



Staffordshire Children's Trust
Working together to improve the lives of children and young people

ContactPoint

Guidelines on Shielding and Emergency Shielding Override

Version 1.2

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Document History

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1. Introduction

ContactPoint has the facility to hide or 'shield' data from ContactPoint users. This is principally intended to prevent the whereabouts of a child or young person being identified either through:

- Visibility of the address details from ContactPoint, or;
- ContactPoint providing enough information for a likely whereabouts to be deduced (e.g., a service address).

In order for the system to work effectively and for children and young people to receive the benefits offered by ContactPoint, a shielded record will only show the ContactPoint unique identity number, the child's or young person's names, their gender and their date of birth.

Determining whether to protect a child's whereabouts by shielding a child record can only be done by a Local Authority (LA) which is under a duty to consider the views of the person to whom the record relates, the views of their parent/carers and of any Schedule 4 or 5 body (Children Act 2004 Information Database (England) Regulations 2007) involved with the child or young People.

2. Guidance on Shielding

Statutory Guidance

Where the child's information is hidden from all practitioners where there is a strong reason to believe that not doing so would place the child and/or their parent/carer at an increased risk of harm.

Statutory Guidance;

Statutory Guidance:

"It is vital that shielding is only applied where there are strong reasons, for example, where a practitioner has reason to believe that not doing so is likely to:

- *place a child at increased risk of significant harm;*
- *put a child's placement at risk (in the case of adoption);*
- *place an adult at risk of significant harm;*
- *prejudice the prevention or detection of a serious crime."*

Such cases could arise for children/young people who are:

- *adopted where there is little or no contact with birth parent (s) or wider family members;*
- *children/young people and/or their parent/carer who are fleeing abuse or domestic violence*
- *Subject to police protection.*

The need to shield a record may also arise for children/young people and or their parent/carer in a very limited number of unique circumstances not covered by these categories, for example, siblings or co-habiting children and young people. The necessity to shield a record must therefore be assessed on a case-by-case basis."

2.2 Staffordshire Guidance on Shielding

Practitioners must request a child record is shielded where a child's case is the subject of one of the following

- A Child Protection Plan,
- A looked after child Plan
- A Section 8 Court order, which prohibits contact with specific individuals
- Where there is a statutory duty for confidentiality in some adoption and fostering cases.
- Where they are fleeing Domestic Violence

OR

Where a practitioner has reason to believe that not doing so is likely to:

- *place a child at increased risk of significant harm;*
- *put a child's placement at risk (in the case of adoption);*
- *place an adult at risk of significant harm;*

Prejudice the prevention or detection of a serious crime

3. Partners responsibility on shielding

Practitioners will identify cases in which the whereabouts of a child should be protected either in light of their own knowledge of a child/young person and/or their parents, wider family or carer(s), or because concerns are raised by family or carer(s).

To ensure that the shielding facility is used and managed appropriately, the Local Authority (LA) ContactPoint Management Team should undertake an initial review within seven days of the shield being requested, to determine whether or not the record should be shielded. Periodical reviews of the shielded record should be undertaken every six months thereafter. These reviews should seek views from the child/young person, their parent/carers and any relevant involved practitioners.

All shielding requests should be reviewed within seven days to determine whether there are strong reasons for the shield to be applied.

All shielding decisions should be reviewed every six months, starting six months after the shield is first applied to determine whether the shield should remain. This review should take into account the views of the child and/or their parent/carers, and of practitioners who work with the child or young person, particularly those who have requested shielding.

ContactPoint will not hold any details of the shield. The LA ContactPoint Management Team must keep a log of shielding requests and decisions as part of the shielding review.

3.1 Who can Shield?

Practitioners who are users of ContactPoint can send a shielding request to the LA ContactPoint manager where they judge that a child record must be shielded.

To ensure that shielding is only applied where appropriate, the LA ContactPoint Management team will review the shielding requests and remove the shields when necessary.

Practitioners who do not have access rights to 'shield' a child record or child/young person or parent/carers can make applications to the LA ContactPoint Management Team to shield records. Where a request to shield a child record is made directly to the LA ContactPoint Management Team from a practitioner who is not a user or a child/young person or their parent/carers, the request should be dealt with as a matter of urgency. The record should be shielded immediately and then a review of whether the shield should remain, taking into account the views of the child/young person or their parent/carers, and those of practitioners working with the child or young person must occur.

Practitioners action is require if there are strong reasons to believe that a record needs to be shielded. This should be discussed, where appropriate, with the child and/or their parent/carers. It is not appropriate to simply shield a record where there is an opposition to ContactPoint in principle.

Practitioners should discuss any decisions with line managers before making a shielding request, wherever this is possible.

Where appropriate, practitioners should consider the safeguarding of family members and/or co-resident children/young people as the records for these individuals may also need to be shielded. They should also decide whether it would be useful for other practitioners to know that the record is being shielded on ContactPoint.

4. Shielded Records Panel

It is recommended that each LA convene a Shielded Records Panel (SRP). The purpose of the SRP is to review shielded records and to determine if a record should or should not remain shielded.

