

ContactPoint: Consultation on Draft Guidance

Consultation Response Form

The closing date for this consultation is: 27 July
2007

Your comments must reach us by that date.

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THIS FORM IS NOT INTERACTIVE. If you wish to respond electronically please use the online or offline response facility available on the Department for Education and Skills e-consultation website (<http://www.dfes.gov.uk/consultations>).

The information you provide in your response will be subject to the Freedom of Information Act 2000 and Environmental Information Regulations, which allow public access to information held by the Department. This does not necessarily mean that your response can be made available to the public as there are exemptions relating to information provided in confidence and information to which the Data Protection Act 1998 applies. You may request confidentiality by ticking the box provided, but you should note that neither this, nor an automatically-generated e-mail confidentiality statement, will necessarily exclude the public right of access.

Please tick if you want us to keep your response confidential.

Name Pat Cummins
Organisation (if applicable) Barnardo's
Address: Head Office
Tanner's Lane
Barkingside
Ilford
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If your enquiry is related to the policy content of the consultation you can contact:

Nigel Dexter 0207 273 4857 (nigel.dexter@dfes.gsi.gov.uk)

or

Richard Mallinson 0207 273 5165 (richard.mallinson@dfes.gsi.gov.uk)

If you have a query relating to the consultation process you can contact the Consultation Unit on:

Telephone: 01928 794888

Fax: 01928 794 311

e-mail: consultation.unit@dfes.gsi.gov.uk

Please check one of the boxes that best describes you as a respondent:

<input type="checkbox"/> Child/Young Person	<input type="checkbox"/> Parent/Carer	<input type="checkbox"/> Education-LA Staff
<input type="checkbox"/> Education-School/College Staff	<input type="checkbox"/> Health-PCT/SHA Staff	<input type="checkbox"/> Health-GP/Staff
<input type="checkbox"/> Social Care Staff	<input type="checkbox"/> Early Years and Childcare	<input type="checkbox"/> Local Authority-Other
<input type="checkbox"/> ISA/ContactPoint Team	<input type="checkbox"/> Children's Trust/CYPSP	<input type="checkbox"/> Connexions
<input type="checkbox"/> Youth Justice/Probation	<input type="checkbox"/> Police	<input checked="" type="checkbox"/> Voluntary and Community sector
<input type="checkbox"/> Youth Services	<input type="checkbox"/> Representative Bodies/Unions	<input type="checkbox"/> Other (please specify below)

Please Specify:

Accuracy (Chapters 1, 2, 3 & 4)

1 Is the draft guidance sufficiently clear about the importance of accuracy?

Please use the comments box below to say how this can be made clearer:

Yes No Not Sure

Comments:
1.9 outlines the legal responsibility of those entering data under the Data Protection Act. Points 3.1 and 3.2 enlarge on this in respect of ContactPoint. As this responsibility is maybe not always fully understood in the world of practice, it could be expressed even more strongly.

Unauthorised Access and Misuse (2.1-2.9, 3.9-3.12, 4.27-4.44))

2 Is the draft guidance sufficiently clear about how unauthorised access to ContactPoint and misuse will be managed?

Please use the comments box below to say how this can be made clearer:

Yes No Not Sure

Comments:

It is made clear in 3.12 that, in the case of a national partner organisation, such as Barnardo's, existing policy and procedures regarding IT Security will specifically manage any activity involving the misuse of ContactPoint.

It would be helpful to have the flowchart alongside the text as well as in the Annex.

Subject Access Requests (3.53-3.57, 4.7-4.16)

3 Is the draft guidance sufficiently clear about an individual's rights to see information held about them?

Please use the comments box below to say how this can be made clearer:

Yes

No

Not Sure

Comments:

It would be helpful to have the flowchart alongside the text as well as in the Annex.

There should be some guidance regarding SARs from young people where parents are not involved, and how these sensitivities might be handled.

Complaints Procedure

4 Does the draft guidance sufficiently explain how local authorities are required to manage complaints relating to ContactPoint?

Please use the comments box below to say how this can be better covered:

Yes

No

Not Sure

Comments:

Para 4.19 makes a clear distinction between those complaints which a Local Authority will manage and those which will be passed on to National Partners or others.

Shielding (4.63-4.69)

5 Is the draft guidance sufficiently clear about how the 'shielding' of child records will operate?

Please use the comments box below to say how this can be made clearer:

Yes

No

Not Sure

Comments:

The language in the Users box here could be more direct,, making it clear exactly what "Act promptly" means ie discuss with your manager and then notify the Local Authority ContactPoint Manager.

There might be a sentence under "Management Team" for National Partners to ensure that relevant Local Authority contact details are supplied to local services so that practitioners know who to contact.

It should be made explicit that shielding a record is not a substitute for a safeguarding process.

