

**LONDON BOROUGH OF  
WANDSWORTH  
DEPARTMENT OF CHILDREN'S SERVICES**

**Joint Working Protocol Between  
Children's Specialist Services and the  
Child Abuse Investigation Team (CAIT)**

Approved by Wandsworth Safeguarding Children Board



Working together for a safer London

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## 1 INTRODUCTION

- 1.1 Section 11 of the Children Act 2004 requires every Children's Service authority and partner agencies to make arrangements to ensure that their functions are discharged having regard to the need to 'safeguard and promote the welfare of children' and that named agencies have a 'duty to co-operate' in the discharge of those functions. Police authorities and the chief officer of police for the relevant police area are named partners of the Children's Service under the terms of the Act.
- 1.2 This Protocol has been implemented in accordance with 'Working Together to Safeguard Children 2006':
- "Each LSCB should have in place a protocol for LA children's social care and the police, to guide both agencies in deciding how s47 enquiries and associated police investigations should be conducted jointly and, in particular, in what circumstances s47 enquiries and linked criminal investigations are necessary and/or appropriate. When joint enquiries take place, the police have the lead for the criminal investigation and LA children's social care has the lead for the s47 enquiries and the child's welfare."*  
[Paragraph 5.59, DfES 2006]
- 1.3 In the preparation of this protocol, consideration has been given to the reports of Bichard and Kelly. Recommendation 12 of the Bichard report directly affects local arrangements between police and social services as it recommends the development of a protocol formulating a system of early notification to the police of crimes committed/suspected to have been committed against a child. This protocol is designed to address the requirement of this recommendation of the Bichard report.
- 1.4 This Protocol is consistent with the London Child Protection Procedures 2003 (and this year's subsequent revision) and Working Together to Safeguard Children (DfES 2006).
- 1.5 The Wandsworth Safeguarding Children Board, who has overall responsibility for coordination of services to safeguard children, has endorsed this Protocol.

## 2 PRINCIPLES OF THE PROTOCOL

2.1 The following principles should apply to all Child Protection investigations:

- All investigations must primarily focus on the child and the child's safety and welfare are always paramount;
- All investigations and enquiries must be carefully planned using the instructions and guidance as outlined in the 'London Child Protection Procedures' and in compliance with 'Working Together to Safeguard Children' Chapter 5;
- The primary purpose of any joint investigation between the police Child Abuse Investigation Team (CAIT) and Children's Specialist Service (CSS) is to establish the facts of the incident involving the child, analyse the risks that exist, establish whether the child is at risk of actual or likely significant harm, what services the child requires to be safe and whether there is any evidence of a criminal offence;
- All consultations, discussions and meetings between the agencies involved must be recorded using the relevant formats and shared between the agencies.
- The Detective Inspector is responsible for overseeing the management of all criminal investigations;

- The CSS Team Manager is responsible for ensuring the child's safety and protection and that service input meets the assessed need;
- The decision on how to proceed following a S.47 enquiry is the responsibility of the Team Manager in Children's Specialist Services (CSS) and should be made after discussion with all those who have conducted or been significantly involved in the enquiries. The CSS Team Manager is required to ensure that consultation, when appropriate, is undertaken with the Child Protection Coordinators and the decision for an initial child protection conference is made by the Coordinator in consultation with the manager.

Working Together 2006 gives a guideline on the timing of initial conferences:

*"The timing of an initial conference depends on the urgency of the case and on the time required to obtain relevant information about the child and family. If the conference is to reach well-informed decisions based on evidence, it should take place following adequate preparation and assessment of the child's needs and circumstances. At the same time, cases where children are at risk of significant harm should not be allowed to drift. Consequently, all initial child protection conferences should take place within 15 working days of the strategy discussion, or the last strategy discussion if more than one has been held."* [Paragraph 5.81, Working Together to Safeguard Children, DfES 2006]

- Any professional differences of view between the staff of CSS and CAIT should be resolved between the team manager and the detective sergeant, in the first instance with a final discussion if necessary between the Detective Inspector and the Service Manager for Children's Specialist Services.

