

My ref: FOI 281048
Your ref:
Date: 6th May 2009
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Helen Johnson

Customer Service and Transformation
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Information Governance

By Email:

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RES1405
Room 307
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Dear Ms Johnson

Re: Freedom of Information request.

I write with reference to your email of April 7th 2009, in which you ask 10 questions regarding the use of shielding on ContactPoint.

This request has been dealt with in line with the Freedom of Information Act and I can confirm that we do hold the information.

1. When will ContactPoint be deployed to this LA?

ContactPoint is due to be deployed in Cambridgeshire in June 09 with data feeds only. Practitioners will begin to have access from late 2009/early 2010 following training and security check clearance.

2. Has the local authority completed ContactPoint shielding, and are they confident that shielding has been applied to every record that needs it?

Cambridgeshire County Council has completed initial shielding, however this is an ongoing process. As required, the authority has used 'best endeavours' to shield all records as outlined in the shielding fact sheet which I have attached.

To date, we have received three requests from parents for shielding and 391 records have been shielded as a result of discussions with practitioners dealing with children deemed to be at 'increased risk of significant harm', such as Police, Youth Offending Service, Social Care, Fostering & Adoption and Domestic Violence Advocacy Service.

3. What specific guidance on shielding has been received by the local authority? If the guidance is not statutory, what does the local authority believe to be its basis in law?

The concept of shielding and its implementation principles arose out of extensive consultation with stakeholders, including local governments, other central government departments, the Information Commissioner, and the public. All the individuals who will have access to ContactPoint are already members of the children's workforce. They must adhere to statutory guidance about appropriate use of the system and they must have an approved Enhanced Criminal Records Bureau check on a regular basis. These requirements mitigate the risk of misuse of ContactPoint, but in the case of certain children their location is so sensitive that the additional measure of shielding was created to reduce the risk even further.

Shielding is covered in The Children Act 2004 Information Database (England) Regulations 2007. **Regulation 6(5) provides** that local authorities and users may limit access to (or "shield") part of a child record. A shielded record will only display very limited information in a child record. There is a duty on the person making the decision to shield to take into account views of certain persons or bodies. These persons include (amongst others) the child or participating young person in question,

and those persons (if any) with parental responsibility for, or care of, such a person. This is to ensure that a person making a decision on the shielding of information takes into account a range of issues, such as domestic violence. Local authorities have also received guidance from DCSF, a summary of which is in the attached fact sheet.

4. How has the local authority decided which records should be shielded? Have the children of high-profile people such as celebrities and MPs been shielded? If so, how has their status been decided?

We have followed guidance issued by DSCF to develop our policy on shielding. All children ordinarily resident in England will have a ContactPoint record - no child will be excluded. If a child's circumstances mean that they may be at increased risk if details of their whereabouts were to be identified, a request can be made to have their record shielded. Children of celebrities and MPs will be subject to the same criteria as all other children and will not be shielded purely as a result of who their parents are.

5. What does the local authority understand its legal responsibilities to be if harm is caused to a child or family because of failure to shield a ContactPoint record?

This question would have to be considered as part of an overall review of any child harm on a case by case basis and couldn't be seen in isolation as purely a ContactPoint specific issue. As such it would be governed by existing Safeguarding Children procedures and processes and overseen by the Local Safeguarding Children Board (LSCB) with input from the LA's legal department as required.

6. What publicity work has been undertaken to inform local residents about ContactPoint and how to request shielding?

There is a comprehensive Communications Strategy and Plan in place to inform all stakeholders, including partners and parents/carers/young people about ContactPoint. We are planning to inform all households in Cambridgeshire of ContactPoint in the next couple of months via our residents' magazine. However, ContactPoint has been mentioned in Fair Processing Notices that have gone out to parents of children in Cambridgeshire schools and early years settings for the past two years.

We will be producing leaflets and posters for distribution to schools, GP practices, hospitals, dentists, Children's Centres and many other outlets. These leaflets will be available in 13 languages and we are also producing a DVD aimed at people with literacy problems or visual impairment. There is also national and regional coverage in various forms of media, including newspapers starting April 09. The information on ContactPoint will include details of shielding criteria and how to make shielding requests. This information is already on our public website. www.cambridgeshire.gov.uk/contactpoint.

7. How has the local authority ensured that those who are not at school have received Fair Processing Notices, for example, home educators or young people of 16-18 who have left school?

Please see answer to Qu.6 above. We are also working closely with our practitioner colleagues in relevant services to ensure the information is disseminated to 'harder to reach' groups.

8. How has the local authority adapted Fair Processing Notices to ensure that they are understood by parents with learning difficulties or mental health problems, and those whose first language is not English?

Please see answer to Qu.6 above.

9. Has everyone in the area been told how to apply for shielding in future if they are, for example, leaving a violent partner without the knowledge of any statutory services?

We have a process for both parent/carers and practitioners to request shielding which is available on our local authority website and will be advertised to all households in Cambridgeshire as per the answer to Qu. 6 above.

10. Is there a standard procedure to shield the records of children who become vulnerable, eg because of a court case or because they have run away from home? How long would the shielding process take?

There is a process in place to shield records of children who become vulnerable. For details of timescales and review processes, I have attached our shielding policy.

I hope this information is helpful, however, if you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, you should write to Helen Maneuf, Head of Audit, Scrutiny and Information Governance, Box Res1405, Room 307, Shire Hall, Cambridge CB3 0AP within 40 days of the date of this letter.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Kind regards

Sarah Priestley
Information Governance Officer.