The language in the flowchart box should be in the active rather than the passive voice – eg "An authorised user notifies a risk of harm to....." ie language used should be **transactional**.

Flowcharts (Annex B)

6 Are the flowcharts helpful in explaining processes within this guidance?

Please use the comments box below to expand on your answer or suggest further processes which may benefit from flowcharts:

Yes

No

Not Sure

Comments:

See above. The flowcharts are useful and could be reproduced alongside the relevant sections **as well as** all together in an Annex. This would allow for different learning styles.

Contents and Purpose (Chapters 2, 3 & 4)

7 Does the draft guidance cover all the necessary topics to support the appropriate use of ContactPoint?

Please use the comments box below to say which other topics you would like to see covered:

Yes

No

Not Sure

Comments:

There should be a separate section covering the responsibilities of National Partners, especially where Data Control matters are concerned. This would make clear not only to National Partners but also to Local Authorities what the position is and thus how their relationships with these partners should best be handled. This issue is key to the ongoing participation of national partners.

Local Authority responsibilities (Chapter 4 and 'ContactPoint Management Team' boxes)

8 Is the draft guidance sufficiently clear about the statutory responsibilities of local authorities?

Please use the comments box below to say which topic(s) should made clearer:

Yes

No

Not Sure

Comments:

Yes, although again, the guidance should be explicit that "users" are not only those employed by a Local Authority, nor are Local Authorities the only agencies with responsibilities in this. Some overarching statement or link to the ECM programme and workforce reform would make it clear that all practitioners are included and that partner agencies' policies and practice are involved. This includes local and regional partners as well as national partners.

Supporting Practitioners (Chapter 3 & 4.53-4.81)

9 Is the draft guidance sufficiently clear about how ContactPoint will support practitioners working with children?

Please use the comments box below to say which topic(s) should made clearer:

Yes

No

Not Sure

Comments:

Implementation (1.1-1.16, Chapters 2, 3, 4)

10 Do you foresee any challenges arising from implementing ContactPoint using this guidance?

Please use the comments box to let us know what you think these challenges might be and how they might be resolved:

Yes

No

Not Sure

Comments:

The implementation plan is sound and the guidance is well worked. However, there is no organisational level included in the guidance which acknowledges that organisations need to have embraced the concepts and practical implications of ContactPoint in order for their staff to be able to understand the relevance and importance of this guidance for their changed practice. The guidance feels to have been drafted for a local authority context which assumes a homogeneous management. How will a practitioner from another agency see it in reference to a discrete service outwith a local authority?

User Groups (1.13)

**11 Is the use of colour-coded, user-specific, guidance helpful for readers?
(Definitions of users can be found in the table at 1.13 in the guidance)**

Please use the comments box below to identify users that you think should be covered by the guidance or if you feel the guidance could be formatted in a more helpful way:

Yes

No

Not Sure

Comments:

The colour coding is an excellent device to distinguish different points of focus. It should be ensured that the differentiation is sustained even if the material is printed in b&w.

General Comments

12 We are keen to know your views and welcome any further general comments that you might have on this draft guidance; this can include the format, content and language used.

Comments:

Some attention should be paid to the organisational requirements as well of those of user, manager and administrator, otherwise some practitioners will not understand the status of the guidance.

Roles of NIPs urgently need to be made explicit, and some work is needed on making explicit the rules of engagement.

Updating – what for instance will happen when the “vetting and barring” arrangements come into play?

Language addressed in the coloured boxes should always be transactional.

The guidance should be capable of many disaggregations ie single sheets with specific instructions (with associated flowcharts!)

Online publication should include relevant hyperlinks making contexts clearer etc.

Loose leaf publication should be available at no organisational cost, especially for local partners where people may not have ready online access.

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

Please acknowledge this reply

Here at the Department for Education and Skills we carry out our research on many different topics and consultations. As your views are valuable to us, would it be alright if we were to contact you again from time to time either for research or to send through consultation documents?

 No

All UK national public consultations are required to conform to the following standards:

1. Consult widely throughout the process, allowing a minimum of 12 weeks for written consultation at least once during the development of the policy.
2. Be clear about what your proposals are, who may be affected, what questions are being asked and the timescale for responses.
3. Ensure that your consultation is clear, concise and widely accessible.
4. Give feedback regarding the responses received and how the consultation process influenced the policy.
5. Monitor your department's effectiveness at consultation, including through the use of a designated consultation co-ordinator.
6. Ensure your consultation follows better regulation best practice, including carrying out a Regulatory Impact Assessment if appropriate.

Further information on the Code of Practice can be accessed through the Cabinet Office Website: <http://www.cabinetoffice.gov.uk/regulation/consultation-guidance/content/introduction/index.asp>

Thank you for taking time to respond to this consultation.

Completed questionnaires and other responses should be sent to the address shown below by 27 July 2007

Send by post to:

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