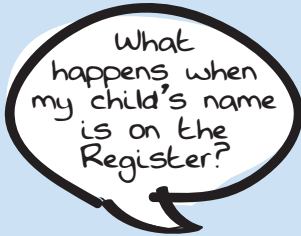
- Firstly, there will be a discussion about why there was a need for a Child Protection investigation or meeting before the birth of the baby or meeting to discuss the concerns being raised by people already working with you and your family.
- Everyone there, including you, will have an opportunity to take part and ask questions.
- After this a decision will be made about what will happen next.



What happens at the meeting?

What is . . . a Child Protection Case Conference?

- It may be that no further action will be taken or voluntary support will be offered.
- A decision may be taken to place your child's name on the Child Protection Register and if this happens a Child Protection Plan will be drawn up.
- Decisions may be delayed until further information is obtained or an assessment is undertaken. An assessment would involve detailed information being gathered about you and your family.



A Child Protection Plan will be drawn up and it is expected that all agencies involved will work together with you to support you and your family.

Progress made with the plan is discussed at a Review Case Conference.

This is a package of support agreed by everyone who attends the Case Conference, including parents. This sets out what needs to be done to reduce the risk of future harm.

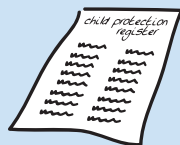


You will be given a copy of the Plan.



What is . . . the Child Protection Register?

The Social Work Service keeps a central register of all children living in their area who are thought to be at risk of harm and in need of protection. This list is highly confidential and will not be generally available.



Children can be registered under one or more of the following categories:

Physical injury - actual or attempted physical injury to a child (includes hitting, shaking, kicking, punching, scalding, suffocating, giving a child harmful substances, such as drugs, alcohol or poison), where it is clear or there is suspicion that the injury was caused on purpose or not prevented from happening.

Physical neglect - ongoing, severe failure to meet a child's essential needs which can have a serious effect on a child's physical and emotional health and development (includes a lack of food, clothing, shelter, love, cleanliness, safety, education, medical attention).

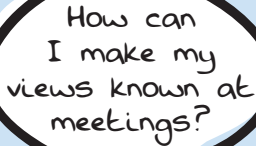
Emotional abuse - when a parent or carer behaves in a way that is likely to seriously affect a child's emotional development (includes a lack of acceptance, love, encouragement, discipline, consistency and positive attention).

Sexual abuse - when a child is pressurised, forced or tricked into taking part in any kind of sexual activity with an adult or young person (includes kissing, touching private body parts, intercourse or oral sex, encouraging the child to look at pornographic magazines, DVDs or sexual acts or be photographed for the purposes of sexual exploitation).

Non-organic failure to thrive - when children significantly fail to reach normal growth and development milestones and there is no physical or genetic reasons for this failure following a medical examination and assessment.

How Can... .

I make my views known?



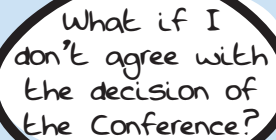
How can I make my views known at meetings?

Attending a meeting offers you the opportunity to express your views and these will be taken into account in reaching a decision. You will also be able to hear and comment on the information shared by others at the meeting. You could put your views in writing before the meeting, if this would be helpful to you.

An allocated Social Worker will meet with you before the meeting to let you read his/her report and help you to prepare for the meeting. Other agencies may also share their report with you beforehand.

If you disagree with the decisions made, a note of this will be taken by the Minute Taker who takes a record of the information shared and the decisions reached.

If you disagree with the decision to register or not register your child's name on the Child Protection Register you can appeal this decision if you attended the meeting. You should appeal in writing, stating clearly your reasons, within 10 working days of the meeting to the Chair of the Child Protection Committee at Social Work Services, Brockville, Hope Street, Falkirk FK1 5RW.



What if I don't agree with the decision of the Conference?

The Chair will decide if there are grounds to appeal and if so arrange a meeting made up of members of the Child Protection Committee to hear the appeal. You can ask for help to appeal, if required.

How Can... I make my views known?



We always welcome feedback, this helps us to make sure that our services are the best they can be for you in the future. If you are not happy about the Case Conference process please speak initially to the staff providing the service or to the Child Protection Co-ordinator who chairs the meeting. Most problems can be dealt with quickly. If the

matter still can't be resolved then you could make a formal complaint in writing to: The Complaints Officer, Social Work Services, Brockville, Hope Street, Falkirk FK1 5RW. You can ask for help to complain, if required.

What is . . . the Children's Hearing System?

The Children's Reporter decides if a child needs to be referred to a Children's Hearing. All children in Falkirk who are involved in a joint Child Protection Investigation by the Police and Social Work will be referred to the Reporter. The Reporter gets information from a Social Worker and other agencies to help him or her make a decision.



Children and young people, who are having problems, may need to attend a Children's Hearing.

It is a legal meeting, which makes decisions to help children and young people where legal steps may need to be taken to help them.



