

Freedom of Information request - Social Care FOI Ref Atwal 4094

Response by Dudley Foster, Service Manager – 09.03.21

3) What is the standard procedure , standard operating procedures, policy for data sharing the outcomes of a CIN Section 17 Assessment with the SEND team for the EHCP Team? Please share the policy and Standard operating procedures as part of the reply for this question.

The sharing of the outcome of a Section 17 CIN assessment completed by staff at Brighter Futures for Children only occurs when written consent to share information has been provided by the parent/carer for the child/children subject to the assessment (or, when the subject child themselves is of an age and level of understanding to give their consent, the expectation is that the child/young person themselves can provide their written consent). At the beginning of a CIN assessment parents/carers are asked by the child's allocated social worker to sign a **BFfC Information Sharing Consent Form**, to give their written consent for information to be shared with professionals. Should this form be signed by parents/carers then the outcome of a CIN assessment will be shared with the relevant professionals who have been involved in the CIN assessment. This may include the SEND or EHCP Team if the child is involved with these Teams.

The link for the **BFfC procedure manual for staff undertaking assessments under the Children Act (1989)** is below:

https://www.proceduresonline.com/brighterfutures/p_assessment.html

4) Please share a copy of a blank template of the SEND EHCP Social Care provision statement and the CIN Section 17 report template documents used by the Social Care Team. A copy of the consent form provided to families for engagement in the process.

Copy of the BFfC Information Sharing Consent Form is attached to the email.

Copy of a blank Single Assessment is attached to the email.

5) Can the Voluntary CIN Section 17 Assessment (Disabilities not safeguarding) outcome be shared with parties without 'specific and informed consent'? If yes what is the legal basis of this for disabilities CIN assessment excluding safeguarding CIN assessments.

The **BFfC Information Sharing Consent Form** used for all S.17 CIN assessment outlines the following for parents/carers to consider. Please note, where there is mention of 'a child at risk or who has been harmed' this refers to those

children at significant risk of harm, as outlined under the S.47 of the Children Act (1989):

➤ **Could the information be shared without my permission?**

Yes, we have a statutory requirement to share and request information from services and partner agencies where there might be a child at risk or who has been harmed, or where a serious crime has or may be committed. This is to help us make informed decisions in respect of yours and/or your child's needs.

➤ **What are my rights?**

Your information is protected by the General Data Protection Regulations. This means that the information will only be used for the reasons we have stated. It will be kept safe and secure and you will have the right to see what information is being kept about you. You can read the full text of our Privacy Policy on the BFfC website (<http://www.brighterfuturesforchildren.org>)

➤ **Your Privacy**

Under the Human Rights Act 1998 you have a right to Privacy. We have a duty not to tell anyone. This means we will not give out any information about you to third parties without consent, unless we have a legitimate reason by law.

7) What is the LA process for initiating a parental carers assessment who cares for a child under the age of 16 years, is this a CIN Section 17 Disabilities Social Care Assessment ?

Reading Borough Council and Brighter Futures for Children have arranged for the Reading & West Berkshire Carers Hub to complete carers assessments for adults caring for a child. For a carers assessment, please contact the Reading & West Berkshire Carers Hub on 0118 324 7333 or at berkshire@tuvida.org. Please note this is a carers assessment, and not a Section 17 CIN assessment.

8) Please provide the Standard Operating Procedures for a Child In Need Assessment and explain how the CIN Section 17 Disabilities assessment and Safeguarding are different and what checks are done for each.

Please see attached the **Reading Local Threshold for Assessment, this document is also available via the link:**

https://www.berkshirewestsafeguardingchildrenpartnership.org.uk/assets/1/threshold_assessment_reading.pdf

This document explains the difference between S.17 CIN assessments and S.47 child protection enquiries.

9) Please share a copy of the LA standard operating procedures for identification and decision making for CIN Section 17 Assessments disabilities and safeguarding thresholds that the LA use.

The **Reading Local Threshold for Assessment** document (mentioned above) explains how decisions are made by BFfC in relation to what assessment (if any) are undertaken. This is based upon threshold / levels of need. Further information on threshold is also available via the **Reading Threshold Guidance document**, attached and also available via the link:

https://www.berkshirewestsafeguardingchildrenpartnership.org.uk/assets/1/reading_threshold_guidance_booklet_-_autumn_2020_updated_dec_20.pdf

10) Is the legal basis of a CIN Assessment Section 17 offered in the voluntary framework of the Children's Act 1989?

S.17 CIN assessments are undertaken by BFfC following a decision being met that the Level 3 threshold (as defined in the **Reading Threshold Guidance document) has been met for the child/children, and the parent/carer of the child/children, or young person themselves has given their consent for the assessment to be undertaken by BFfC. This assessment is however voluntary and should parents/carers/the young person not consent to a S.17 CIN assessment this will not be undertaken. This is in keeping with the legal framework of Section 17 (Children act, 1989).**

11) Is the legal basis of family engagement in a CIN Assessment based on consent or another legal basis? Please clarify which.

As above, S.17 CIN assessments are undertaken by BFfC only with parent/carer/young person consent, within the framework of Section 17 (Children Act, 1989).