**2.2** Flowcharts setting out the referral and subsequent investigation processes from Working Together 2006 Chapter 5 are attached at Appendix 1.

### **3 CAIT AND CHILDREN'S SPECIALIST SERVICE CONSULTATION AND STRATEGY DISCUSSION**

**3.1** Upon receipt of a referral that indicates that a child is at risk of significant harm and meets the threshold for Section 47, CSS are required to inform CAIT of all allegations of suspected or actual child abuse or neglect at the earliest opportunity. This referral between either agencies take place under Section 47 Children Act 1989. CSS will inform CAIT using the Form 87A. In addition the social worker completes the Child Protection Action Sheet (CPAS), which outlines the nature of the case and the actions to be taken. A copy of this is sent to the Service Manager and the relevant Child Protection Coordinator. The CSS Team Manager oversees the plan outlined in the CPAS. Where CAIT receives a referral of a child at risk of significant harm, they will inform CSS using the standard Merlin form.

**3.2** All allegations must be considered by the receiving agency and an assessment made as to whether the child has suffered, or is at risk of suffering significant harm.

**3.3** If there is reasonable cause to suspect that a child is suffering, or is likely to suffer significant harm, a strategy discussion will take place. A strategy discussion will preferably take place at a meeting, but it may at times be a discussion over the telephone.

**3.4** There may be times when information received by either agency is unclear or insufficient to make a decision on any action. Where appropriate, CSS and CAIT should hold a strategy discussion to establish any relevant information that can assist in making a decision to safeguard and promote the welfare of a child. This may include other agencies, where appropriate. For CSS this will be part of an initial assessment as outlined in the Integrated Children's System following the referral. Where appropriate the Child Protection Coordinator maybe invited to this meeting.

**3.5** The CAIT Referral Manager will decide on the level of police involvement. If the Children's Specialist Services Manager decides that information received amounts to a crime or suspicion of crime then CAIT must participate in the strategy discussion.

**3.6** As outlined in Section 5.55 of Working Together 2006, The strategy discussion should be used to:

- Share available information;
- Agree the conduct and timing of any criminal investigation;
- Decide whether a core assessment under S47 Children Act 1989 (S47 enquiries) should be initiated, or continued if it has already begun;
- Plan how the S47 enquiry should be undertaken, including the need for medical treatment or if a medical has not been conducted how and when this will be conducted, and who will carry out what actions, by when and for what purpose.
- Agree whether a child should be subject to an 'Achieving Best Evidence' video interview – See Section 6
- Agree what action is required immediately to safeguard and promote the welfare of the child, and/or provide interim services and support. If the child is in hospital, decisions should also be made about how to secure the safe discharge of the child;
- Determine what information from the strategy discussion will be shared with the family, unless such information sharing may place a child at increased risk of significant harm or jeopardise police investigations into any alleged offence(s); and
- Determine if legal action is required.
- Agree whether a further strategy discussion/meeting is required.

Relevant Matters to include in the strategy discussion as outlined in Section 5.56 Working Together 2006 are:

- Agreeing a plan for how the core assessment will be carried out including what further information is required and how it is obtained and recorded
- Agreeing who should be interviewed, by whom, for what purpose and when thereby minimising the distress caused to the child/children and increasing the likelihood of maintaining a constructive relationship with the family.
- When a criminal offence may have been committed against a child, the timing and handling of interviews with victims, their families and witnesses can have important implications for the collection and preservation of evidence.
- Agreeing how the child's wishes and feelings will be ascertained as part of the investigation
- In the light of the race and ethnicity of the child and family, consider how this should be taken into account, establishing whether an interpreter is required
- Considering the needs of other children who may be affected.

