

# NSPCC Cymru/Wales

Response to:

## Consultation on the National Workforce Development Plan for Public Health in Wales

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NSPCC Cymru/Wales, Diane Englehardt House, Treglown Court, Dowlais  
Road, Cardiff, CF24 5LQ

Tel: 0844 892 0290 Email: [nlloyd@nspcc.org.uk](mailto:nlloyd@nspcc.org.uk)



Registered charity number: 216401 and  
SC037717

### **About us:**

**The National Society for the Prevention of Cruelty to Children (NSPCC) aims to end cruelty to children in the UK by fighting for their rights, listening to them, helping them and making them safe.**

**We share our experience with governments and organisations working with children so together we improve the protection of children and we challenge those who will not learn and change. We campaign for better laws and we educate and inform the public to improve understanding about child abuse.**

**We provide national services such as ChildLine and our Helpline for concerned adults to provide support for all children. Our local services focus on the most acute forms of abuse and the most vulnerable, highest risk children working in areas such as sexual abuse or children under one so that we can bring help, advice and treatment to children at risk or those who have been abused.**

## Introduction

NSPCC Cymru/Wales welcomes the opportunity to respond to this consultation on the proposed National Workforce Development Plan for Public Health in Wales. We believe that healthcare professionals play a key role in protecting children and young people from abuse in Wales and in identifying those who are at risk. The inclusion of safeguarding and child protection training within any National Workforce Development Plan for Public Health in Wales will help ensure that all health professionals working within the public health agenda apply their responsibilities fully.

NSPCC Cymru/Wales agrees with the aim laid out in NHS Wales' Five-Year Service, Workforce and Financial Strategic Framework, quoted within the consultation, in securing a "cohesive, motivated and professional workforce" in order to improve the health of people in Wales. We also agree that the workforce development plan should "build a common foundation of knowledge and skills across key players contributing to this agenda"<sup>1</sup>. All children and young people in Wales will come into contact with the public health agenda and professionals working in this area throughout their childhood. NSPCC Cymru/Wales believes that the safeguarding and child protection role of public health professionals must be acknowledged as a vital part of the National Workforce Development Plan.

We also believe that the rights of children and young people must be acknowledged in any policy area which affects their lives. Children and young people in Wales have the right to be protected from abuse and the right to health and access to health services. These are detailed as part of the United Nations Convention on the Rights of the Child (UNCRC). We believe that there is considerable value in exploring the option of using the UNCRC as a framework for all statutory and non-statutory sectors providing services for children and young people in Wales. This could ensure that a priority is given to making the rights of the child a reality in Wales and that all aspects of service provision for children and young people, from design to delivery, are of a consistent standard. We believe that this may also help align professional standards and workforce development, subsequently enhancing the experience of children and young people in receipt of services.

We have responded to the consultation questions (except question 3) in an attempt to highlight our concern at the lack of reference to safeguarding and children's rights throughout the proposals and to support the need to address this. Please note that the order in which we have answered the set questions reflects the priority we give to the issues we felt needed to be raised.

### ***What would you expect to see in the plan that is not currently in the plan? (Question 4)***

#### **Statutory duties**

Section 28 of the Children Act (2004) requires Local Health Boards (LHBs) and NHS Trusts (amongst others) to ensure that all their functions are discharged having regard to the need to safeguard and promote the welfare of children and young people. As we have always understood and despite the impact of the NHS restructure, Public Health Wales' statutory function (amongst many others) is to provide and manage child protection services across the NHS in Wales. This includes leadership, management and support to LHBs and NHS Trusts in fulfilling their statutory safeguarding duties. We are therefore extremely concerned that there is no reference made to Public Health Wales' or wider public health professionals' safeguarding role within the proposed National Workforce Development Plan.

NSPCC Cymru/Wales is concerned at the lack of reference to safeguarding throughout the consultation document. Children and young people in Wales have the right to be protected from all forms of violence, abuse, neglect and maltreatment, as laid out in Article 19 of the UNCRC:

#### ***Article 19***

*1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.*

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<sup>1</sup> Public Health Wales (2011:4) *National Workforce Development Plan for Public Health Wales: Consultation Document*, Cardiff.

