

Questions from members of the public – Children and Young People Scrutiny Committee, 30 July

Question Number	Questioner	Question	Question to
PQ 1	Ms. Hannah Currie Hereford	Can the committee advise how data protection errors/breaches by the children's services department are collected, reported to the ICO and scrutinised by this committee. For example does the information governance team make you aware of the number of breaches together with lead times to resolve the issue and if more than one department is involved how all departments are notified to ensure ALL council systems comply with GDPR requirements given some systems will be restricted in terms of who has access.	Children and Young People Scrutiny Committee
<p>Response by Cabinet Member Children and Young People</p> <p>There are systems in place for all staff to report data security incidents, near misses and breaches of data protection legislation to the IG team. The team records and investigates every report, carries out a risk assessment and determines whether the incident / breach meets the threshold for reporting to the ICO. Learning from incidents is fed back through staff training, communications to staff and changes in processes and procedures. If the incident / breach involved more than one department the IG team ensures that all are notified. The number of data breaches / incidents and details of these are reported monthly to each Corporate Director, including the Director for Children & Young People. They are also reported to and reviewed by the Information Governance Steering Group. The Audit & Governance Committee have overview of Information Governance and an annual report (which includes the number of incidents, number reported to the ICO and the ICO's decisions) goes to the Committee every year and is due to be presented at the September meeting.</p>			
Question Number	Questioner	Question	Question to
PQ 2	Mr. James McGeown Weobly	Correcting misleading/inaccurate information or introducing new/additional information into a case. For example, if parents possessed documents detailing a Paediatric Consultant and Duty Social Worker, "Child Protection Medical", obtained through SAR, that completely vindicated them and they wanted these documents including in the case assessment form. I believe the preferred method is that these should be submitted using formal complaint procedure. Initially to allocated social worker. Social worker copies to Complaints Team.	Children and Young People Scrutiny Committee

		<p>Complaints Officer sends acknowledgement and reference within 3 days. Complaints Team send completed response by day 10. Works well, creates formal paper trail, reassures parents that documents are recorded and acted on.</p> <p>This procedure is laid out in “Children’s Representations and Complaints” (1). This is how I read and understand it. If I am incorrect, how does Herefordshire Council read it, what procedure should parents use?</p>	
<p>Response by Cabinet Member Children and Young People</p> <p>Thank you for your question. Factually inaccurate information held in documents can be amended without the use of a complaint process. Professionals are required to provide professional views and analysis, which may not be agreed with by all parties, including parents. Parental views should be recorded within an assessment or written as a separate document and placed on file and referenced within the case file to ensure they are linked to the appropriate assessment.</p> <p>New/ additional information should be referenced in the updated assessment or report within the appropriate review process whilst a case is open. New/Additional information received on a closed case would be reviewed to identify a need for the case to be re-opened or not.</p> <p>A “child protection medical report” received from a paediatric consultant should be referenced within a social workers section 47 or child protection conference report. The full report is owned by the responsible health professional and their consent to share the report in full is required.</p> <p>To make a response specific to your individual case the Service will need to understand the particular report and the assessment that you are referring to. If you would like to provide that detail to the DCS, she will ensure it is reviewed and a more detailed case specific response provided to you.</p>			
Question Number	Questioner	Question	Question to
PQ3	<p>Mrs. Megan McGeown</p> <p>Weobly</p>	<p>In 2018 concerns were raised that Herefordshire Children Services had a disproportionately high number of referrals that were found to be groundless/no further action (NFA).</p> <p>Back then Herefordshire very high rate over 60% verses around 15% elsewhere.</p> <p>There was concern that this disparity possibly highlighted inappropriate use of the (MARF) system.</p> <p>* Method of classifying information received within MASH.</p>	<p>Children and Young People Scrutiny Committee</p>

		<p>* Education staff contacting MASH for purely information sharing purposes often asked to submit a MARF.</p> <p>* Not understanding the need for quality assuring submissions or compliance with thresholds.</p> <p>These issues were to be addressed and formally recording total referrals against not progressed commenced October 2018 (2).</p> <p>2018 – 53% 2019 – 70% 2020 – 71% 2021 – 57% 2022 – 27% 2023 – 30%</p> <p>Is it still an ongoing intention and desire of Herefordshire Council to reduce the number of inappropriate referrals and NFA's?</p>	
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Response by Cabinet Member Children and Young People

It is important to clarify that referrals that result in No Further Action “NFA” are not the same as in inappropriate referrals. Something deemed as inappropriate would be a referral received in MASH that could have gone to an alternative source for a faster route giving the child and the family the right service at the right time.

I do want to ensure the public understand that Contacts and referrals received from members of the public in MASH are never deemed “inappropriate”. We always take these seriously, and hold the accountability for the decision making on where these contacts and referrals are best progressed to meet the child’s needs.

However, we seek to work with professional partners to ensure that they use the processes in place, that best enable them to share the information or concern held and achieve an outcome in a timely way for the child. Systems and process for receiving professional contacts and referrals have been developed to support this.

It may also be relevant to note that use of the term NFA was also historically used as an outcome of contacts / referrals that did not continue into the social care service and were instead referred into early help. Practice has changed in order that we understand and record outcomes of contacts and referrals that are passed onto early help for a lower level of support to families.

Question Number	Questioner	Question	Question to
PQ 4	Ms. Maggie Steel Hereford	<p>“our phase 2 plan retains as a priority the value of hearing the children, young person and family experiences and understanding the impact and outcome of our work.”</p> <p>It is disappointing therefore that the families interviewed by the Families Commission have not been invited to contribute to the preparation of this report or given an opportunity to give their perspective on the quality of the follow-up work done in the last 12 months.</p> <p>What mechanism will be put in place now to hear the collective voices of the families who were interviewed by the Families Commission and who once again feel that there is a chasm between the reality of their lived experiences and the narrative presented in reports?</p>	Children and Young People Scrutiny Committee
<p>Response by Cabinet Member Children and Young People</p> <p>The perspectives and experiences shared by families within the work of the Families Commission project has been shared and taken into account in the development of the service improvement plans, including this phase 2 plan.</p> <p>As part of phase 2 the service are developing wider opportunities for children, young people and families to feed in their views and experiences of case work they are experiencing in the present time to ensure we understand how the improvement journey the service is on is being experienced by children and families.</p>			
Question Number	Questioner	Question	Question to
PQ 5	Ms. Portman-Lewis Shelwick	I was promised an independent review in writing which former MP Sir Bill Wiggin can confirm. I did not participate in the Families Commission as I understand that none of the people on the panel are SEND trained. I understand that other families received similar promises. When and how will I (and any others) get an independent review?	Children and Young People Scrutiny Committee
<p>Response by Cabinet Member Children and Young People</p> <p>“Thank you for your question. As you are aware you raised this issue over a year ago as a formal complaint and you have received a response. This matter is therefore closed and the council have nothing further to add.”</p>			