



Some confusion remains as to whether or not the Child Protection Register still exists. I'm writing to clarify the situation. Please disseminate this message widely within your organisation.

In fact only the words have changed. In line with government guidance (*Working Together to Safeguard Children*, Dept. of Children, Families & Schools, 2006) we no longer refer to the Child Protection Register or to "registration" or "deregistration".

We should now refer to children who are (or who no longer are) subject to a Child Protection Plan.

Practice should be as before. The threshold for deciding that a child should or should cease to have a Child Protection Plan is the same as it was for "registration" and "deregistration".

I am responsible for maintaining the list of children who are subject to a Child Protection Plan (formerly the Child Protection Register) and bona fide professionals can enquire whether a child is subject to a CP plan in exactly the same way as enquiries were previously made of the Child Protection Register.

I regret that this has caused confusion. I would be happy to speak to anyone who remains unclear. It is obviously important to the safeguarding of children that this is understood by all.

Can I also remind you that the Safeguarding (Child Protection) Procedures are now at: <http://www.oscb.org.uk/OSCB2007/index.htm> or they can be accessed via www.oscb.org.uk

I suggest you advise staff in your agency to paste this into their "Favorites" for quick and easy access.

The first review and updating of the electronic procedures is now under way.

Copies of the 2002 procedures should be destroyed.

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OXFORDSHIRE SAFEGUARDING CHILDREN BOARD

SUMMARY OF THE INFORMATION SHARING PROTOCOL

Protecting and Safeguarding Children in Oxfordshire

All agencies represented on the OSCB have now signed up to an Information Sharing Protocol. This forms the basis of the lawful exchange of information between all statutory organisations and others playing a part in child protection within the County of Oxfordshire.

The sharing of information amongst professionals working with children and their families is essential. In many cases it is only when information from a range of sources is put together that a child can be seen to be in need or at risk of harm. In many instances a failure to pass on information, which might have prevented a child suffering harm, would be far more serious and dangerous than an incident of unjustified disclosure.

Where there are concerns that a child may be being abused, there is no legal or ethical restriction on sharing information between child protection agencies. In most child protection investigations it would be highly unusual to request consent during the initial phase of an investigation because of the high risk of compromising the investigation. This is particularly the case when Police Officers and Social Workers are conducting a joint investigation.

There is nothing to prevent disclosure of confidential information. Sharing information between agencies is lawful if:

- The public interest in safeguarding the child's welfare overrides the need to keep the information confidential; or
- Disclosure is required under a statutory obligation eg. Local Authority duty to investigate all cases where there is reasonable cause to suspect a child is suffering or is likely to suffer significant harm (Section 47 Children Act 1989).

The law relating to information sharing is set out as a document at Annex A. There is no bar to sharing information provided agencies follow this Protocol. Information should always be exchanged when such disclosure is necessary for the purposes of child protection.

It is important that information provided under the terms of this Protocol is not then disclosed to any third party without clear reason and justification.

Consent should normally be obtained before sharing information but this requirement should be overridden in the following circumstances:

- Seeking consent would place child at risk, undermine a child protection investigation or cause unacceptable delay
- Necessary for the prevention/detection of crime
- Necessary for the apprehension/prosecution of offenders

Children are entitled to the same duty of confidentiality as adults provided they have the ability to understand the choices and consequences.

There is a balance to be struck between the right for children to be protected and the rights of parents and carers to know the issues of concern and be free from unnecessary intrusion into their family life.

Every agency should appoint a Data Protection Officer/Data Liaison Officer whose responsibilities are to include data protection security, compliance and complaints and to act as a specialist adviser.

Peter Clark

County Solicitor &

Head of Legal Services

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