- 3.7** The agreed action from a strategy discussion will be one of the following:
- a) A joint Section 47 investigation and criminal investigation by CSS and CAIT
  - b) A single agency Section 47 investigation by CSS
  - c) Section 17 Assessment by CSS action only
  - d) Further action by Police only
  - e) No further action by CSS or CAIT.

**3.8** In addition, the following points should be noted:

- The CSS takes the lead in arranging the strategy discussion/meeting and the Team manager/ Principal Social Worker chairs the meeting and records the decisions and agreed actions using the Integrated Children's System;
- Strategy discussions by telephone will usually be adequate to plan an enquiry, but face-to-face meetings are likely to be more effective in complex types of maltreatment or neglect.
- **Meetings should be held where:**
  - There is an allegation that a child has abused another child (note that following the principles of best practice separate strategy discussions should be convened regarding the victim and the abuser).
  - There are ongoing, cumulative concerns about the child's welfare and a need to share concerns and agree a course of action.
  - There are concerns about the future risk to an unborn child.
  - Direct communication between more than two agencies is required for meaningful discussion.
- CAIT officers attending strategy meetings must complete the MPS form 3452 or 87 during the meeting. Any subsequent discrepancies between CSS records and form 3452 or 87 must be identified and corrected at the earliest opportunity.

**3.9** When a referral is received for a child at risk of significant harm by the Emergency Duty Team (EDT), out of office hours, the team are to take details of the situation and liaise with the CAIT officer on duty either directly or through the local police. If the caller indicates that the child requires immediate assistance, the local police are contacted. It is however recognised that the police receive the majority of calls regarding child/children at risk during the out of office hour's period. The police then contact EDT to plan the next stage of intervention. The EDT officer is required to alert the duty service or allocated social worker on the next working day to follow up on any action and record their intervention on Framework.

**3.10** Allegations against staff and volunteers, or anyone professionally involved with the child are managed through a different set of procedures, and the allegations meetings are co-ordinated by the Council's Child Protection Unit.

## **4 THE DECISION TO CONDUCT A POLICE INVESTIGATION**

**4.1** Although strategy discussions may assist the police, the final police decision on whether or not to investigate is independent of other agencies. The CAIT referral manager must consider the following criteria when making their decision on whether or not to investigate a crime. This list is not exhaustive and other factors may equally apply.

- Whether the facts are clear and undisputed;

- Whether an exchange of information has taken place;
- A strategy discussion / meeting has taken place;
- Whether, and to what extent the child and / or family have come to notice before;
- The crime alleged is minor (not assumed) in that consequences to a child are not a cause for objective concern for the child's longer term well being;
- Whether the crime is not a sexual crime;
- Where the crime is an assault, it is not of a nature that did nor might have resulted in serious consequences for the well being of the child or other children (in cases of uncertainty, or where there is difficulty in interpreting the nature of an assault, the child should be examined by a doctor who can confirm whether or not the assault is of a minor nature before making a final decision);
- The crime is not an allegation of cruelty / neglect by commission or omission which could have serious consequences for the welfare of the child or other children;
- No implement, weapon, noxious or hazardous substance is involved;
- Where there is general agreement at a strategy discussion or meeting that police involvement will be disproportionate, contrary to the best interest of the child (ren) and other agencies agree to take responsibility for their welfare needs;
- The cultural diversity of the family should be taken in to account for minor offences when considering support / education;
- A person deemed to be a risk to children (formerly known a 'schedule 1 offender') does not reside or frequent the family.

## **5. MANDATORY INVESTIGATIONS**

**5.1** The following cases will always warrant a police investigation irrespective of the views held by other agencies:

- All sexual assaults
- Physical abuse amounting to offences of at least S47 Offences against the Person Act 1861 (ABH and more serious)
- Serious Neglect / Cruelty offences.

**5.2** Where CAIT Referral Managers decide that police have a role to investigate actual or suspected allegations of crime they will allocate the case to an investigative team for further action. The officer allocated that crime will then take full responsibility for the criminal investigation and will give feedback to CSS on the outcome. CSS can request feedback of the outcome in writing from CAIT, if required.

