



Refuge response to Safeguarding Children, Government consultation paper April 2004

Refuge welcomes the document Safeguarding Children, and the commitment of government to ensure that professionals in the education service have the skills, means and resources necessary to protect children from harm. Refuge is particularly pleased to note that domestic violence has been identified specifically within the document, as a serious risk factor for children.

Those working in the field of domestic violence are very much aware of the overlap between the abuse of a woman and the abuse of her child/ren and of the corresponding need to develop policies/procedures for the protection of both. Research indicates that domestic violence not only continues post-separation, but that the act of separation represents a lethal risk, resulting in the murder of 2 women a week across England and Wales. It is therefore crucial, that any polices/procedures designed to protect children in such circumstances are similarly responsive to the risk posed to the non-abusing parent. So it is of concern, that systems for joint work across adult and child services, or protocols for sharing information between the two are not explored within this or any other consultation papers¹ on this subject. Rather than recognising the need to integrate services for adult victims and their children, there is instead, a move towards greater separation via the proposed creation of Children's Trusts. Recognising that many children's difficulties are the result of adult problems, Lord Laming recommended the creation of 'services for families' following his enquiry into the death of Victoria Climbié. To work only with children in such circumstances, could be compared to placing a sticking plaster on an oozing wound, the cause of which remains untreated.

Whilst Refuge welcomes recent government initiatives to address both domestic violence and the welfare of children through the consultation papers, Safety and Justice and Every Child Matters we are concerned that the particular needs of children affected by domestic violence have not been fully addressed in either. Specifically, within Safety and Justice there seems to be an over-reliance on existing (non-specialist) services to meet the needs of this group and insufficient reference to domestic violence in Every Child Matters.

It is of immense concern that the issue of child contact with violent fathers is not properly addressed in any of the consultation documents (including this one) and most specifically that the need for vigilance and safety planning within the context of school is not identified for such children. Refuge has already responded in detail on this subject in previous consultation papers and an extract from Every Child Matters is included at appendix 1.

Refuge would also like to see safeguarding children polices and practices give more attention and focus to a child's cultural background and a child's gender. Refuge would recommend that the

¹ Safety and Justice and Every Child Matters

recently launched 'Young people and vulnerable adults facing forced marriage' document produced by the Home Office and Social Services be referenced when finalising the Safeguarding Children response.

Key Recommendations

Refuge recommends there is a nationally driven, integrated and appropriately resourced strategy to respond to perpetrators, to meet the needs of survivors of domestic violence and work towards prevention. Central to this strategy should be a gendered understanding of domestic violence, as well as an awareness of the risks to children and the non-abusing parent. In relation to key issues raised in the consultation paper, Refuge recommends that:

Schools

1. All those working in schools should receive training so that they are informed about the causes, dynamics and consequences of domestic violence and alert to the risks for children (and the non-abusing parent, most often their mother) in such circumstances.
2. All those working in schools should be sensitive and responsive to the potential effects of family disruption and frequent school changes on academic achievement, social/emotional development and behaviour.
3. Schools should offer priority admission to children who are either living in/moving from refuges or who have recently escaped from violence. This is particularly relevant for those of high school age where placement seems more difficult to secure.
4. Once children are in school, the provision of induction and buddy systems may help them feel more secure and settled within their new environment. High school pupils may benefit from regular contact with a named person within the staff team who is responsible for supporting children at risk – at least in the short term.
5. The non-abusing parent of these children may also feel isolated within the new environment. Schools could support her in several ways for example, involving her in Parent/Teacher activities, inviting her into her child's class to support reading (or other activities) or by alerting her to other community activities such as mother/toddler groups if she also has pre-schoolers etc.
6. Safety (particularly risk of abduction) is a central issue for children living with or escaping from violence. Schools should be aware of and play an integral role in facilitating a child's individual safety plan (devised in collaboration with the child, their mother and refuge staff if applicable). Confirmation of the child's attendance at school, disclosure of their home address or collection of the child from school should not occur without the mother's permission. Unfortunately, the whereabouts of some children have become known to perpetrators of abuse either through educational paper trails (especially where statutory assessment/reports exist) or by communication between schools, during which the new area is revealed. It is crucial that any proposed 'identification and tracking' schemes do not provide a further opportunity for violence men to trace vulnerable women and children and that safeguards are put in place to maintain the confidentiality of their whereabouts.

