Hull Safeguarding Children Board

SECTION 11 AUDITS
Guidance and Audit Toolkit

Contents

Part 1: Introduction and Guidance

Part 2: Section 11 ‘Self-Assessment’ Toolkit

Part 3: Section 11 Action Plan
Part 1: Introduction and Guidance

A. Introduction

What is ‘Section 11’?

Whilst everyone shares a responsibility for safeguarding and promoting the welfare of children and young people, Section 11 of the Children Act 2004 places a statutory duty on a number of key agencies and organisations to:

“Ensure that their functions are discharged with regard to the need to safeguard and promote the welfare of children”

The Section 11 duty means that the key people and bodies (listed below) must make arrangements to ensure two things:

a. That their functions are discharged having regard to the need to safeguard and promote the welfare of children.

b. That the services they contract out (commission) to others are provided having regard to that need

The duty does not give agencies any new functions, nor does it over-ride their existing functions. Rather, it requires them to carry out their existing functions in a way which takes into account the need to safeguard and promote the welfare of children.

Who Does Section 11 Apply To?

- Local Authorities
- District Councils
- NHS Bodies (Strategic Health Authorities, designated Special Health Authorities, Primary Care Trusts, NHS Trusts and NHS Foundation Trusts)
- The Police (including the British Transport Police)
- Probation and Prison Services
- Youth Offending Teams
- Secure Training Centres
- Connexions
- Private and voluntary organisations who are commissioned/contracted to provide services on behalf of the bodies listed above

Other providers and agencies have commensurate duties under separate legislation:

- Local Authorities (in the exercise of their education functions) have a duty under Section 175 of the Education Act 2002, to carry out their functions with a view to safeguarding and promoting the welfare of children
Maintained (state) schools and Further Education institutions (including sixth-form colleges) have a duty under Section 175 of the Education Act 2002 to exercise their functions with a view to safeguarding and promoting the welfare of their pupils.

Regulations under Section 157 of the Education Act 2002 prescribe as a standard for independent schools, including academies and technology colleges, that they should draw up and implement effectively a written policy to safeguard and promote the welfare of children.

Early years providers have a duty under Section 40 of the Childcare Act 2006 to take necessary steps to safeguard and promote the welfare of young children.

The Criminal Justice and Court Services Act 2000 sets out Cafcass’s duty to safeguard and promote the welfare of children involved in family proceedings.

The UK Border Agency (under section 55 of the Borders, Citizenship and Immigration Act 2009) is required to carry out its functions having regard to the need to safeguard and promote the welfare of children who are in the UK. The statutory guidance issued to UKBA is designed to mirror section 11.

How Do We Know That Partners Comply With Their Section 11 Duties?

‘Working Together’ is clear that Local Safeguarding Children Boards (LSCBs) should have a “particular focus” on ensuring that key people and organisations that have a duty under section 11, or section 175 or 157 of the Education Act, are fulfilling their statutory obligations about safeguarding and promoting the welfare of children.

Whilst ‘Working Together’ is not prescriptive either about the methodology or frequency in relation to scrutiny, suggested means include audit and self-evaluation. In practice, LSCBs commonly undertake regular ‘Section 11 Audits’.

What has the Hull Safeguarding Children Board decided?

The most recent ‘Section 11 Audit’ was conducted locally between Jan – Mar 2009. This audit pre-dates the most recent revisions to ‘Working Together’ (2010) and significant changes to the local and national landscape (including the impact of the Comprehensive Spending Review, major reform proposals affecting the commissioning and provision of health services etc).

The Hull Safeguarding Children Board (HSCB) has agreed that a fresh Section 11 Audit is now timely and that this audit will help inform the HSCB Annual Report. HSCB will need to agree the frequency of future audits and also the mechanisms for holding agencies to account on a recurring basis in relation to their section 11 duties.
Part of this process will be to ensure that where organisations have further work to undertake to secure full compliance with the section 11 standards, that this work is reflected in a ‘Section 11 Action Plan’ which is regularly reviewed and monitored by the HSCB. In this way, Section 11 compliance will become an ongoing process, rather than a series of ‘audit events’.

The ‘Section 11 Audit Toolkit’ will be formally adopted and issued to agencies at the HSCB meeting on 15th November 2011. This will be issued for completion and return to hscb@hullcc.gov.uk or by post to 1 Bridge View, Henry Boot Way HU4 7DY by no later than one week in advance of the Board meeting in January 2012.