## **6 ACHIEVING BEST EVIDENCE (ABE)**

**6.1** A video interview of a child is undertaken when there is a reason to believe that a criminal offence has been committed and there is a likelihood of a criminal prosecution. This is in accordance with the Criminal Justice Act 1991, Part II of the Youth Justice and Criminal Evidence Act 1999 and Achieving Best Evidence in Criminal Proceedings Guidance, 2000.

- 6.2 The initial planning for the ABE interview will occur at the strategy discussion/meeting that agrees the interview.
- 6.3 Further detailed planning needs to agree how the interview will be conducted, who will be involved, how the child will be transported to and from the interview and how the parents or carers will be informed and involved (if appropriate). The social worker involved in the Section 47 enquiry should be present at the ABE interview wherever possible.
- 6.4 CAIT will make available a suitable venue for the ABE interview and inform CSS as soon as possible of the details. ABE interviews may take place at various venues and are organised by the CAIT.

## **7 POST ABE INTERVIEW**

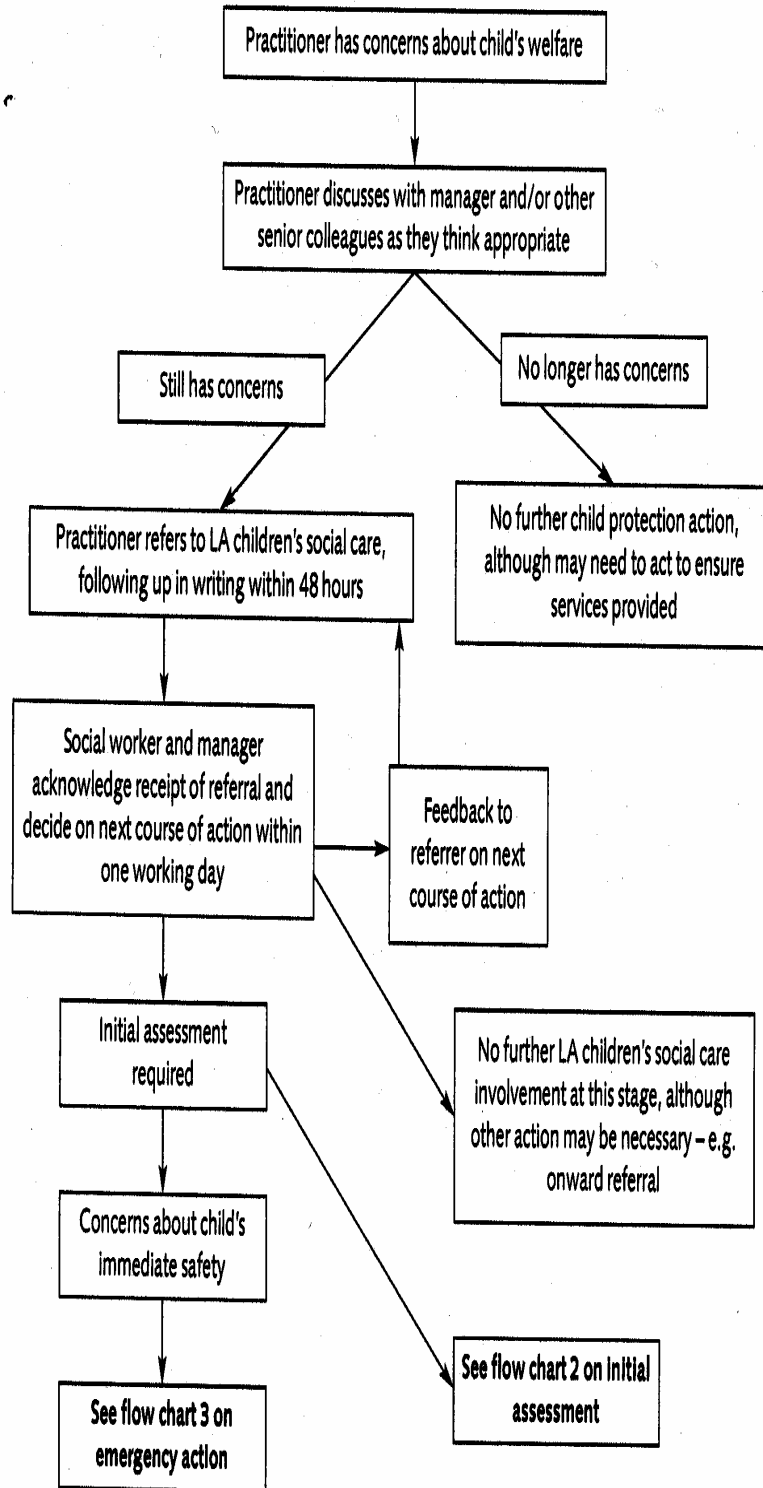
- 7.1 The CAIT officer and CSS social worker will agree what further action is needed and ensure that this is recorded on the child's files.
- 7.2 If it is decided that post trauma therapeutic services are needed for a child who is believed to have been the victim of an offence and criminal court proceedings are outstanding, the Crown Prosecution Service should be informed first.
- 7.3 All ABE videotapes will be treated as exhibits and maintained by the CAIT for this purpose. The supply, handling, storage and copying of the tapes is the responsibility of the CAIT.
- 7.4 Access to the tapes by CSS can be granted through a formal request of the CAIT.

