

Coral Angharad. Patsi Coleman.

Risk Management Seminar - Outline Notes

for discussion / comment at mtg on 25.1.98

Introduction:

Rod - 5 Mins

- Welcome - *First attempt - see how it goes.*
- Familiarity with Denewood - toilets plus car park number ..... *1998*
- Purpose of session - papers.
- Introduce Panel/Overview Group.
- Group has made considerable progress - but long way to go in reducing risks. There are a range of areas where considerable improvement can be made:
  - proactive monitoring/management re persistent and serious abusers *x*
  - possible developments in awareness and procedures for protection in adult services;
  - improvements in more integration of recording individuals in separate systems. e.g. proposal with Central Personnel to create better links on adults considered unsuitable for child contact/public service.
- ~~Refer to~~ requirements for access to records and complaints procedures - session not about these - need to acknowledge they are part of the landscape.

*R/L*

*15.1.98*

*Take PPT + CP*

*Historical perspective*

Changes of understanding and judgement over time - from "drunk on duty" = needs warning, to acceptance of girls withdrawing allegations; to disciplinaries where the child's social worker is not involved = new CP procedures; and still that the tendency to review staff abuse as compartmentalised.

*The focus is with the greatest bias.*

Legal Principles

David - 10 Mins

- Role of County Solicitors in assisting identification and referral of alleged liability cases.
- Liability what is it in legal terms - balance of probability = not beyond reasonable doubt. *Continuing liability + disciplinary.*
- What it is in general that means one set of circumstances renders you or the organisation more likely to be liable. Touch on interplay with CICA claims/procedures and disciplinary.

*Appropriate share of defendant principle*

*not sharing is negligent - sharing is defendant who is the middle*

types of claim/liability ↗

Nick - 5 Mins landmark Court cases.

Liability and Insurance

Richard 10 Mins

- Role of County Treasurers Risk and Insurance Manager in these cases.
- What is County Council's insurance and risk management arrangements.
- What is the range of insurance and cases dealt with.
- Under what circumstances are individual staff or carers liable.
- Importance of notification/effects of not notifying.

Purposes of the Group <sup>Overview</sup>

SM - handle all re records for access to records  
DM - H.W. Pol. Syst - advice  
- legal advice  
- insurance personnel.

Rod - 15 Mins

- Information from SSD staff + identification + advice. *Thinking to accept group then + discuss personal reports.*
- Context - SW's sadness/concerns/raw deal. If concern re failure or malfunction = TM - service manager = consideration = advice from any of the group e.g. seeking legal advice; access to records; insurance claims; personnel = members of group interrelate to tease out issues and act in whatever direction appropriate.
- Other alert routes = DM/SM/SM's alert to AD Ops re high profile cases/publicity.
- CFPO's + ACPC Case Reviews/Part 8 Reviews re deaths, injuries and advice on cases.
- Richard + Press Office from adult enquiries, press and cases involving other *groups. In either best it changes personnel + BP + other procedures. - in team PPP DWS*
- Briefly - learning from cases - issues - sharing information/views and following these through to recommendations and influence on the practice of each participant.

Cases

Focus of group has been on cases involving in child care + from personal issues in particular. The frequency of abuse + lessons learnt in children - in adult services are less frequently raised + consistent so what we have to say relate to that.

Carol - 10 Mins

- Number and type - action which follows e.g. on hold; on hold and get information and advice; refer to County Council risk manager/insurance solicitor and gather departments files/records.
- Type e.g. old - recent; abuse of child vis adult perpetrator identified; external enquiries re old establishments; rogues gallery issues.

## Personnel

### Marjorie - 10 Mins

- Role of Personnel in Overview Group - identification of cases - gathering information.
- DoH consultancy - criteria and referral, keychecking procedures/recording in Personnel.
- Need for improvements within Social Services Department on DoH consultancy listed persons being identified - would be helped by Government guidance.
- Scope for improvements re notified releases from prison of schedule 1 offenders on KPR - while DoH consultancy people not.

### Lessons to be Learnt

#### Pati/Rod - 45 Mins

Know the key legal duties and do them.

- Unallocated cases.
- No Review, no plan, no consultation with young person.
- Following departmental procedures.
- Following procedures when allegations made re staff.
- Disclosure of criminal convictions, cautions and charges.
- Changes in staff circumstances.
- Supervision.
- Recording. *+ retention of records.*
- Probation periods.
- Transfer/redeployment.
- Followup and disciplinary procedures.
- Resignation.
- Training Courses.
- Monitoring.

*process done re Adam - ? case no.*

*Process re 'whistleblowers' -  
Don't rock the boat - unless CP.*

*Acting on info/enquiry  
+ recording reasons  
or unsuccessful attempt  
to get to the bottom of it.*

- Case allocation.
- Personal and professional boundaries.

**Tea/Coffee - 15 Mins**

**Apologies:**

**John/Nick - 30 Mins**

Using the memorandum of 13.10.97 and case illustrations - enlarge understanding of key considerations and some practical examples.

**Discussion - 30 minutes**

**Summary - Pat and Rod**

Rod - future arrangements Local Government Reorganisation - who will manage.  
- cross over at cases/information.

Pati - Future aim to increase profile of overview group in to improve ability to prevent/protect the Department from liability.

→ Evaluation of Unit 5 DL1