



Championing Children and Young People in England

Office of the Children's Commissioner:

**Submission to the Munro Review of Child
Protection following the report
*The Child's Journey***

April 2011

Office of the Children's Commissioner

The Office of the Children's Commissioner is a national organisation led by the Children's Commissioner for England, Dr Maggie Atkinson. The post of Children's Commissioner for England was established by the Children Act 2004. The United Nations Convention on the Rights of the Child (UNCRC) underpins and frames all of our work.

The Children's Commissioner has a duty to promote the views and interests of all children in England, in particular those whose voices are least likely to be heard, to the people who make decisions about their lives. She also has a duty to speak on behalf of all children in the UK on non-devolved issues which include immigration, for the whole of the UK, and youth justice, for England and Wales. One of the Children's Commissioner's key functions is encouraging organisations that provide services for children always to operate from the child's perspective.

Under the Children Act 2004 the Children's Commissioner is required both to publish what she finds from talking and listening to children and young people, and to draw national policymakers' and agencies' attention to the particular circumstances of a child or small group of children which should inform both policy and practice.

The Office of the Children's Commissioner has a statutory duty to highlight where we believe vulnerable children are not being treated appropriately in accordance with duties established under international and domestic legislation.

Second submission to the Munro Review following the report *The Child's Journey*

Introduction

This submission provides further views from young people concerning issues of interest to the Munro Review. We returned to the groups of young people who had informed our previous submission to the review and met with some additional groups of young people who also have recent or current experience of the child protection process.¹ We explained the key messages from the second report – *The Child's Journey* – and the purpose of the review. The children and young people we had spoken with before felt that their messages had been heard and this was very important to them. In particular, they were glad that the report emphasised their wish for an ongoing relationship with their social worker, that the child needs to be at the centre of the work, that they should have a voice and be listened to and that they have a right to protection. The focus on relationship-based work and helping social workers to spend more time with them echoed messages which young people have been giving for a long time.

We had the aim of gathering further views on several key themes:

- Who are the significant people in the child protection system and what should be their skills and tasks?
- How children can be helped to understand the system – which is basic to them being able to influence decision-making.
- How might children and young people give feedback and have influence both on their own protection and on the services they receive?
- What would enable young people to get help earlier?

We defined the child protection system in the following way: *“all the things adults do to try to stop children from being harmed and make them safe. It is made up of people who talk with children about their worries, meetings and places people meet and the things they do to help children and families.”* This helped us to gather a wide range of views on what could be done to improve the overall system. We have included some direct comments from the young people. We have organised the views we gathered under headings which reflect the recommendations we make as a result of these discussions.

¹ We are most grateful for the contributions from the young people we met from Voice; the LSCB young people's panel in Worcestershire; the young people's group, Family Group Conferences, Torbay; and Cambridgeshire's 'Talk and Change' child protection group.

The young people made clear to us that what matters to them now is to make sure changes do happen.

1. The qualities, skills and knowledge which children and young people find most helpful in those working with them should be addressed in the reforms to social work currently in process and in recommendations following from the Munro Review

1.1 Qualities needed by all those working with children and young people

Young people are aware there are a wide range of professionals who might encounter a child who is at risk and might be the trusted person they choose to talk to first. So those we spoke to thought that these people all need some fundamental skills as well as knowledge about child protection. If these people are confident and vigilant, children feel they are more likely to be made safe.

The wide range of people mentioned as part of the system included school counsellors, teachers, support workers, advocates, youth workers and many others. Police were specifically mentioned as having the power to keep children safe and the ability to reassure children they were not to blame. Young people were aware too of the need for the professionals to liaise with one another, but wanted the management of information sharing to be led by their needs.

Being able to trust someone came top of the list, and that meant feeling safe with them, that they would treat your concerns with respect and keep their word. On the one hand young people felt that trust of the kind needed to confide about difficult problems would take time. On the other hand, some workers were trusted quickly, and advocates were among these. Unsurprisingly, the ability to trust professionals depended on the nature of their role, the personal skills of the person and the context. There was some support for having continued support during child protection processes from the trusted person who had been first confided in, although young people were also cautious that this might mean that too much information became known inappropriately if it was a member of the family or friendship network. Where it was a professional, it was felt there was more room for this.

