

ContactPoint: Shielding Factsheet

What is shielding?

Individuals whose circumstances may mean that they are at increased risk of significant harm, or for other reasons specified in statutory guidance (see below), may be able to have some of their details hidden – i.e. shielded - on ContactPoint. Shielding is not unique to ContactPoint; it is already in place in a number of systems.

What information will be shown on a shielded record?

Shielded records will show only:

- the child's/young person's name;
- their date of birth;
- their gender; *and*
- the unique ContactPoint ID number.

Information that could help locate individuals at risk will not be visible.

When to shield?

The necessity to shield a record on ContactPoint must be assessed on a case-by-case basis.

The ContactPoint Guidance sets out the limited circumstances where shielding would be applicable. Chiefly, these are when there are strong reasons to believe that by not doing so would be likely to:

- place a child at increased risk of significant harm;
- place an adult at risk of significant harm;
- prejudice the prevention or detection of a serious crime; or
- in the case of adoption, put a child's placement at risk

By increased risk of significant harm we mean that:

- one or more individual(s) are likely to cause significant harm to the child/young person and/or their parent/carer; *and therefore*
- the child/young person and/or their parent/carer are being, or will be, protected at a location that is not known to the individual(s) posing the threat.

The Children Act 1989 introduced the concept of significant harm as the threshold that justifies compulsory intervention in family life in the best interests of children.

There are no absolute criteria on which to rely when judging significant harm.

Sometimes, a single traumatic event may constitute significant harm, for example violent assault, suffocation or poisoning. More often, significant harm is a compilation of events, both acute and long-standing, which interrupt, change or damage the child's physical and psychological development.

Cases when it might be appropriate to shield could arise where, for example:

- a child/young person is placed for adoption where there is little or no contact with birth parent(s) or other family members;
- a child/young person and/or their parent/carer are fleeing abuse or domestic violence; and/or
- a child/young person and/or their parent/carer or family member are subject to police protection.

The need to shield a record may also arise for children/young people and or their parent/carer in a very limited number of circumstances not covered by these categories. For example, the records of siblings or other children who live with or who are closely related to a child/young person whose record has been shielded.

Shielding a record

In the vast majority of cases, requests for shielding will be made by practitioners on behalf of families. They will do this on the basis of what they already know about the child/young person, or as a result of concerns raised by the child/young person and/or their parent/carers. Where they judge that a child record should be shielded, and they have undertaken any necessary safeguarding action, practitioners who are ContactPoint users, and who have the necessary access rights, can request shielding through their web browser or accredited case management system. Those practitioners who are not ContactPoint users should follow their existing procedures relating to the protection of those who may be at risk of harm and contact their local authority to request that a child's record is shielded

Parents who are concerned and have reason to believe their child should be shielded on ContactPoint will, of course, be able to contact their local

authority. Local authorities need to apply the criteria set out in statutory guidance to determine whether it is appropriate to shield the record on ContactPoint.

Multiple shielding requests

A record can have multiple shielding requests applied to it by a number of practitioners.

It is essential that when a practitioner identifies a record which they believe should be shielded, even if it already has a shield applied to it, they register their own shielding request against it. This will help local authorities ensure that a record is only unshielded when there are no outstanding reasons for shielding, having consulted all interested parties.

Local authority reviews

To make sure that the shielding facility is used and managed appropriately, the local authority ContactPoint Management Team should undertake an initial review within seven days of the shield being requested, to determine whether or not the record should be shielded.

Reviews of the shielded decision should be undertaken every six months thereafter to help ensure that records do not remain shielded inappropriately.

As part of their reviews, local authorities should seek views from any relevant involved practitioners and the child/young person and, where appropriate, their parent/carers.

Removing a shield

When any practitioner who has requested shielding on a record identifies that the shielding is no longer necessary, they should remove their shielding request.

To ensure that shields are not removed inappropriately, ContactPoint records remain shielded until the local authority makes a final decision to remove the shield from the record.

Access to shielded records

In order to ensure that ContactPoint does not inadvertently confirm or indicate the whereabouts of a child or young person with a shielded record, a practitioner will only be able to find a child record by inputting information that is visible on a shielded record. No records will be

returned if a search is made using information from any non-visible field.

Relevant people in local authority ContactPoint Management Teams will have access rights to view hidden information on shielded records so they can, where there are child protection concerns, 'broker' contact between users working with the same child/young person.

Users with child protection responsibilities such as police officers or social workers may be granted an access right that enables them to override the shield and gain access to the hidden information on a shielded record. An attempt to override the shield will prompt a message reminding the user that accessing the shielded record will trigger an immediate investigation. Where users choose to proceed, they will only be able view the hidden information until they log out of the record. If they require access to the same information again, they will have to repeat the process. If another user searches for the child record, it would still appear shielded to them.

The development of shielding processes

Shielding has always been an integral part of the development of ContactPoint. The policy and processes for shielding have been informed by the experience of the Trailblazers and consultation with a variety of stakeholders including Barnardo's; Children's Society; Women's Aid; British Association of Adoption and Fostering; Metropolitan Police; Greater London Domestic Violence Project; Children and Family Courts Advice and Support Service; Association of Chief Police Officers; Haven Refuge and local authorities.

What is the legislative basis for shielding on ContactPoint?

Provision for shielding is made in *The Children Act 2004 Information Database (England) Regulations 2007*. The mechanism for shielding on ContactPoint is entirely consistent with the Data Protection Act 1998 which requires security to be appropriate to the harm that may be suffered by the individual.