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“Child Protection and the Dental Team”

An addendum for Scotland

Current UK Government and Scottish Executive legislation aims to reduce the incidence of child abuse with measures such as the Sex Offender's Register [1] and the Criminal Justice (Scotland) Act, 2003 [2], which has made it illegal to hit a child on or around the head, shake them, or strike them with implements. Whilst most children are very safe at home, it is unfortunate that for many children, home can be the setting for abuse.

The Scottish Executive Health Department issued guidance for healthcare professionals, outlining their responsibility to protect children in 2000 [3].

In March 2001 a review of child protection in Scotland was ordered by the then Minister for Health Jack McConnell following the death of three-year-old Kennedy McFarlane from Dumfries. Following this review the Scottish Executive have pledged action on failures of the child protection system and new measures to improve child protection have been put in place following publication of the report which found that half of children at risk of abuse or neglect are not being adequately protected or cared for [4].

As part of this Child Protection Reform Programme the Scottish Executive announced its intention to concentrate on an integrated inspection of child protection services. Inspections will be carried out by the Services for Children Unit within HM Inspectorate of Education. The inspection teams will be made up of inspectors from social work, health, education and the police.

The legislation and mechanisms to safeguard children at risk in Scotland are slightly different from England. In each section where there is variance we have made short notes that highlight the differences.

P1.1. A Shared Responsibility.

In Scotland LSCB/ACPC replaced by Child Protection Committee (CPC)
Further information available in Protecting Children and Young People:
Child Protection Committees. Scottish Executive Jan 2005 [5].

P1.3. Recent Development Include

In Scotland recent developments include:

- Production of Children's Charter
- Production of Framework for Standards
- Inspection of Children's Services starting with Child Protection Services.
- Appointment of Commissioner for Children and Young People in Scotland.

P 2.1. Categories of Abuse.

In Scotland an additional category of abuse exists, namely 'Non organic failure to thrive.' This can be defined as 'children who significantly fail to reach normal growth and development milestones. (i.e. physical growth, weight, motor, social, and intellectual development) where physical and genetic reasons have been medically eliminated and a diagnosis of failure to thrive has been established'. In its chronic form non-organic failure to thrive can result in greater susceptibility to more serious childhood illnesses, and reduction in potential stature.

P2.2. Prevalence in Scotland

There were 2,157 children on local child protection registers at 31st March 05. This is a decrease of 88 (4per cent) from the number one year before, and is equivalent to two children per 1,000 children aged under 16. In 2004-5, the number of child protection referrals increased by 9 per cent from 2003-4, the number of children subject to an initial case conference decreased by 1 per cent, and the number of children added to child protection registers decreased by 6 per cent.

In 2004-5, there has been an increase in the number of children added to child protection registers because of physical neglect (up 2 per cent from 2003-4). However, there have been decreases in the number of children registered because of physical injury (down 15 per cent), emotional abuse (down 13 per cent) and sexual abuse (down 3 per cent).[6].

P3.3. Where to go for help

Find out your local CPC Child Protection Procedures.

Action needed immediately

If there is reasonable concern that a child may be at risk of significant harm this will **always** override a professional or agency requirement to keep information confidential. [7]

P.3.4 Useful guidance

- ❖ CPC Procedures instead of LSCB/ACPC Procedures
- ❖ Get local Health Board Guidance

P.3.5. The Children's Hearing System

Since 1971 In Scotland Children's Hearings took over from the courts most of the responsibility for children & young people under 16 who commit offences or who are in need of care and protection. Any person can refer to the children's hearing system via the reporter to the children's panel, who will then consider whether compulsory measures of care are required.

P3.6. Caldicott Guardians

Last para Health Board Caldicott Guardians as opposed to PCT.

P3.8. Giving evidence in court

Instead of Crown Prosecution Service read Procurator Fiscal.

P3.9. Managing dental neglect

CPC instead of LSCB/ACPC

P3.10 Case study

'Sure start' is a programme in England which aims to achieve better outcomes for children, parents and communities by:

- ❖ increasing the availability of childcare for all children
- ❖ improving health and emotional development for young children
- ❖ supporting parents as parents and in their aspirations towards employment.

In Scotland local service provision for parental support will vary. Information can be obtained via local Social Work and Health Visitor contacts.

P4.1. Staff member to lead on child protection

CPC instead of LSCB/ACPC

P4.2. Providing information for children

Local services: Local equivalent of Sure Start via local Social Work and Health Visitor contacts.

Sources of help: Social work out of hour's services.

Local Police Services & Woman's aid.

P4.3. Step-by-step guide

CPC instead of LSCB/ACPC

P4.6. Sources of training

CPC instead of LSCB/ACPC

P4.8. Safe staff recruitment

Disclosure Scotland not Criminal Records Bureau.

CPC instead of LSCB/ACPC

P5.1. Glossary.

The Reporter

The Reporter to the Children's Panel in Scotland receives referrals from a variety of sources including the police, social work staff, education staff and members of the public in respect of children whose situation may require some intervention. There are 12 categories of referral now laid down by statute in the Children's (Scotland) Act 1995 [8] which include:

- ❖ Children who have committed an offence
- ❖ Children who misuse alcohol or drugs
- ❖ Children suffering from a lack of parental care
- ❖ Children against whom an offence such as physical or sexual assault has been committed.

The Procurator Fiscal

The Procurator Fiscal is the Crown Agent with the responsibility for bringing criminal prosecutions against anyone suspected and charged with a criminal offence.

CPC – Child Protection Committee. The Scotland equivalent of LSCB/ACPC.

P5.3 Finding your local contacts

Children 1st. The Royal Scottish Society for Prevention of Cruelty to Children (RSSPCC) experienced a change in role following the introduction of legislation in 1968 which gave responsibility for investigating child abuse to local authority social work departments. The charity changed its name to Children 1st to reflect this change in role. Children 1st works with children and families across Scotland as well as providing a training and consultancy service to professionals.

Parentline. Parentline Scotland provides a free, confidential telephone helpline for any one caring for a child in Scotland. 0808 800 2222

Health Board – CP Provision. Guidance, advice, training and support in relation to child protection issues is available to NHS staff via their local Health Board.

P5.6. Further information - Scottish Executive

- ❖ Scottish executive website - <http://www.scotland.gov.uk/childprotection>

References

1. The Sex Offenders Act. Sentencing and Offences Unit. London, Home Office 1997.
2. Criminal Justice (Scotland) Act. Scottish Executive, Edinburgh 2003.
3. Protecting Children. A shared responsibility. Guidance for Health Professionals in Scotland. Scottish Executive, Edinburgh 2000.
4. "It's everyone's job to make sure I'm alright". Scottish Executive, Edinburgh 2002.
5. Protecting Children and Young People – Child Protection Committee's. Scottish Executive. January 2005
6. Children's Social Work Statistics 2004-5, Statistical Publication Notice. Scottish Executive. November 2005
7. Sharing Information about children at risk of abuse or neglect – A guide to good practice Chief Medical Officer, Scottish Executive 2004
8. Children Act (Scotland) 1995. London, HMSO.