The SRP should be a multi-agency group. However, the LA is accountable for all activities in relation to ContactPoint.

The SRP will be the only body that is able to authorise the unshielding of a record. The LA ContactPoint Management Team will act as executors of the SRPs will in relation to shielded records.

Records can be unshielded for one of two reasons:

- All requests for shielding have been removed and the SRP give their approval for the shielding to be removed
- The SRP determines that a record is inappropriately shielded and authorises its unshielding

The SRP will meet on a three monthly basis and review all records

- That has been shielded for six months or for a multiple of six months
- All records that have had all requests for shielding removed from them

Reviews to determine shielding may, where appropriate, consult:

- Any practitioner who has requested shielding
- The practitioner's line manager who would need to confirm that shielding is appropriate
- Other practitioners involved with the child
- Child/ young person and/or parents/carers
- The Local Children Safeguarding Board (LSCB).

5. Un-Shielding Records

LA ContactPoint managers can un-shield records only where all data sources or services no longer request that a record requires shielding.

To limit the cases in which a child record is left shielded unnecessarily, the LA ContactPoint Management Team should be advised when, in professional opinion, a shield is no longer required.

A record can only be unshielded with the authorisation of the Shielded Records Panel.

Only the LA ContactPoint Management Team will be authorised to un-shield records.

6. Emergency Shielding Override

Provision has been made in legislation for some users to have emergency shielding override rights. This access will be restricted to child protection workers such as police officers or social services duty workers where gaining access to information held in ContactPoint may help inform their decision about the appropriate action to take or which practitioners to talk to. Invoking the emergency shielding override will immediately trigger an investigation into the reasons for doing so. Examples of when such access might be required include:

- When a multi-agency meeting or risk assessment is needed (MARAC);
- A&E attendance;
- Serious illness/accident;
- 'Missing' or 'Found' child;
- A review carried out under section 47 of the Children Act 1989;
- Serious case review;
- Child death enquiry, and
- An investigation of a crime toward or by the child/young person.

If a user needs to access a 'shielded' record out-of-hours they may invoke the emergency shielding override and the hidden details will be available to them for this one time only. Other ContactPoint users will **NOT** be able to access the non-visible data in a shielded record unless they too invoke the emergency shielding override function.

A user who has invoked an emergency shielding override must assist the investigation which follows and be able to explain their reasons for accessing the 'shielded' record.

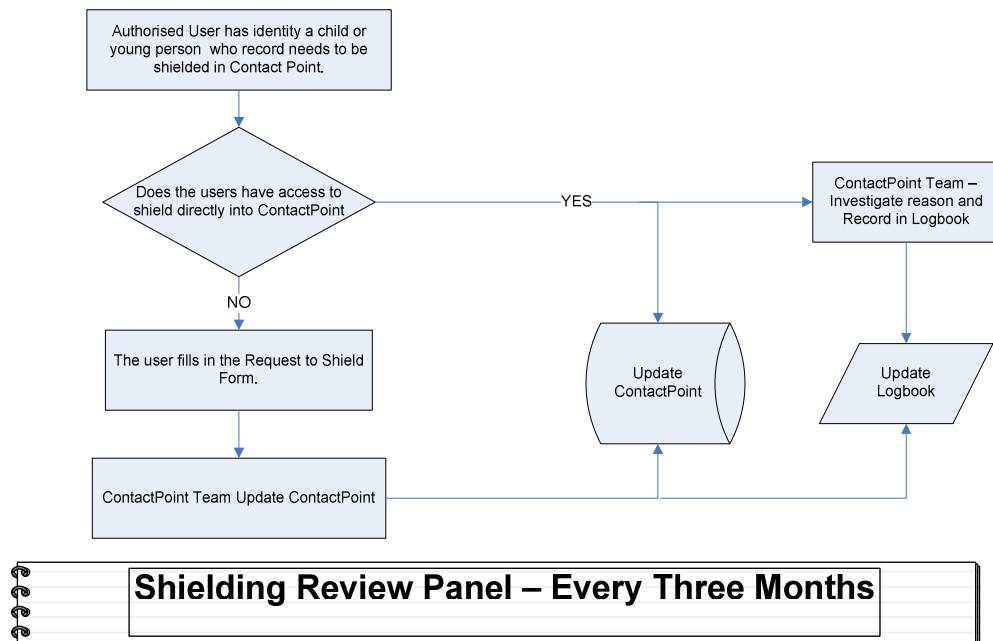
If a shielded record has been accessed, the LA ContactPoint Management Team must immediately begin an investigation in order to confirm the legitimacy of the action. At the start of the review the manager of the user who has invoked the emergency shielding override will be contacted to find out whether the access to the record was appropriate.

The practitioners/organisation who initially requested the shield will also be contacted so that the necessary safeguarding/child protection procedures are initiated.

7. Flowchart of the process

ContactPoint: Shielding Record Process

Tuesday, October 21, 2008



Shielding Review Panel – Every Three Months

