

NSPCC (England) Concerns Resolution Procedures including use of authorised person status – summary document for partner agencies

Introduction

The NSPCC remains in the unique position as being the only organisation besides local authorities which can apply to court for certain orders including care and supervision proceedings through use of its “authorised person status”¹.

The NSPCC therefore has a responsibility to ensure that all those working within the organisation and partner agencies understand the organisational approach to authorised person status within the current social policy context, government guidance and judicial expectations.

Resolution of concerns

The NSPCC is committed to working in partnership with all those working with children to safeguard and promote their welfare, and recognises that good working relationships and multi agency working is key to improving safeguarding practice.

Our approach to authorised person status is therefore rooted in LSCB procedures and effective multi agency problem solving.

When an NSPCC member of staff makes a referral to local authority children’s social care about a child suffering or likely to suffer significant harm, it is important that they provide clear information for their concerns. Referrals may be about a child not previously known, currently in receipt of services, the subject of a child protection plan or in the care of the local authority.

Staff are required to state clearly the nature of abuse that is suspected, the risk and vulnerability factors that are present and note any strengths within the family that are known.

In line with government guidance it would be expected that children’s social care would inform the NSPCC of the action taken and the outcome of the referral.²

On occasions there may be differences of opinion regarding levels of risk, thresholds for services and actions to be taken to address safeguarding risks described in the referral.

A Concerns Resolution Procedure exists within the NSPCC to guide its workers when professional differences of opinion relate to children who are

¹ Section 31, 43, 44, Children Act 1989 .

² Para 5.33 Working Together to Safeguard Children

considered to be suffering, or likely to suffer, significant harm. It is based on the familiar pattern of escalating matters through line management channels.

Level 1: When a staff member is unable to resolve an issue they will pass it on to their first line manager who is required to make contact with their opposite number in children's social care. Most matters are resolved at this level.

Level 2: If matters cannot be resolved, the case is passed on to the next level of management who will be a service manager within the NSPCC. They are required to make contact with their opposite number in children's social care. Where matters are not quickly resolved, the NSPCC would ask for the case to be reviewed under the LSCB or local authority professional concerns procedures in line with recommendation 49 of Lord Laming's inquiry into the death of Victoria Climbié.³

It would be anticipated that after such a review of the case by the local authority under the auspices of the LSCB, the outcome would be one that would resolve any outstanding issues in the best interests of the child(ren).

Level 3: In exceptional circumstances where this is not the case, the matter will be escalated to level 3 of the NSPCC's Concerns Resolution Procedure. This stage would involve senior NSPCC staff: the relevant regional or national head, the head of child protection assessment and review and a senior legal advisor. A review of the information and evidence relating to the case would inform a decision on what further action should be taken by the NSPCC including potentially, the recommendation that authorised person status be used (level 4). Such a recommendation would require endorsement by a sub committee of the NSPCC's executive board.

As part of our procedures, no action would be taken at this stage without writing to the relevant Director of Children's Services to advise them of the proposed plan.

The speed at which matters are escalated will be in accordance with the level of urgency and in the best interests of the child(ren) involved.

Use of Authorised Person Status

The Society's policy on the use of authorised person status requires that:

Where difference exists between agencies concerning risk to children, every effort will be made to resolve those differences through discussion and consensual resolution and, where appropriate, the NSPCC Concerns Resolution Procedure.

³ "When a professional from another agency expresses concern to social services about their handling of a particular case, the file must be read and reviewed, the professional concerned must be met and spoken to, and the outcome of this discussion must be recorded on the case file" The Victoria Climbié Inquiry 2003

Authorised person status may be used in situations where the NSPCC is not in agreement with the local authority and;

- the NSPCC is in possession of sufficient information and evidence to indicate that a child is suffering or likely to suffer significant harm and in need of protection that only a court can provide *and*
- it is considered to be in the child's best interests *and*
- the local authority has not acted to take sufficient protective measures, *and*
- The Concerns Resolution Procedure has been followed and has not resulted in the child being protected.

January 2012