The key qualities they sought in a helpful person were confidence, sensitivity, someone who would “*take you seriously*”, and be able to communicate well. Young people thought that people involved as professionals should all be trained in child protection and knowledgeable about abuse. They should be caring and able to “*be themselves*”. In saying this, young people clearly valued the qualities of empathy

and genuineness which have long been known as requirements for effective helping.

“As long as you feel comfortable you could talk to anyone.”

Where children were already involved with the child protection process, some expressed the wish for their teacher to know something about their situation so that they could act on this. The best response was to act subtly, to notice if something was upsetting a child, to ask if the child was alright and to make unceremonious arrangements for them to have time out or extra support. One young person was given breakfast at school each day which made him feel cared for and understood. Another mentioned that her teacher made a point of asking and noticing when she was down and gave her space. Young people talked about the value of those who would *“go a bit further to make a child safe”*; one comparing this with a taxi driver who sees you into your front door.

1.2 Qualities needed by social workers

Our previous submission reported on many of the views children had about the qualities and experience they wanted in their social worker. The young people reiterated the importance of being listened to and respected; of having social workers who stayed with them; of being able to establish relationships of trust. If social workers were not going to stay with them, they wanted to know this as soon as possible. During these discussions further views emerged. Young people wanted social workers who were honest, reliable and dedicated – even passionate about the job. All said that they wanted more one-to-one meetings with their workers on their own and several said they had greater need for this support at times of transition.

Behaviour which built trust was essential. Some social workers involved with complex family issues had clearly become trusted adults for the child even when the young person disagreed with their perspective. This was due mainly to their honesty and reliability.

In talking about what they wanted, young people used words such as *“standing”* and *“more bottle”* for social workers. Such comments were about a need for someone who would be strong for you. Young people said social workers should have fewer cases; they were very aware of the stress and pressure their social workers were under. Some felt that negative perceptions of social workers got in the way of the work with them.

Some young people spoke highly of the kind of worker who knows you well enough to have no need to ask lots of questions but also does not make assumptions. This seems to be a person who remembers what you have said and has understood. Communication at the child's level was very important. Meetings did not have to always mean conversations face-to-face, which could be intimidating. Being alongside and doing things together could be much better. One young person talked about the need to “create a breathing space” from being asked questions.

One young person described a good social worker as someone who “*knows how to conduct themselves*”: which included treating information about the young person with respect and being “*real*”. Another used the phrase “*someone who tries to fit in with your life*”, meaning that workers avoided disrupting life at school and with friends but supported them in being as normal as possible. Young people also said that they did not want someone who tried to be “*cool*” and by doing so pretend to be “*one of us*”. It was not necessary to be like that to convey understanding and to get alongside a young person. The need to be treated as normally as possible was reflected too by comments that young people did not always want their “*whole life dragged up*”. Some of this was about being able to limit the intrusion of social workers into their social life and about wanting some privacy – in common with other teenagers.

2. Children and young people should be well supported in their own right during the process of child protection work – including through more individual contact with the social worker and opportunities for support groups

2.1 The social work role

Young people were aware that in different contexts, the social worker could have different roles: they could be a mediator between the young person and their family so the parent knew their views, or someone in whom they could separately confide or their focus might be on working with the whole family to keep them together. It was thought helpful to be able to talk about these views with the social worker so as to clarify expectations. It was really important to young people that it was made clear what would happen with the information they gave and that this was discussed with them: several said that they would be very careful what they told the worker in case it all got back to the family. Again, it depended on their view of the social worker's role in the family.

Young people who are involved with the child protection system may have more complexities to deal with in grasping the nature of the work than those who are living in care, as the protection issues for them will be unresolved. Several young

people reflected this in their concern that their parents should “*not be blamed for everything*” and should be given support. Their access to support in their own right sometimes appeared to be compromised by feelings of disloyalty to their parents, yet it was clear how much they did need support for themselves.

2.2 Specialism

There were also indications that young people needed workers with a different kind of approach than did young children. Young people suggested that those working with small children should be able to communicate creatively, using pictures and stories. There was some support for specialists – as was raised in the interim report of the Munro Review (3.31) – as some felt that not all workers would be good with all age groups or with children with disabilities. However, other comments about continuity would need to be considered too: a rigid organisational divide on the basis of specialist skills might contradict other needs. These comments suggest that flexibility in the organisation would best address individual children’s needs.