What Are The ‘Section 11 Standards’?

The required ‘elements’ (or ‘key features’) are set out in the ‘Statutory guidance on making arrangements to safeguard and promote the welfare of children under section 11 of the Children Act 2004’ (HM Government 2007).

At an organisational or strategic level, these are:

- Senior management commitment to the importance of safeguarding and promoting children’s welfare
- A clear statement of the agency’s responsibilities towards children [is] available for all staff
- A clear line of accountability within the organisation for work on safeguarding and promoting the welfare of children
- Service development takes account of the need to safeguard and promote welfare and is informed, where appropriate, by the views of children and families
- Staff training on safeguarding and promoting the welfare of children for all staff working with or, depending on the agency’s primary functions, in contact with children and families
- Safer recruitment
- Effective inter-agency working to safeguard and promote the welfare of children
- Information sharing

The statutory guidance is available to download from the Department for Education website: http://education.gov.uk/publications/standard/publicationDetail/Page1/DFES-0036-2007
B. Guidance

The S.11 toolkit is intended to be a supportive self evaluation process allowing each agency to identify the standards that they meet and those where further actions are needed.

The S.11 toolkit covers eight key areas, within each there are a number of standards that each agency should meet. To complete the toolkit, evidence should be provided that demonstrates how an agency currently meets these standards.

Below are some examples, which may assist when thinking about how to evidence the ways in which an organisation complies with S.11. They are intended as a guide only and are not an exhaustive list. It is important that the evidence provided is detailed enough to enable any follow up work to quickly identify the protocols/guidance/ systems that are referred to.

Using the traffic light system:

Red = standard not met (and action detailed on action plan);
Amber = standard partially met (and action detailed on action plan);
Green = standard fully met.

Can provide a clear picture of organisations’ priority areas for further work and also highlight good practice

When completing the toolkit, as areas for development are identified these need to be copied and pasted onto the agency action plan (part 3). The person responsible, their position in the organisation and the time frame in which the action should be completed should be recorded here.

For any additional help or assistance in completing the self-assessment, please contact the HSCB on 01482 846082.

Examples of evidence that can be used to demonstrate compliance with the S.11 standards

1. Senior management commitment to the importance of safeguarding and promoting children’s welfare

Evidence:

1.1) The name of the person and job title; they are named within the organisation’s child protection policy.

1.2) The role of the designated lead with safeguarding responsibility is advertised regularly, including their job role; regular promotion of role within and external to organisation; named in safeguarding policies.
1.3) The job description of the designated lead contains roles and responsibilities in relation to safeguarding and promoting welfare of children and young people; details of the regular training and supervision that they receive.

1.4) The name of the E-safety lead officer and how staff are made aware of their role.

1.5) Policies/guidance that promote a culture of listening to and engaging in dialogue with children and young people when developing and evaluating services and in individual case decisions (guidance to include process for recording concerns and response, and what to do when a child expresses concerns); relevant information distributed to staff; senior officers monitor individual decisions and the development of services; forms developed by the service include reference to children’s wishes and feelings; projects or services developed take into consideration children and young people’s needs.

1.6) Checks are made by the commissioning body; there is an explicit requirement in contracts that providers comply with section 11 duties.

1.7) The agency has a clear process for:
- completing actions from SCRs
- gathering the evidence required
- embedding recommendations into practice

2) A clear statement of the agency’s responsibilities towards children is available for all staff
Evidence:

2.1) Child protection policies and procedures are in place clearly showing the date of the last review. Endorsed by the HSCB (letter of endorsement as evidence)

2.2) Policies exist that include reference to the importance of listening to children and responding appropriately

2.3) How safeguarding policies/procedures are disseminated to staff (e.g. in newsletters, emails, inclusion in team meetings, staff training); the format of the policies/procedures in the workplace and staff’s access to these; Policies and procedures are made available to all staff, volunteers, students, trustees and senior managers.

2.4) The name of the E-safety policies that are in place, (these should include an e-safety policy and acceptable use policies (one for staff, one for children/young people); e-safety is included within CP procedures; the date of the last review of policies and procedures.
2.5) The policy and procedures help staff to recognise the additional vulnerability of some children as defined in Chapter 11 of Working Together 2010

2.6) The organisation has clear complaints and ‘whistle blowing’ procedures for service users and staff; these procedures are understandable and easy to follow; how these procedures have been distributed and disseminated; evaluations/audits of the use of the complaints system; Information on the time span that complaints are expected to be responded to; examples/reviews to demonstrate that complaints procedures have been used by adult and child service users and staff; examples of information of how to make a complaint is written in a child friendly format.