2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

Safeguarding is everybody's responsibility and public health professionals must acknowledge their role here. We must ensure that the final National Workforce Development Plan for Public Health in Wales acknowledges and responds effectively to the needs of colleagues working within the public health agenda in Wales so that they have the capacity and capability to fully comply with their responsibilities and respond to children and young people who are at risk of abuse. We believe that this inclusion would send a strong message to public health professionals and organisations in Wales that a priority must be given to their safeguarding role and in fulfilling their statutory duty. This, in turn, will also ensure that the rights of children and young people are a step closer to being fully realised in practice.

With regard to workforce development, *Safeguarding Children: Working Together Under the Children Act 2004*<sup>2</sup> states that:

In order to safeguard and promote the welfare of children and young people all those working with children and with adults who are parents or carers must have the knowledge and skills to carry out their own roles. This includes being able to recognise and raise safeguarding concerns about the welfare of a child (2006: Chapter 11).

This guidance, alongside the Children Act 2004 and other key pieces of legislation, provide the statutory basis for safeguarding in Wales. It is therefore crucial that a National Workforce Development Plan for Public Health in Wales does not overlook these requirements.

**Safeguarding is everybody's responsibility and NSPCC Cymru/Wales urges Public Health Wales to acknowledge the clear omission of the safeguarding role of public health professionals in Wales and amend the final draft of the Plan to ensure that this is recognised and their needs are addressed in planning for workforce development.**

#### **Healthcare Inspectorate Wales (HIW) Review**

NSPCC Cymru/Wales would also like to take this opportunity to highlight the recommendations made by Healthcare Inspectorate Wales (HIW) in 2009 as a result of their Review into the Safeguarding and Protecting Children Arrangements in place across the Welsh National Health Service. HIW made specific reference in their report to staff awareness and training and noted with concern that despite some improvements, there were still areas and staff groups in need of further training and support. This was particularly relevant for professionals working within adult services, described in the findings as colleagues who did not believe there was a need for them to know about child protection. The following recommendations were made by HIW in relation to training:

Child protection training is made mandatory for all staff groups. Update training should be provided at least every 3 years. The Welsh Assembly Government should ensure that all nationally agreed contracts reflect this requirement.

[Recommendation 2]

The new LHBs further engage with primary care contractor groups to ensure they receive the necessary training and support in respect of child protection and safeguarding.

[Recommendation 3]

Service providers put policies in place that are in line with the All Wales Child Protection Procedures to ensure staff are aware and understand all safeguarding policies and procedures and their relevance to their area of work.

[Recommendation 4]

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<sup>2</sup> <http://wales.gov.uk/topics/childrenyoungpeople/publications/safeguardingunder2004act/?lang=en>

We concur with HIW on all of their recommendations but particularly those around training and staff awareness in this instance. NSPCC Cymru/Wales believes that training should be readily available for all staff working within the health service in Wales, including those with a public health role. This should cut across all professionals, including those who predominantly work in adult services and those who are 'contracted' to provide services.

Despite the lack of reference to this within the consultation, NSPCC Cymru/Wales does acknowledge that the Safeguarding Children Service within Public Health Wales has developed three important documents of which we are aware. The first is an Action Plan for the Safeguarding and Protection of Children in Wales (2010) and addresses each of HIW's recommendations. The Action Plan provides a brief overview of progress to date and identifies who will lead in its delivery. A green traffic light signal has been placed by each recommendation which we presume to signify that work is progressing well. The second document we have seen is a Public Health Wales Safeguarding Children (Interim) Strategy (2010). This document attempts to describe how Public Health Wales will fulfil its responsibilities to ensure that children are protected from harm and that their needs are recognised. The (interim) Strategy clearly identifies 'Training and Development' as one of Public Health Wales' areas of work, referring the reader to the newly developed Public Health Wales Safeguarding Children Training Strategy (the third document). We have only recently come into contact with these documents yet we are disappointed to find that the proposed National Workforce Development Plan for Public Health in Wales has failed to include this positive work within it. We do not believe this is a reflection of a lack of commitment to safeguarding yet this must be rectified quickly and appropriately. We would be happy to support this work further and contribute to any further discussions required.