## **8 QUALITY ASSURANCE**

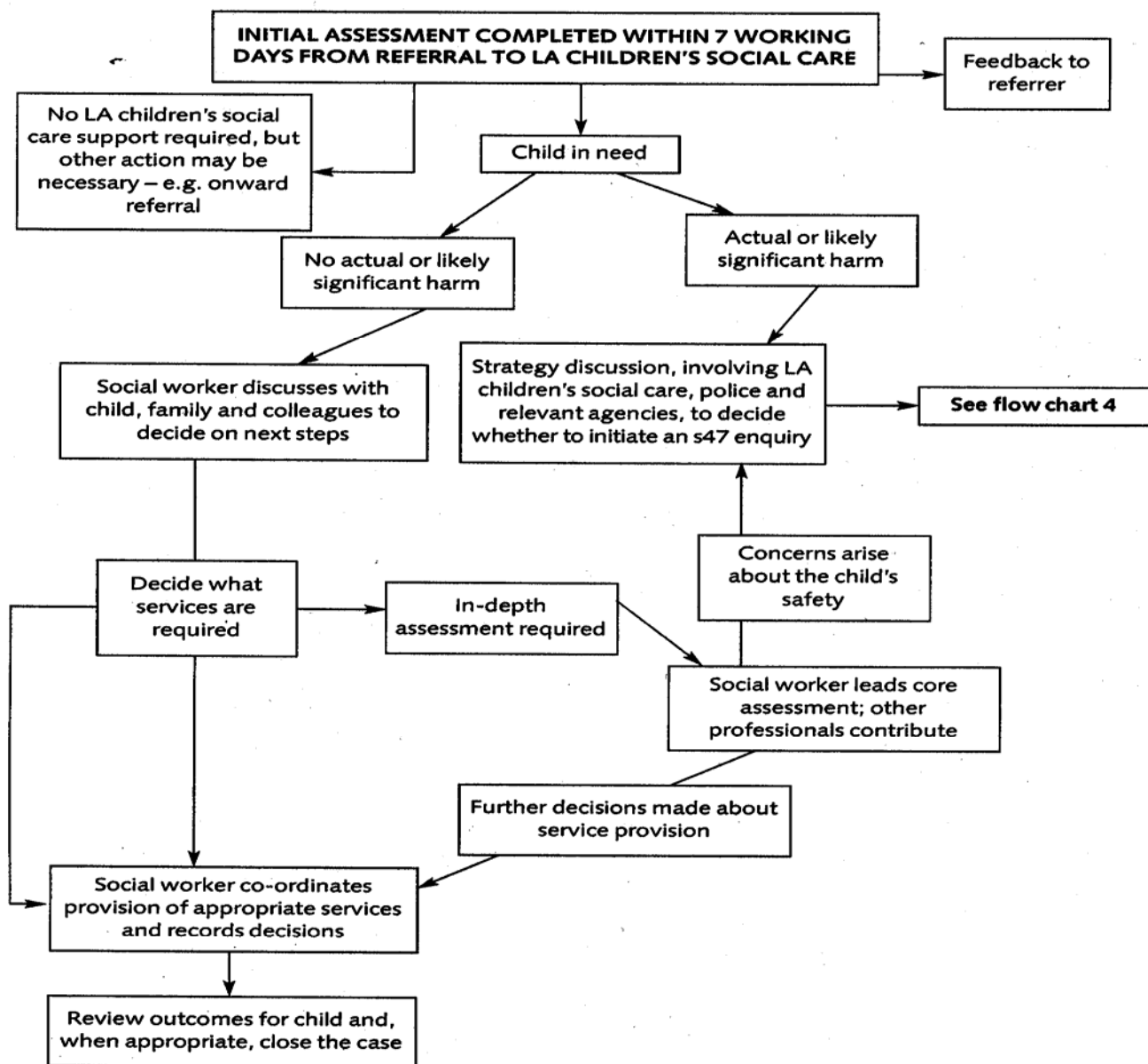
- 8.1 All Section 47 enquiries are sent by the CSS to the Council's Child Protection Coordinators who have an overview of all cases referred to the CSS. Quarterly, half yearly and full year reports are compiled by the Manager on the numbers of Section 47 enquiries undertaken. An ongoing record of all Section 47 referrals is maintained. The Business Support Managers circulate to social workers and team manager's details of all uncompleted Section 47 enquiries and any missing information in the child's record. This is to ensure that the records are accurate and up to date.
- 8.2 Issues regarding the effectiveness of inter agency work may be made by CSS social workers to the Service Manager or for CAIT staff to the Detective Inspector. The Service Manager and Detective Inspector will jointly investigate the matter. If necessary any issues arising out of inter-agency working on Section 47 enquiries can be raised at the Safeguarding Board's Cases Monitoring Sub-Committee meeting by any partner agency.
- 8.3 The Service Manager (R&A CSS) and the Detective Inspector (CAIT) will meet on a quarterly basis to review the quality of inter agency work concerning Section 47 investigations, including this Protocol.