3) A clear line of accountability within the organisation for work on safeguarding and promoting the welfare of children

Evidence:

3.1) Safeguarding priorities are reflected in the organisation’s strategic action plan
Name of the framework and when this was last reviewed; details of what the framework includes; safeguarding structure document; evidence of how staff are made aware of this.

3.2) Policies and procedures are in place that identify clear reporting structures for concerns about children. Staff are made aware of this on inductions and this is reviewed during supervision. The name of the person to whom each staff member is accountable is documented in staff procedures/welcome pack; examples demonstrating that staff are aware of the level of accountability they have.

3.3) Safeguarding responsibilities are identified in each individual job description

3.4) There are named / designated individuals in place who all staff and volunteers are aware of and can access in order to discuss any safeguarding concerns. These staff should have additional training and support in order to be able to fulfil their additional responsibilities.

3.5) Safeguarding is routinely discussed as a standing item in supervision and appraisal. Evidence of supervision audits

4) Service development takes account of the need to safeguard and promote welfare and is informed, where appropriate, by the views of children and families.

Evidence:
4.1) That safeguarding is considered within service plans; examples of how safeguarding is written into the development of new services; guidance for the development of new services and how safeguarding is mentioned within this.

4.2) The views of children and families have been sought regarding the development of services. Details of consultations with children and families regarding service developments; how the findings of these consultations have fed into the service development; literature searches of children’s and families views; how children and families views are fed into individual case decisions; evaluations of the involvement of children and families in individual cases.

4.3) Services are developed which ensure equality of access for all sectors of the community

4.4) Child protection policies, procedures and training are explicit in their references to equality and diversity

4.5) The diversity of local communities is taken into account by the organisation when developing services. Information is provided in a format and language which can be understood by all service users

4.6 Records indicate gender, age, faith, language and ethnicity in order to ensure appropriate service provision and assist in future service planning.

4.7) Individual case decisions are informed by the wishes, feelings and experiences of children, young people and families.

5) Staff training on safeguarding and promoting the welfare of children for all staff working with or, depending on the agency’s primary functions, in contact with children and families.

Evidence:
5.1) Outline of the induction process and training for new starters; information that is included in an induction folder for new starters; information on the content of induction training and that it meets all the requirements.

5.2) A record is kept of staff training on Safeguarding Children, who provided this training and who holds this record.

5.3) Details of training available for staff, including multi agency training; details of training pathways.

5.4) Details of the e-safety training and who it is available too. Staff have a training pathway.

5.5) There is guidance regarding individual or group supervision; evidence that senior manager’s monitor supervision; the information that staff receive regarding any further support that is available.
5.6) All personnel have a standard, regular, documented appraisal or performance review which includes their competency in working with safeguarding children. Personal development reviews identify any individual safeguarding children training needs.

**Level 1 Safeguarding Children: A Shared responsibility is recommended for all staff working with children, young people and families. Additional training courses covering a range of safeguarding issues and for more specialist roles (such as child protection co-ordinator, lead professional, safeguarding advisors) are available through the HSCB training diary [http://www.hullsafeguardingchildren.org/](http://www.hullsafeguardingchildren.org/)**

5.7) How the recommendations from SCR are shared with staff (e.g. newsletters, staff email updates); evidence of updating staff with changes to statutory requirements and how this is achieved; examples of how the most recent recommendations/requirements have been shared.

6) Safer recruitment

Evidence:

6.1) A safer recruitment policy is in place.

6.2) Safer recruitment training is provided; records of recruitment panels are maintained by the organisation, including which member on the panel had completed safer recruitment training; audits of recruitment panels to evaluate compliance.

6.3/4) Protocols in place that outline the checks to be made before a person is appointed; staff HR files document all the listed checks that were undertaken and the outcomes of these; audits of HR files.

Where appropriate enhanced or standard CRB checks are completed on all staff or volunteers who work primarily or directly with children and young people and their managers; those in other jobs whose work offers them the opportunity of regular contact (including indirect contact by phone or internet) or places them in a position of trust (e.g. priests, police officers) and those who have access to personal and sensitive information about children and young people (e.g. CAF)

The HSCB offers an advisory panel for those employers who want to take advice on employing someone with a ‘positive’ CRB check.