Education Department

1. As a first step, it seems important to provide comprehensive training about the causes and consequences of domestic violence for both women and children. The basis of such training should be to raise awareness about the issue, debunk the many myths which exist in relation to domestic violence and promote an understanding of the significant role of gender, power and control in the abuse. Training should occur on two levels – it should feature in initial professional training for teachers (and all those working with children/young people such as social workers, educational psychologists, nursery nurses and others) and as part of on-going professional development for LEA employees. Such training should be mandatory.
2. They need to create environments which promote openness and trust and encourage children (and their mothers) to break their silence. Displaying posters, information leaflets and details of community supports and or help lines could be a first step. They must operate in a non-judgemental manner towards survivors, ensuring victims are aware that the violence is not their fault or responsibility. They must also challenge myths about domestic violence and convey messages that violence is unacceptable.
3. There should be clear policies and procedures for managing and responding to disclosures made by children who are living with violence. Where a child discloses they are witnessing domestic violence, professionals should be aware of and responsive to any risk to the non-abusing parent – generally the mother. Any actions which follow should prioritise safety and protection for both mother and child. Where a child discloses that they are experiencing abuse, professionals should be alert to the possibility that the woman may also be at risk and take steps to support both if this is the case.
4. Support and or consultation should be regularly available to all educational professionals, particularly those taking a lead role in working with children who are living with and or experiencing abuse at home.

Multi-agency co-operation

1. There is a need for close liaison and integrative working between adult and child services particularly where domestic violence has resulted in chronic depression, substance abuse or disability for a woman. Where these consequences have led to child protection investigations, abused women often say they feel 'blamed' for the violence and that the criticism and control previously held by their partner has merely passed to 'the system'. There is therefore a need for all social workers (within adult and child services) to receive appropriate training about domestic violence and on the development of empowering approaches to intervention, in order to appropriately support and protect both women and children.
2. The development of specialist individual and group support to survivors of domestic violence is essential. Those working within the domestic violence sector are very much aware of the gaps and flaws in current services, frequently hearing accounts from women and children of how existing services have failed to meet their needs, or properly understand and respond to their situation. Refuge has almost a decade of experience in providing high quality integrated services to women and children and would be well placed to advise on any programmes which develop as a result of this and other consultation papers.

There is, for all children, an urgent need for awareness raising and preventative work about the use of violence within intimate relationships. Learning about domestic violence should be integrated within the curriculum. Issues of gender inequality as well non-violent conflict resolution, power/control and discrimination (which affect all oppressed groups in society) should run through the ethos and curriculum of all school teaching and activity. This work is of value to all members of our society - to both male and female. It challenges myths and seeks to eradicate the stereotypes which force us all into rigid forms of behaviour. It endeavours to expose and reform the damaging attitudes and behaviours within society (which allow us to oppress and dominate others) by promoting respect, equality and empowerment.

Refuge recommends the implementation of:

- Violence prevention programmes that include issues such as gender equality, respect and non-violent conflict resolution
- Specific modules which directly address domestic violence and that these are built into the curriculum e.g. Personal Health Social Education, Citizenship and circle time for younger children
- An empathy training module within the early years curriculum for under 5's. This should incorporate gender equality, respect and non-violent conflict resolution

Consultation Questions

Q1

Can you suggest other ways by which we might make head teachers and Chairs of governors aware of the updated guidance?

Yes, mandate that they implement it and develop accountability systems which ensure both competence and compliance.

Executive Summary

Q2a

Does the executive summary clearly summarise who the guidance is for and what is expected of them?

Q2b

What should be added or removed?

Added – the recognition that both experiencing and witnessing abuse represents a risk to learning, behaviour and the formation of relationships both now and in the future. Therefore, systems and services for support and recovery, developed in partnership with voluntary and statutory bodies with specialist knowledge and experience, should be in place, post disclosure/discovery

Added – an awareness of the safety implications for the non-abusing parent, together with protocols for addressing these concerns.

Introduction

Q3a

We believe this introduction accurately and succinctly reflects the objectives of everyone working with children to keep them safe. Do you agree?

No

Q3b

Should anything be added or removed?
See above under response to 2b

**The Role and the Local Education Authority
The role of initial teacher training institutions****Q4**

It has been suggested, partly as a result of recent research carried out by the NSPCC that this area needs to be reviewed and strengthened. We would be grateful for your comments on whether this needs to figure more prominently in induction training for teachers.

