

Changes to 'Working together to safeguard children' Legislation

As of December 2020, changes and updates have been made to the legislation 'Working together to safeguard children 2018'. The changes were concluded in 2023 and the legislation is now titled 'Working together to safeguard children 2023'.

This is an important piece of legislation for any organisation that works with children and young people.

The changes specifically highlight that all practitioners working in **voluntary, charity, social enterprise, faith-based organisations and private sectors** that work with children and young people are subject to the same safeguarding responsibilities, regardless of being a paid member of staff or a volunteer.

This document is specifically for the Voluntary, Community and Social Enterprise sector to highlight and explain what those changes are, and what they mean for VCSE organisations who are working with children and young people.

For a breakdown of all changes implemented please see the NSPCC 'key updates' <https://learning.nspcc.org.uk/media/r0vgnjlq/key-provisions-working-together-safeguard-children-2023.pdf>

Background and Case Studies

The changes were linked to a National Review of specific cases of child abuse which resulted in the deaths of Arthur Labinjo-Hughes and Star Hobson. A brief overview of both cases has been provided below. However, to read the report in full use the link https://assets.publishing.service.gov.uk/media/628e262d8fa8f556203eb4f8/ALH_SH_National_Review_26-5-22.pdf

Arthur Labinjo-Hughes

Arthur was 6 years old when he was murdered after months of abuse. Arthur was described as a happy, healthy boy who always had a smile on his face.

A family breakdown led to Arthur living with his father at his paternal grandparents' home. In 2019, escalating concerns were raised about Arthur's emotional wellbeing and an assessment was carried out.

His father started a new relationship with Emma Tustin who was known to police, social care, and mental health services. During March 2020, when the UK went into lock down, Arthur and his father moved into the stepmother's home with her and two of her children. Arthur was unable to attend school due to the pandemic.

16th June 2020, emergency services were called to Arthur's address for suspected cardiac arrest. He had sustained a serious head injury. Medics described Arthur's appearance as unkempt with bruising all over his body. Arthur later died of his injuries.

Emma Tustin was convicted of murder in December 2021 and Arthur's father, Thomas Hughes, of manslaughter.

Insert from National review Document-

“Evidence from video footage and text messages seen at the criminal proceedings revealed a shocking scale of physical abuse and neglect suffered by Arthur. A total of 130 bruises were found on Arthur’s body at the time of his death. Blood tests indicated very high levels of sodium, suggesting the possibility of salt poisoning, for which Emma Tustin was convicted. In the days leading up to his murder, CCTV footage showed that Arthur had been forced to stand to attention alone in the hallway of the house for most of the day, without water. He was made to sleep downstairs on a hard floor without a mattress. This was the pattern of Arthur’s life for many weeks before his death, with no contact from family members or friends, and out of the sight of children’s social care, school, and other public services. Professionals regrettably had very limited understanding of what was happening to Arthur and what his life was like when he and his father were living with Emma Tustin. The decision by children’s social care not to investigate formally and fully the allegations of bruising any further, together with Thomas Hughes’ choice not to take up ‘life story’ work, were pivotal moments when crucial decisions were made”.

https://assets.publishing.service.gov.uk/media/628e262d8fa8f556203eb4f8/ALH_SH_National_Review_26-5-22.pdf

Star Hobson

Star Hobson was 16 months old when she was murdered on 22nd September 2020.

Star’s mother was 17 when she learned she was pregnant. Star’s start in life was somewhat unsettled as she and her mother moved frequently, with different people caring for her. The relationship between Star’s mother and father broke down, and Star and her mother lived with Star’s maternal grandmother.

In October 2019, Star’s mother started a relationship with Savannah Brockhill, who had a history of domestic abuse in a previous relationship. Family members had concerns after noticing changes in Star’s in behaviour and bruising to Star’s mother.

In January 2020 concerns were raised with police by a friend who reported worry of the physical chastisement Star received from Savannah; further concerns by family were raised.

Star’s father shared photos of bruising to her face with the emergency duty team. A medical exam concluded that the bruising was linked to the explanation given by Star’s mother.

Further concerns and pictures were shared with Police and Social Care services. However, no visit could take place as Star’s mother and Savannah gave excuses of being in different parts of the country. From Sept 2020 it was clear that Star’s mother and Savannah acted to prevent professionals and family access to Star.

No professional saw Star from this time until her death on the 22nd of September 2020.

Savannah received a 25-year prison sentence for the murder of Star and Star's mother received a sentence of 8 years for allowing her death and failing to protect her.

Insert from National review Document-

Photographs taken during this period and recovered as part of the police investigation show a sad child with many bruises on her legs, arms, and face. These photographs are in stark contrast to earlier photos of the happy child taken by her extended family. CCTV footage on September 13th, when Star was in the sole care of Savannah, showed the child being physically assaulted by Savannah with 20 separate blows to the head and body recorded over a period of two hours.

https://assets.publishing.service.gov.uk/media/628e262d8fa8f556203eb4f8/ALH_SH_National_Review_26-5-22.pdf

What's new in 'Working together to Safeguard Children 2023'

Updates to the document include;

Information Sharing - The guidance highlights and strengthens that data protection laws do NOT prevent the sharing of information for the reasons of keeping children safe.