6.5) Probationary periods (if used) are detailed in job offer letters / contracts. What are the lengths of probationary period and how is it acknowledged and recorded when someone has passed this period (i.e. supervision records)
6.6) Examples of how the organisation ensures that it is up to date with current ISA and CRB guidance (e.g. web address, access to training, dissemination of new information)

6.7) There is training in place for those responsible for dealing with complaints and a register of all those who have completed it

6.7) The name of the policy. It is expected that this policy would include how staff and volunteers can /can't use the technologies and the sanctions that are in place. See HSCB website (e safety workstream) for advice on Acceptable Use Policies http://www.hullsafeguardingchildren.org/

6.8) Who records incidents, where are they recorded; who holds and reviews records.

6.9) Name of the senior officer, job title training accessed and ongoing support mechanisms

6.10) Information on the procedures used by the organisation when dealing with allegations against staff and volunteers e.g. in house procedures, HSCB guidelines and procedures (LADO)

6.11) Who records this information, where are the incidents recorded (it is expected that incidents are recorded and stay on individual HR files for ten years or until retirement whichever is longer)

6.12) Examples of the information given to temporary/agency staff. (including induction, training and supervision arrangements)

**7) Effective inter-agency working to safeguard and promote the welfare of children**

*Evidence:*

7.1) That a senior officer attends meetings, or sends deputy. Officers attend strategic / operational / executive and/or other HSCB sub groups regularly.

7.2) A commitment to inter-agency working is reflected in strategic documents and partnership agreements

7.3) Policies used to support inter agency working; where these are located and steps taken to ensure staff are aware of and working to these policies e.g.

- HSCB guidelines and procedures http://hullscb.proceduresonline.com/index.htm
- HSCB threshold guidance http://www.hullsafeguardingchildren.org/
7.4) Staff working with children and families attend meetings / panels in relation to individual children (for example, Core Groups, Child Protection Conferences, Team Around the Family meetings)

7.5) Staff are able to identify children who would benefit from additional services when a problem first arises at any stage of life (this may require the use of a CAF, access to CAF training through the Partnership Learning Centre partnershiplearning@hullcc.gov.uk knowledge of the HSCB threshold of need guidance http://www.hullsafeguardingchildren.org/

Training and guidance for staff - staff are trained in Safeguarding Level 1 A shared responsibility and having a robust child protection policy in place which is endorsed by the HSCB – additional training dependent on role is identified in supervision / staff training review.

The Governments vision for a child-centred system includes providing effective help when a problem first arises at any stage of life, since this is what matters to children and young people. Mechanisms should be in place for identifying those children and young people who need referral to children’s social care and in particular those who are suffering, or likely to suffer significant harm.

7.6 Staff are clear about the mechanisms for identifying those children and young people who need a referral into children’s social care and in particular those who are suffering, or likely to suffer significant harm. (DfE July 2011)

7.7) Participation in Serious Case Review and multi agency audits led by the HSCB. There are structures in place to support staff in this process.

7.8) Staff are aware of their responsibilities in relation to the reporting of Private Fostering arrangements http://www.hullcc.gov.uk/portal/page?_pageid=296,659757&_dad=portal&_schema=PORTAL

8) Information Sharing
Evidence:

8.1) Details of the guidance used. (The adoption of the 7 Golden rules of information sharing is recommended) https://www.education.gov.uk/publications/standard/publicationdetail/page1/DCSF-00807-2008

8.2) How guidance and training, on information sharing, is made available to staff (both on induction and for existing staff)

8.3) What information is made available, for children, young people and their families about where to go for help in relation to safeguarding.
8.4) Training / guidance available for staff and managers; Staff know where to go if they have a query / concern re. information sharing.

8.5) Consent to share information, and situations when consent is not needed are covered in the training and guidance issued; evidence of consent and information sharing covered in supervision/appraisals.

8.6) Staff are compliant with record keeping guidance including the security of personal records

Resources and internet links

HM Government (2011) A child centred system the Government’s response to the Munro review
www.education.gov.uk/munroreview/.../GovernmentResponse_to_Munro.pdf

HM Government (2010) Working Together to safeguard children – A guide to inter-agency working to safeguard and promote the welfare of children
http://www.workingtogetheronline.co.uk/

HM Government (2007) Statutory guidance on making arrangements to safeguard and promote the welfare of children under section 11 of the children Act 2004


Hull Safeguarding Children Board guidelines and procedures
http://hullscb.proceduresonline.com/index.htm