2.3 Should there be separate social workers for the child and for others in the family?

Some liked this idea as they felt it would mean their view would be better heard and it might ease the conflict they experienced. Others wanted to know everything that was going on. Again, this seemed to depend on the nature of the work and the expectations of the social worker’s role with the family. There were mixed feelings about having someone separate with more time to spend with the young person. Some thought this might be helpful but not if it meant that the person making the decisions was more senior and did not know the young person. Young people thought that a secure relationship was what mattered most and that someone in the system should provide this. Children and young people going through the child protection process, with the consequent level of uncertainty, potential conflict and continued risk, may not have anyone other than the social worker to talk with and so be dependent on this being a helpful relationship.

2.4 Choice

The ability to make choices seemed very limited and was a recurring theme. The following are some examples of this. One group was clear that they wanted to have a say in the gender of their worker and acknowledged that this depended on the young person’s past experience:

“If you’ve got an issue you don’t feel comfortable about, you should have a choice.”

Many young people wanted a choice of where to meet social workers and other professionals and wanted this to include venues which were neutral or on informal ground, perhaps a cafe.

2.5 Support and consultation groups

It is stressful for children and young people to be involved with child protection processes: this was very evident as we talked with them about this experience and it came across in our recently published research.² This can be underestimated by professionals whose focus is on the problems and risk of abuse. We found a need and wish to meet up with other young people with similar experiences and that support groups for young people who are involved in the child protection system were highly valued. The young people in the groups we visited gave support to each other and received additional support from the workers. They wanted to have fun as well as to be consulted and able to give their views. We were struck by the value of these groups, which offered an experience similar to that of children in care councils. The groups provided a different type of engagement with supportive adults and the opportunity to relax, and if necessary *“take the anger out”*. If young people are worried about the family, this offers an alternative context in which to talk. Such groups are also doing important work in developing resources for other young people and giving feedback to improve services.

2.6 Family group conferences

One group with positive experience of family group conferences thought the approach could be extended to more child protection situations, and they wanted to see this addressed in the final Munro Review report. They described it as a positive model which helps the family to say what they want to happen and provides an environment for solutions. It was recognised that children and young people need appropriate support to ensure that they are equally heard, together with other members of the family.

2.7 Ongoing support

Many young people commented that help often ended too soon: that the resolution as seen by the social worker did not match the child’s experience. An example was

² *‘Don’t make assumptions’: Children’s and young people’s views of the child protection system and messages for change*, Office of the Children’s Commissioner and the University of East Anglia, 2011. See: www.childrenscommissioner.gov.uk/content/publications/content_486

a move to live with another family member which could be a good decision but still needed support, as not all the problems went away. The young people we met continued to face many of the consequences of the problems which had led to their need for protection and, even if they were safely placed, were still dealing with these.

3. Children and young people want clear information on entitlements and services so that they can be involved in decision-making.

3.1 Information needed

This consultation, and the recent research undertaken for us by the University of East Anglia, has shown how much children and young people wish to understand and have the opportunity to be engaged in the process of child protection. However, it is a common experience that they are not provided with the information they need. Nor is it easy for them to express differences of view. Young people frequently told us that they had not understood the reasons for which they had come into care nor what would then happen, and few young people understood the plan for their protection. This is complicated: there are difficult dynamics between the families and professionals when protection work is in progress; disagreement and family members' hostility on the one hand, and attempts to shield the child from the consequences on the other, may lie behind some perceived failures in communication. Young people are often very aware of such difficulties. They do suggest, however, that it is possible for social workers to manage this in relation to each individual child's needs and that when done well this helps them. We heard that young people who are struggling to understand may find explanations in other ways, through parents or siblings, and these may not offer the whole picture.

Young people wanted to know about: available support; about their rights; how people can help you; what was going to happen and what would be done – for example about meetings for families. Young people suggested that there should be: drop in places for advice; leaflets and use of a range of media; materials prepared by other young people; a pledge on rights and entitlements; facilitative conversations to check out what they understood and to reassure them; the avoidance of jargon; and young mentors with care experience. Several young people separately suggested a diary be provided where they could record their questions and worries for when they met the social worker.