The child
People who look after the child (can be parents and current carers)
3 Panel members (trained volunteers)
The Reporter
A Social Worker
The child can bring someone – a friend, Teacher etc to represent or support them
A Safeguarder may sometimes attend to help the Panel make a decision

Sometimes other professionals such as a teacher or an Educational Psychologist may be invited to attend.

What is . . .

the legal framework for Child Protection?

There is a range of legislation, which provides the framework for agencies. The main piece of legislation is the Children (Scotland) Act 1995. This ensures that decisions are tested properly in court and that people always follow the correct system. It protects everyone's rights.

The main principles of this Act are:

- Parental responsibility - in partnership with professionals working with children.
- That the child's welfare is the most important consideration
- That the child's views should be taken into account

An Order should be made only when it would be better than making no Order. The child's religion, race, culture and language should be taken into account.

The main Orders are:

- **Assessment Orders**

If a local authority* suspects that a child is likely to suffer significant harm an application can be made to a Sheriff for a Child Assessment Order. This can last for 7 days and allows the local authority to assess a child's situation. The local authority will inform you if they intend to apply for an order. The local authority is unlikely to apply for this if a family are willing to work in partnership to decide what is best for the child. A Sheriff can decide instead to grant a Child Protection Order if he or she thinks this is in the child's best interests.

*The Children (Scotland) Act 1995 gives the whole local authority, not just the Social Work Service the job of keeping children safe.

What is . . .

the legal framework for Child Protection?

- **Child Protection Order**

If a local authority suspects that a child is suffering or is likely to suffer significant harm and the matter is urgent, an application can be made to the Sheriff for a Child Protection Order. If granted it must be followed up within 24 hours. This allows the local authority to take decisions on behalf of a child for the child's safety. This might include:

- where a child lives and making certain this is in a safe place
- deciding about contact with family
- medical examinations etc

- **Emergency Protection Order**

When a Sheriff would normally grant a Child Protection Order but is not available to do so a Justice of the Peace can grant an Emergency Protection Order. This allows the local authority to remove a child to a safe place. Once granted this must happen within 12 hours. There are no other conditions. If the child needs to remain in a safe place the local authority must apply to a Sheriff for a Child Protection Order.

A Police Constable can also remove a child immediately to a safe place if s/he thinks that a child is at risk and that a Child Protection Order would be granted.

- **Exclusion Order**

Instead of removing a child from his/her home and applying for a Child Protection Order the local authority can apply for an Exclusion Order. This removes someone from the family home who may have harmed a child and it can include conditions about contact with the family and the family home.

- **What do I do if I disagree with decisions?**

All the agencies want to work with you, but they must consider your child's best interests. Sometimes this will be different from your own interests. However it is very important that everyone listens to your views and records your disagreement. At each stage you can check that your views and the reasons for them are being recorded. Ask your Social Worker if you are not clear.

Who are . . .

the people involved with Child Protection?

Social Worker

A Social Worker has a legal duty to visit or make contact when there are concerns about children's safety and protection. Social Workers can also be asked to make "initial enquiries" by the Children's Reporter.

Family Unit

The Police have set up this special unit in Falkirk. They have trained and experienced detectives who carry out investigations in cases where a crime may have been committed against a child or children. The Police work alongside Social Workers investigating child abuse.

Child Protection Co-ordinator

This person makes the decision to hold a Case Conference, is responsible for chairing Child Protection Case Conferences and overseeing progress of Child Protection Plans. The CP Co-ordinator also keeps the child protection register up to date.

The Reporter

The Reporter is part of SCRA (The Scottish Children's Reporter Administration). This role involves making a decision on whether to refer a child to a Children's Hearing. The decision is based on reports requested from various agencies such as Social Work and the Police. The Reporter helps families to take part in Hearings and supports Children's Panel members.

The Children's Hearing

The Children's Hearing aims to provide a safety net for vulnerable children and help to support children, families and communities. At a Children's Hearing 3 Panel members, all trained volunteers from the local community, will make a decision on what is best for the child. They will do this after reading reports and speaking to the child and family. The child's, family's and carers' views are very important at a Hearing.

Who are . . .

the people involved with Child Protection?

Consultant Paediatrician

This is a Doctor who specialises in the treatment and illnesses of children. S/he may be involved if your child needs medical treatment or a medical examination.

Health Visitors

Health Visitors are attached to GP practices and have a duty of care to their patients. They provide support to children and families with children under 5 years of age.

Procurator Fiscal

S/he is responsible for investigating and prosecuting if s/he thinks a crime has been committed. Before s/he can prosecute, s/he must believe there has been enough evidence gathered to continue.

Emergency Duty Team (EDT)

This is a team of Social Workers who work outwith normal working hours. A Social Worker and a Police Detective will make enquiries if a Child Protection concern has been raised and will meet with the child and their family.

Family Support

Family Support Workers may be involved to provide practical help, advice and support for children and families who are experiencing a period of stress in their lives. Family Support Workers are based in each High School in Falkirk.

Pastoral Support Staff

Within each High School, named Teachers have responsibility to provide support and guidance to pupils.