It is vital that teachers (and others working with children and vulnerable members of the public) have appropriate child protection training. It is also crucial that domestic violence (and other risks such as substance abuse, adult mental illness) are included in such training. See p3 above under point 1.

Investigation Referral Support Coordinators**Q5**

Does this reflect what LEAs see as the role of the IRSC network?

Q5b

How could this role be enhanced?

Although, co-ordinators are reported to have been appointed across a range of agencies, including the voluntary sector, Refuge's experience is that even in boroughs where Refuge's own highly skilled psychologists are working with children, their involvement has not been requested. And perhaps even more concerning is that prior to this consultation, the work of these networks and their role in local child protection work has not been publicised within any of our local refuges.

Q6

Would you find it helpful to have a list of responsibilities/roles available for staff with designated responsibility for child protection either at LEA or school level such as the ones attached at annex A,B and C?

Yes – in an area of such importance, where roles and responsibilities are often in flux (due to re-organisation and or legislative reform) a process of ongoing professional development and clear guidance for all would be very helpful.

Q7a

Does this section clearly set out the roles and responsibilities of LEA's?

Q7b

Is there anything which should be added or removed?

Added – a responsibility for responding to the risk to a non-abusing parent suffering domestic violence, as well as systems for information sharing and cross referrals between adult and child services

Added - appropriate safeguards to ensure that electronic and paper trails do not lead perpetrators to discover the whereabouts of vulnerable women and children. There is a need for confidentiality about home address and name of school, even where the father holds joint parental responsibility.

The Role of Governing Bodies, FE Corporations, Proprietors of Independent Schools and Head teachers/Principals of FE Institutions and Schools

Q8

In the context of child protection should the role of nominated governor be limited to acting in the event of allegations of abuse being made against the Head or Principal?

Yes

Q9

In schools should the responsibility for child protection always be delegated to a senior member of the teaching staff, or should the requirement be reworded more flexibly along the lines suggested?

Where there is the option to use a senior social worker or other professional with extensive child protection experience, flexibility may be appropriate. But where the decision is between a senior or less senior member of staff, it should always be delegated to the most senior and or experienced member.

Q10

Could small primary schools share a designated teacher and do you have any examples of good practice among designated teacher you can share especially in relation to small primary schools?

It would be preferable to have an in-house designated senior teacher in this role. Teachers often have a range of other duties, not least, teaching a class of their own and there could be tragic consequences if, due to competing demands, they were unable to adequately fulfil the role at one or more sites.

Section 3.4 Work Experience and Extended Work Experience

Q11a

Does this section clearly set out roles and responsibilities?

Q11b

Should anything be added or removed – do you have examples of procedures that we could usefully provide as examples or other sources of advice we could quote?

Added – young people with learning difficulties may be particularly vulnerable to abuse in such environments, from ‘supervising’ adults as well as from work colleagues. Protocols should be in place to both respond to and help attempt to safeguard against this kind of abuse occurring in their lives. There should be a duty for institutions to provide specific information (both verbally and in writing) for young people with learning difficulties which raises their awareness, explains their rights and provides information about what they should do if they suffer abuse in the work place.

The Role of Ofsted

Q12

Does this section set out what is expected of schools, FE institutions and LEA’s clearly in relation to Ofsted inspections?

It is positive that this section recommends the provision of ‘support and guidance from a range of appropriate adults, but would benefit from more detail as to who might be appropriate and what

form the support should take. Without this, it may prove difficult for Ofsted inspectors to assess good practice.

Section 5

Q13a

Is this type of information helpful and something schools want in the guidance?

Q13b

Are there particular types of abuse that we have left out which you would like information about?

Refuge is pleased that domestic violence is recognised as a significant risk to children, but

Recommends:

- The inclusion of a definition of domestic violence which acknowledges the gendered nature of the majority of this abuse
- Recognition of the need for protection/support of the non-abusing parent is crucial
- Domestic violence helpline numbers and other culturally specific contacts should also be signposted here

It is suggested within the document that it may be difficult to talk about domestic violence and abuse in the classroom and that “discussions about personal safety and keeping safe can reinforce the message that any kind of violence is unacceptable; let children and young people know that it is ok to talk about their problems”. Nevertheless, Refuge would recommend addressing domestic violence specifically, rather than subsuming it within other broader categories of violence and abuse. It is also important that such programmes should explicitly address issues of power, control and disrespect, which are at the root of all oppressive behaviour.