3.2 Information sharing

Young people were very concerned about what happened to the information they gave to professionals. Several young people with care experience commented

that information had gone straight to carers when the child needed the social worker to mediate and manage their concerns sensitively. Many also thought that social workers were too casual in sharing information about them. They wanted to be clear about who needed to know things about them. In discussing this one young person said she lost trust in her worker (and in others subsequently) because she had expected that what she said would not be passed on yet this had happened. In her view, had the worker explained that she needed to tell other people because she was worried, this trust could have been maintained.

Young people considered that sharing information between professionals was important to the safety of children but should be managed sensitively.

3.3 Meetings

Young people wanted to hear about the outcomes of meetings – particularly conferences – if they were not there; to know what the next steps are and to see a copy of the protection plan. They found it helpful to have the reports explained beforehand and to have the chance to comment and disagree with what was said – particularly as many felt reports did not reflect what they had wanted to be said. It would have been helpful for notes of meetings with the social worker to have been shared with them so that they could agree or disagree. Most of the young people we met wanted to be part of decision-making and to be asked for their view.

4. Children and young people should have a right to advocacy support for child protection meetings and processes and that meetings are organised in ways which include children and young people.

4.1 Advocates

Advocates were universally found to be helpful to young people and feedback on the value of advocacy in child protection has recently been confirmed in Swindon, where the charity Voice provides advocacy in every case unless it is explicitly not wanted by the child.

4.2 Re-thinking formal meetings

Many young people found child protection meetings difficult and the locations could be “scary”. Some suggested that the meetings needed to be adjusted if young people were to be able genuinely to be involved and could be more relaxed, rather than in boardroom style. Several had found it difficult to say anything and would like to be asked if they had something they wanted to say. One group thought it would be helpful to be able to hold up signs or coloured cards as a code

if they did not understand, wished to say something or even wanted to agree with what was being said. We heard that support was wanted after meetings and that, if children are to be enabled to take part, the timing of the meeting must take their needs into account. The possible consequences of having meetings in school time included stigma and bullying.

5. Further consideration is needed of ways in which children and young people can get help to be made safe earlier and of ‘managed confidentiality’

5.1 Being vigilant about children and young people

One young person came up with the idea of “*vigilance*” and this was picked up by several other young people. This meant adults being alert and recognising when something was wrong. Teachers had special mention here.

5.2 Schools

Teachers who demonstrated care and understanding and made it “*comfortable*” to talk were particularly significant to children. Teachers needed to know the possible consequences of other children knowing about your problems: while some friends would give good support, others finding out could cause problems so that it was essential that they were sensitive to this.

Many young people confirmed the importance of school-based services: these included advice and support, factual sessions about problems such as domestic violence or drug abuse and opportunities for discussion and information about abuse and sources of help. Young people thought schools had an important role in helping children find sources of help.

5.3 Places and ways of talking with children

Many children and young people wanted to be able to meet helpers in friendly places where they could talk freely. Young people mentioned that it would be helpful to learn from other children’s experiences of getting help. They valued drop-in services and people who knew how to talk with children.

5.4 Managed confidentiality

The issue of confidentiality was often raised by young people and did not always relate to the issues adults might expect. Young people do understand that professionals may need to act on the information they hear if they are very worried about their safety. They do, however, want an explanation as to what will happen, the opportunity to influence this, and ongoing support. If this is well managed, trust

will be built and children are more likely to be able to tell more about their experience.

One young person suggested that children must be told what will happen as not knowing makes it worse, and that they should have some options as to what action would be taken but that this would depend on the seriousness of the risk. Support helps to reassure children that they are not to be blamed, are believed and will be safe. Young people were clear that they need adults to understand the possible consequences for them – which may include increased risk if they are not believed or if the information is managed badly. If they had a poor previous experience, it is unlikely they would tell about abuse or risk. Again, young people suggested there were differences as to the management of protection services for older and younger children.

We outlined in our previous submission the potential for a different kind of service approach for young people which could allow for managed 'confidential space', building on the way in which ChildLine works. We believe that this issue needs to be addressed.