APPENDIX 1

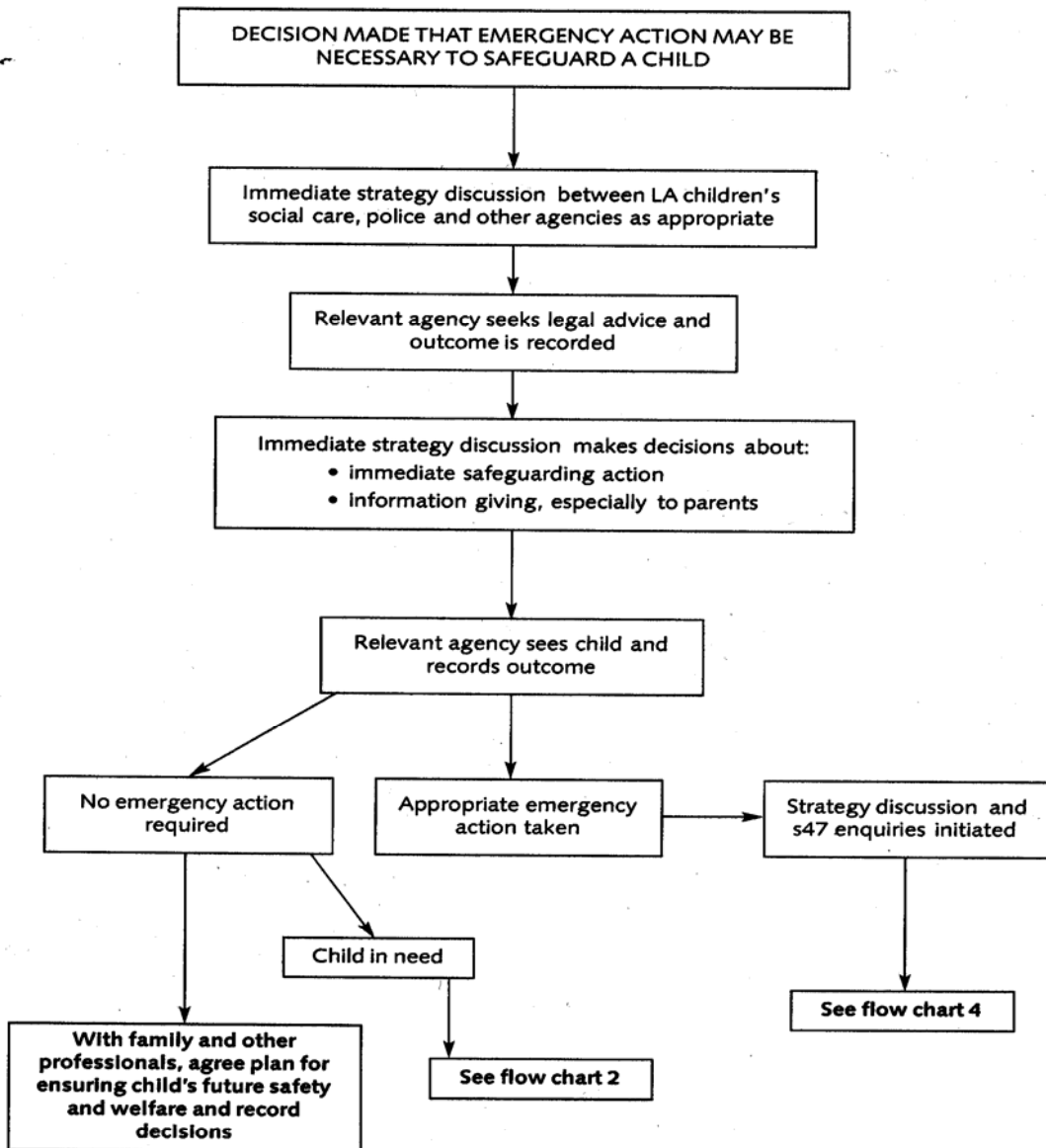
Flow chart 1: Referral



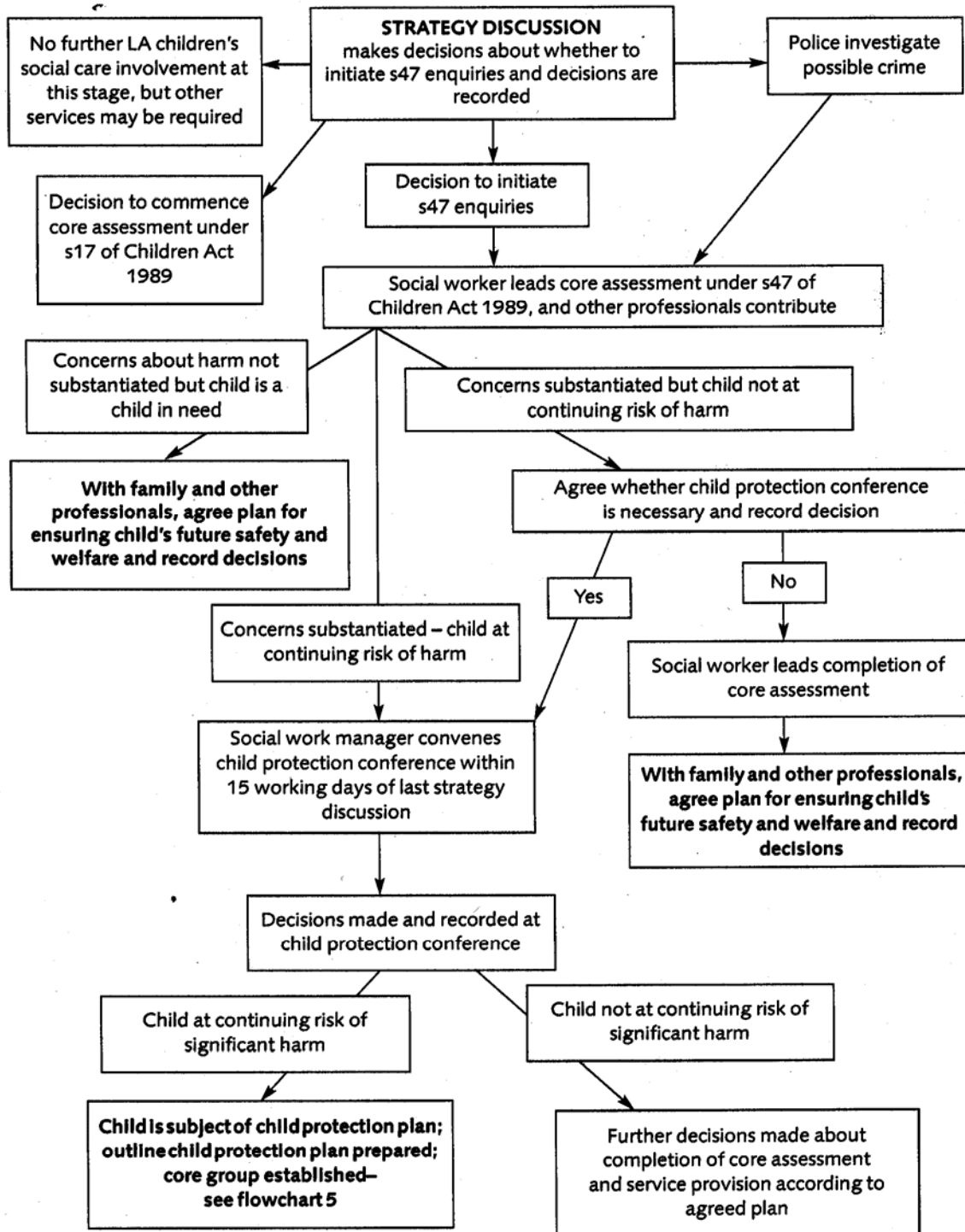
Flow chart 2: What happens following initial assessment?



Flow chart 3: Urgent action to safeguard children



Flow chart 4: What happens after the strategy discussion?



## **APPENDIX 2 - CONTACT DETAILS**

### **Wandsworth Children's Specialist Services**

#### **Referral & Assessment Service**

0208 871 6622 – Duty

0208 871 8646 – Duty Manager

Fax: 0208 871 6333

Email: [childreferraldutymanager@wandsworth.gov.uk](mailto:childreferraldutymanager@wandsworth.gov.uk)

#### **St. Georges Children's Team**

0208 725 1719 – Duty

0208 725 2519 – Team Manager

Fax: 0208 725 0376

#### **Child Protection Unit**

0208 871 7303/7163/6321 – CP Coordinators

0208 871 6998 – Safeguarding & Child Protection Unit Manager

#### **Children's Disability Team**

0208 871 7192 – Duty

#### **Emergency Duty Team (Out of Hours)**

0208 871 6000

#### **Police Specialist Crime Directorate Wandsworth, Merton & Kingston CAIT**

Referral Manager: 020 8247 7846

Fax: 020 8247 7840

Head of Team D.I. Patrick Lewis

#### **Other Police**

Wandsworth Police Station

DV: 020 8247 5403

Missing Persons: 020 8247 8482

Safer Schools: 020 8247 8916

Community Police: 020 8672 9922