Homelessness Duty - The duty requires that public authority service users be referred to the housing authority if they are homeless/at risk of homelessness.

Domestic Abuse - The list of potential threats to children and young people has been expanded to include domestic abuse and the impact of domestic abuse. This also includes controlling or coercive behaviour.

Child Mental Health- The importance of staff/ volunteer awareness in schools of how mental health problems can indicate a child may be suffering abuse, neglect, or exploitation.

New additions to the document include;

Highlighted in the new document is the need for practitioners to be alert to a child who:

- Is disabled or has special needs
- Has special educational needs
- Is a young carer
- Showing signs of being drawn into anti-social behaviour, gang involvement or organised crime.
- At risk of slavery, trafficking, or exploitation
- At risk of being radicalised
- Has family circumstances that may cause them challenges or hardships. Such as drug/ alcohol misuse, mental health issues or domestic abuse.
- Is themselves misusing drugs/ alcohol

- Has returned to family from care
- Is a privately fostered
- Has a parent/ carer in custody

There has also been some additions to what was previously known as 'contextual safeguarding', now named 'Assessment of risk outside of the home'. Please follow the above link to the full document if you feel this is relevant to your organisation to get a full picture.

What does this mean for the VCSE?

Guidance includes a section on 'People in position of trust', which highlights that:

"All organisations and agencies working with children and families should have clear policies for dealing with allegations against people who work with children"

Also highlighted is that all practitioners working in **voluntary, charity, social enterprise, faith-based organisations and private sectors** that work with children and young people are subject to the same safeguarding responsibilities regardless of being a paid member of staff or a volunteer.

Trustees are specifically mentioned also. Highlighting that:

"Charity trustees are responsible for ensuring that those benefiting from, or working with, their charity, are not harmed in any way through contact with it"

It should be seen as positive that the VCSE sector has been highlighted specifically in this new legislation, which solidifies the need for the sector to bring all safeguarding practice, policy and procedure to high standards.

Trustees, staff or volunteers working at VCSE organisations in Hull can contact the Sector Connect Hull team if they would like more information on how to ensure the organisation they work for has good quality safeguarding practice. Please email help@sectorconnecthull.org.uk. For organisations working in North East Lincolnshire please contact Amy Elton at amy.elton@nbforum.org.uk.

Closing Statement

For a breakdown of all changes implemented please see the NSPCC 'key updates' <https://learning.nspcc.org.uk/media/r0vgnjlq/key-provisions-working-together-safeguard-children-2023.pdf>

Or read the full document here

https://assets.publishing.service.gov.uk/media/65cb4349a7ded000c79e4e1/Working_together_to_safeguard_children_2023_-_statutory_guidance.pdf

For support implementing the above or reviewing the practices you already have in place. Please contact Forum/ Sector connect to arrange. Follow link for details <https://view.pagetiger.com/Safeguarding-poster-Forum>

Useful Websites

For support with all needs relating to the VCSE sector-

<https://northbankforum.org.uk/>

A wide range of support available for the VCSE sector-

<https://www.ncvo.org.uk/about-us/>

For safeguarding children's learning and updates-

https://learning.nspcc.org.uk/?gclid=aw.ds&gad_source=1&gclid=EAlalQobChMImtXfvILQgwMVxIRoCR1xBQIAEAAYASACEgKQMvD_BwE&gclid=aw.ds

Government related guidance for the VCSE- <https://www.gov.uk/guidance/voluntary-and-community-sector-organisations-who-can-give-you-extra-support>

A partner to Forum CIO and provider of support and training- <https://hullcvs.org.uk/>

Safeguarding adults information and updates- <https://www.anncrafttrust.org/>

Safeguarding adults legislation-

<https://www.scie.org.uk/safeguarding/adults/introduction/what-is>

Safeguarding children's legislation-

<https://www.childprotectioncompany.com/safeguarding-children/legislation-for-safeguarding/>

Information regarding the role of the LADO- <https://national-lado-network.co.uk/the-role-of-the-lado-local-authority-designated-officer/>

For North East Lincolnshire children's Safeguarding- <https://www.safernel.co.uk/>

Hull Safeguarding Childrens partnership- <https://www.hull.gov.uk/safeguarding/hull-safeguarding-children-partnership>

References

<https://northbankforum.org.uk/>

<https://www.ncvo.org.uk/about-us/>

https://learning.nspcc.org.uk/?gclid=aw.ds&gad_source=1&gclid=EAlalQobChMImtXfvILQgwMVxIRoCR1xBQIAEAAYASACEgKQMvD_BwE&gclid=aw.ds

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<https://www.scie.org.uk/safeguarding/adults/introduction/what-is>

<https://www.childprotectioncompany.com/safeguarding-children/legislation-for-safeguarding/>

<https://www.parliament.uk/site-information/glossary/legislation/>

<https://national-lado-network.co.uk/the-role-of-the-lado-local-authority-designated-officer/>

<https://www.virtual-college.co.uk/faqs/online-courses/safeguarding/legislation/children>

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