6. Giving feedback as a right for children and young people: ways should be found to encourage and support children to give feedback on the work which is taking place and on their protection plan, and to develop further ways of involving them in the evaluation of effective help.

6.1 Gaining feedback

There are three levels to this:

- the ability for children to influence the help and the decisions which are being made about them at the time
- opportunities to contribute afterwards to the assessment of effective outcomes
- contributions to the inspection of services.

Some comments and suggestions were made on each subject.

6.2 Influencing work in progress

The basis for all feedback will be the effective engagement of children and young people and the comments above – on information about entitlements, involvement in meetings, and an ongoing relationship with their social worker – all have a bearing on enabling children and young people to have a real say in decision-making.

Young people raised many concerns about being able to comment on the work in progress, although many thought there should be this opportunity and several thought it would be worth finding suitable methods. The kind of questions which could be asked included:

- What do you need?
- How do you feel about what is happening?
- Are you being heard properly and how could this be done better?

Many young people felt it would be difficult to raise concerns with their worker because this would seem disrespectful, or might have damaging consequences. They pointed out that young people involved with child protection processes are vulnerable and so not likely to say they are unhappy:

“As a kid you need all the help you can get so you’re stuck - don’t want the help to stop.”

The social worker is seen as a very significant and powerful person and so someone it is important to work with. More confident young people and those who had been involved in support groups or had advocates considered themselves more able to raise problems. Those involved with the Family Group Conference project felt well supported by the organiser.

The suggestions made are as follows:

- Access to the social worker’s manager at regular intervals.
- A right to an opinion on the work and on the plan, and an expectation that it would be taken into account by someone with influence would make it more likely to work. It was suggested that there be a mechanism for this.
- Information was wanted about routes to representation and complaint and about rights to advocacy. A ‘children’s pack’ for those involved with child protection processes was one suggestion.
- An independent person could act as regulator of feedback from the child, such as the conference chair who would meet with the social worker and manager to provide feedback from the child as part of the conference process. Young people with care experience pointed out that they had been asked to complete a form for their review and there is a need for the extension of this kind of expectation to children in need.

- A copy of the child protection plan to be given to young people: this was wanted by many of those we met. In one discussion group, the young people thought they could use this in meetings with their social worker, which would enable a discussion concerning disagreements. This approach would help young people be much clearer about what was being done and whether it was helping.

6.3 Assessment of effectiveness

- Feedback might be assisted if it were given at particular points such as the end of the court process – which might be assisted by the Guardian and Independent Reviewing Officer – or if there was to be a change of worker.
- There were mixed reactions to evaluation forms. Some young people thought that to ask specific questions in this way might be effective and the facility to post comments anonymously was suggested. Some local authority directors provide postcards for young people to complete and send direct. It was felt, however, that there was no point if no action was then taken.
- Young people with care experience thought that children in care councils were now taken notice of and that there needed to be a similar mechanism for children in need.

6.4 Inspection

Young people could contribute directly to inspection processes in a leading role as young inspectors. There are precedents for this with A National Voice's LILAC scheme and those which have been run by the National Children's Bureau. If inspection on feedback processes were linked to the local authority's pledge to its children in care – which could be extended to children in need – it was felt that this was more likely to have meaning, although it would need to be enforced.

7. Conclusions and recommendations

On the basis of the discussion with children and young people, we believe there are a number of suggestions which they would find helpful:

- 7.1** The qualities, skills and knowledge which children and young people find most helpful in those working with them should be addressed in the reforms to social work currently in process, and in recommendations following from the Munro Review.
- 7.2** Children and young people should be well supported in their own right during the process of child protection work. This would include more individual contact with the social worker and opportunities for support groups.

- 7.3** Children and young people should be given clear information on entitlements and services so that they can be involved in decision-making.
- 7.4** Children and young people should have a right to advocacy support for child protection meetings and processes, and meetings should be organised so that children and young people can be included.
- 7.5** Further consideration should be given as to ways in which children and young people can get help and be made safe earlier and of 'managed confidentiality'.
- 7.6** Ways should be found to encourage and support children to give feedback as a right on the work which is taking place and on their protection plan, and of involving them in the evaluation of effective help.

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