**NSPCC Cymru/Wales believes that the final National Workforce Development Plan for Public Health in Wales must embed a commitment to ensure that HIW's recommendations are addressed and that the work of Public Health Wales Safeguarding Children Service, including its recently developed Training Strategy, is taken forward effectively.**

#### **United Nations Convention on the Rights of the Child (UNCRC)**

The UNCRC was ratified by the UK Government in December 1991. The Convention provides a set of minimum standards relating to children's civil, political, economic, social and cultural rights and as such represents a comprehensive framework by which to examine the impact of all legislation, policy and practice relating to children.

NSPCC Cymru/Wales acknowledges that the Welsh Government has made considerable inroads in making the rights of children and young people a reality in Wales and should be commended in their efforts here. The Children and Young Persons (Wales) Measure was passed by the National Assembly for Wales with unanimous cross-party support in January 2011 and received royal assent in March 2011. The Measure will now impose a legal duty on all Ministers to have due regard to the rights and obligations within the UNCRC and its Optional Protocols in exercising any of their functions. We are fully aware that there is still some way to go. However, the Welsh Government must take forward this opportunity to ensure that all children and young people across Wales confidently access all of their rights, including those within health.

Public health professionals have a role in achieving the rights of children and young people in Wales, taking leadership from Public Health Wales. We are therefore disappointed at the lack of reference made to the UNCRC and to the children's rights agenda in Wales.

**NSPCC Cymru/Wales urges Public Health Wales in developing a National Workforce Development Plan to acknowledge and address the UNCRC in order to ensure that the rights of children and young people across Wales to provision, protection and participation are fully realised.**

***What impact does this plan have on your work area and how does it complement local plans for workforce development? (Question 1)***

#### **Safeguarding in Health Review**

As we have previously highlighted to the Welsh Government, we strongly believe that the delivery of child protection duties within the NHS will have been affected by the NHS restructure in 2010. As part of the consultation process in 2009, we recommended that the

re-structure was used as an opportunity to review how child protection duties were undertaken within the NHS in Wales with a view to ensuring that the new structure has a system that meets the needs of children, young people and professionals in Wales.

We understand that as an NHS Trust themselves and in their overarching statutory duty to lead and manage child protection services across the NHS in Wales, Public Health Wales set out to review the safeguarding procedures across the NHS in Wales in 2010. We are aware that a report has been produced, detailing key findings and recommendations. We have not had sight of the report, despite calling for the review. We called for clarity on the following issues and we hope that an opportunity has not been missed in addressing these:

- Confirm that child protection will continue to be a priority within the new NHS in Wales
- Clarify the role of the proposed new unified public health service in relation to child protection
- Ensure that there is clear accountability for child protection within all new structures, including lead roles for children and young people
- Ensure clear understanding of the roles and duties of designated professionals within the health service
- Use the NHS restructure as an opportunity to review the delivery of child protection within the health service in Wales.

**We call on Public Health Wales to share this Report with us in an attempt to work together on taking its recommendations forward. We also urge Public Health Wales to make the vital link between their Review of Safeguarding within the NHS in Wales and their proposed National Workforce Development Plan to ensure any necessary recommendations are acknowledged and appropriately addressed.**

***How does the plan add value to your own area of work? (Question 2)***

### **Multi-agency working**

NSPCC Cymru/Wales would also like to highlight here the statutory requirement, explicit within *Safeguarding Children: Working Together Under the Children Act 2004*<sup>3</sup> to work on a multi-agency basis:

11.1 They [all those working with children and with adults who are parents or carers] must also be able to work effectively with others both within their own agency and across organisational boundaries. This will be best achieved by a combination of single agency and multi-agency training.

11.2 All training in safeguarding and promoting the welfare of children should create an ethos which values working collaboratively with others, respects diversity (including culture, race and disability), promotes equality, is child centred and promotes the participation of children and families in the processes.