Q14

We are particularly interested in your comments on whether further guidance is required for issues covered in section 5.3 – 5.5 and if so which areas in particular.

Refuge would suggest that further guidance is required in relation to domestic violence, particularly in terms of:

Training - to debunk the myths and misconceptions which permeate much thinking and behaviour in relation to both victims and perpetrators.

Services

In terms of working with children affected by domestic violence, it is crucial that they are given the chance to do more than simply ‘talk’ - they need opportunities to learn to understand what has happened in their family, to remove any sense of guilt or responsibility from themselves and their mother, and to identify and work through feelings of sadness, loss, anger and often betrayal. The development of specialist services for these children is long over due and represents an urgent priority for this group. Integration of services for children with services for adults is another area of programme development which we have yet to tackle, but for which there is an overwhelming need.

Improving Information Sharing

There is also a need for further guidance on information sharing, especially between adult and child services. All professionals need a clear understanding of client confidentiality, current

legislation and how to create an inter-face which promotes safety for women and children. In practice there can be confusion about what information can and should be shared. Sometimes this has tragic consequences, as in the Victoria Climbié case. All agencies should have a policy which has regard to an individual's right to privacy (under the Data Protection Act) and respects client confidentiality but also recognises the limits of that confidentiality (under the Children Act) when it becomes necessary to safeguard children from significant harm

Refuge suggests that:

- **Safety** should be the guiding principle in any decision to share or keep information confidential
- The government needs to promote greater clarity through training on legislation re: data protection, professional confidentiality and child protection
- There are clear policies and procedures for information sharing **across disciplines** and **between adult and child services**.

The presence of domestic violence (or other adult problems) within the home represents a real risk to children and should be shared. Nevertheless, it is essential to recognise that sharing information can also **endanger lives**. Domestic violence organisations generally work within the bounds of confidentiality for reasons of professionalism and of safety. Refuge recommends that confidentiality is retained with respect to sharing information (especially during court/legal processes) about:

- women's addresses
- current or proposed addresses
- telephone numbers
- place of work
- child's school
- details of her associates including family and friends
- any opinion or assumptions about either the woman herself, her perceptions or the case.

Children with special needs, who transfer across boroughs in an effort to escape domestic violence, are particularly vulnerable to being located when information is carelessly disclosed by professionals during the hand over process.

Tracking Children at Risk

Refuge has some concerns about *when* information should be recorded, *who* has access, *how long* it is to be kept, *who* decides and *why*. Stringent safeguards must be in place to ensure 'electronic trails' do not replace paper trails which aid perpetrators of domestic violence in identifying the whereabouts of vulnerable women and children. Safeguards against breaching an individual's right to privacy must also be balanced against rigorous identification and tracking of children at risk. It is also unclear how voluntary agencies fit into the system nor how those working with adults would alert their colleagues in children's services of the possibility that a child may be at risk.

Refuge would recommend:

- the use of a domestic violence flag, as suggested by the police and CPS for adult offenders when flagging 'at risk' cases
- logging *who* in the system, is working with the adult

- developing appropriate mechanisms for integration between adult and child services
- flagging cases should follow some form of validated check-list or criteria for action and not be left to the discretion of professionals
- warning signs should reflect factors within the family such as imprisonment, domestic violence, mental health or substance misuse problems amongst parents and carers
- that the government develop protocols for flagging and responding to at risk cases, evaluate the effectiveness and then roll out best practice.

Comments re allegations against staff

Q15

Would flow charts such as the one at annex D (allegations of staff misconduct) be useful with more detailed guidance made available on the website with regard to allegations?

Yes

Q16

Is there any other information you would like to see in this section or would web links be more appropriate to further guidance?

Domestic violence links – helpline numbers

Q17

We intend to support this guidance by providing additional information through the teachernet website. What supporting material would you find helpful to assist you in developing good child protection practice and procedures?

Information about the impacts of domestic violence on children, ways of working supportively with the non-abusing parent and anti-violence curriculum packages.

Q18

Would you like to see model policies and procedures included in the guidance?

Yes

- ENDS -