We are pleased that Public Health Wales has acknowledged within the consultation that any workforce development plan must cut across all public health workers, including those within the voluntary sector, local government and academia and that this is key to maximizing its impact and cost-effectiveness.

We also acknowledge and welcome the inclusion of the third sector within the 'wider workforce' definition and the reference to "multi-professional learning opportunities and working collaboratively across all sectors" (2011:8). However, the proposals can appear very health focussed and although we understand the need for this in many aspects of public health in Wales we are concerned that the children and young people that we work with and represent are in contact with more than just health services. Safeguarding is everybody's responsibility and working together for the protection and safety of children and young people is essential. This ethos must be fully embedded into the culture of organisations and by ensuring that the national workforce development plan reflects this is a step closer to the culture change needed.

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<sup>3</sup> <http://wales.gov.uk/topics/childrenyoungpeople/publications/safeguardingunder2004act/?lang=en>

Effective multi-agency and multi-professional working is key to protecting children and young people who will come into contact with a range of services. We believe that workforce development planning, in acknowledging this, should look to provide innovative learning spaces and training courses that complement a range of agencies and ensure that a multi-agency environment here impacts positively on the practice and information sharing processes in keeping vulnerable children and young people safe. Without this, not all children who need help will be protected from abuse or identified as being at risk.

We understand that Public Health Wales is participating in the Welsh Accord on the Sharing of Personal Information (WASPI), a framework for organisations providing services in health, education, safety, crime prevention and social wellbeing for Wales. This framework could go some way in enabling multi-agency working and ensuring a consistent set of standards across Wales for the sharing of personal information.

**NSPCC Cymru/Wales urges Public Health Wales to consider the benefits to children and young people of engaging with all statutory agencies in working together to protect our most vulnerable children and how the final Plan can complement other plans for workforce development across other statutory agencies.**

### **Health involvement at Local Safeguarding Children Boards**

We are pleased to see that the proposed Plan makes specific reference to implementation, monitoring and evaluation yet we do not feel the detail is sufficient. If the necessary amendment is made to include reference to safeguarding and child protection, further amendments will need to be made to ensure that the necessary detail of how this will be implemented, monitored and evaluated is in place.

As the partnership body that brings together the various statutory bodies with duties on them, the Local Safeguarding Children Boards (LSCBs) play a crucial role in ensuring that each agency is undertaking their duties appropriately and effectively. The membership of LSCBs is therefore crucial in ensuring multi-agency accountability for safeguarding.

In light of this, it was concerning that Care and Social Services Inspectorate Wales (CSSIW) felt that this shared duty was not being delivered as effectively as it could be in their 2009 Safeguarding and Protecting Children in Wales Report on the Review of Local Authority Social Services and LSCBs.

*Safeguarding Children: Working Together Under the Children Act 2004* outlines the role of both 'designated' and 'named' professionals within health. These professionals play a crucial role on LSCB's, providing practice advice and support that contributes to the multi-agency safeguarding work that the boards undertake. With the NHS restructure, there is still a need to clarify these roles. From our experience whilst the designated and named professional's workload is significant, they provide an invaluable link to health. We understand that Public Health Wales' Safeguarding Children Service significantly contribute to this. We believe that through workforce development planning, the importance of providing support and resources to professionals in health can be acknowledged and addressed.

**NSPCC Cymru/Wales believes that it is vital that there continues to be a sustainable input from health professionals into multi-agency meetings, including Local Safeguarding Children Boards and we urge Public Health Wales to acknowledge and address this within the final National Workforce Development Plan.**

### **Conclusion**

Again, NSPCC Cymru/Wales welcomes the opportunity to respond to this consultation on the proposals for a National Workforce Development Plan for Public Health in Wales. We would be happy to discuss any of our points with the relevant Officials.

Nia Lloyd  
NSPCC Cymru/Wales Policy Officer  
0844 892 0290  
[nlloyd@nspcc.org.uk](mailto:nlloyd@nspcc.org.uk)