



## **Isle of Wight LSCB Recording Guidance**

### **Basic principles for effective recording for services working with children and families**

***“The work with children in need requires skilled use of detailed and complex information”*** Every Child Matters 2008

***“Information is a fundamental and crucial element in the delivery of quality social care services...information derives services and sometimes actually is the service”*** Department of Health 2001

***“Recording is an essential part of the service provided to children and families”***

**From “Write enough”** Walker, Shemmings and Cleaver 2003

## **1) Introduction**

The Isle of Wight Local Safeguarding Children Board (LSCB) believes that robust, timely and ethical record keeping is central to the provision of quality services which are safe and transparent and which promote the best outcomes for children and young people.

Managing, recording and interpreting case information is integral to the overall service to each child or young person and their family receive and should not be considered as an optional extra.

The Isle of Wight LSCB is therefore committed to working with agencies to ensure that case recording is of a consistently high quality, informed by evidence and key part of effective and accountable practice.

The LSCB acknowledges the diverse nature of services that may come into contact with children, young people and families, and the fact that not all agencies hold full case records for children or families. Therefore this document provides some guidance and key principles for recording across all agencies to ensure the best outcomes for children and young people.

The LSCB recognises the complexity and skill of the recording task, and will undertake to ensure that staff have access to the training required to enable them to develop the necessary skills required to be able to maintain a high standard of recording.

**This document should be read in conjunction with individual agencies own guidelines, policies or protocols**

## **2) Purposes of recording**

Agency records (including case records) are the 'story' of the agencies work and decision-making with, or on behalf of, an individual and their family. It is an integral part of the process of achieving best outcomes for each child or young person receiving a support or intervention service.

These records, particularly case records can form part of the life story of each child and therefore are key documents which explain clearly for the future, what has happened and the reasons behind any decisions and/or actions.

The records enable clarity, reflection, effective communication, critical thinking, partnership working and sound decisions, all informed by evidence.

Multi agency and integrated working means that there may be a range of various records kept across organisations. These individual records can be cumulative over time, stored and retrieved at any time. They may be electronic and/or paper-based and include any alternatives to written recordings, such as drawings, photographs, diagrams, audio or DVD recordings.

Safeguarding children is everyone's responsibility and all statutory and voluntary services, including adult services should ensure that the voice of the child should also be heard as part of any assessment or contact as appropriate. Where the record is primarily about and for the child **the child's "voice" should be loud and clear** in any record.

This means recording not only what the child says, it should include and reflect any non-verbal communication, and the child's understanding of its situation, not just views and wishes. It is important that the record does not become too focussed on the adult's issues but at the same time a "whole family" approach is needed on the principle that support for those in a parenting role is an essential part of helping a child.

Recording is intended to be a dynamic tool to support and promote good practice, decision-making and outcomes and to demonstrate activity and accountability through the following:

- To provide clear, accurate and up to date information about the child's situation and service involvement which is available to support decision-making at all times whether or not allocated workers are available.
- To enable reflective practice, and as a tool for analysis, decision-making and planning
- To demonstrate and be accountable for decisions taken and actions carried out, with the reasons behind them.
- As a source of personal information to share with the child, now or in the future, to help them understand what has happened in their lives – "the child's story"
- To promote joint working with the child, young person, family and partner agencies
- To ensure continuity, effective transfer and/or joint working within the services supporting children and young people services where appropriate
- To enable the work to be monitored, audited, evaluated and evidenced
- To provide evidence as appropriate in the child's interests

### **3) Legal Frameworks for Recording**

A number of statutory frameworks and published guidance documents influence requirements regarding the recording and sharing of information.

#### **3.1 Legal requirements**

Case records and recording must comply with and reflect the following:

**Data Protection Act 1998** which requires personal information to be kept securely, used only for the purposes it has stated, to be up to date and accurate, sufficient and relevant and kept only as long as necessary.

The person who any record is about is called the Data Subject and the agency holding the record is called the Data Controller.

The Data Subject has the right to;

- a) be informed about the nature of the record and,
- b) have access to it under specified circumstances.

**Human Rights Act 1998** enshrines a right to respect for individual private life and for family life, which must be reflected in practice and in the records.

**Adoption and Children Act 2002** requires records of children who have been adopted to be kept for 100 years from the date of adoption.

**Freedom of Information Act (FOI) 2000** allows public right of access to other types of recorded information held by a public authority for instance policies, plans or eligibility criteria but does not include personal information held on case files which continue to be governed by the Data Protection Act.

**Working Together to Safeguard Children 2006** is mandatory guidance for all agencies working with children and young people. It is compatible with all aspects of this policy. It specifically includes several requirements for recording including the recording of interviews with children and young people and recording when information is shared.

**Every Child Matters (2003)**, and **Safeguarding Our Children (2004)** also provide additional guidance.

**Equalities legislation** A number of laws make it illegal to discriminate against individuals from minority groups and records should positively reflect social inclusion.

**The common law “Duty of Confidence”** means that an individual must not disclose information they hold about another which can be reasonably regarded as confidential except with consent, or to protect a vulnerable person or if there is a strong public interest justification or if required by the law.

### **3.2 Confidentiality of records**

Any records which contain personal data and sensitive information are strictly confidential. This means that paper files must be kept in a locked filing cabinet and electronic records must be password protected. Contents must not be available to, or disclosed to, anyone without consent of the subject of the record other than to: The individual the record concerns as appropriate, employees and partner professionals with appropriate permissions to access them solely in order to provide a service, or for management and quality assurance purposes or in some cases as directed by a Court.

#### 4) Information Sharing

Sharing of any information should be in accordance with the government's Guidance on Information Sharing for Practitioners and Managers and respective agencies information sharing protocol, although as a general rule of thumb information would only be shared with written consent.

There are occasions when the need for consent is overridden and these occasions are where to not share the information would:

- a) Place a child at risk of significant harm or an adult at risk of serious harm
- b) Prejudice the prevention, detection or prosecution of a serious crime, or
- c) Lead to an unjustified delay in making enquiries about allegations of significant or serious harm.

In these circumstances the reasons for disclosure without consent must be clearly stated on the case record. In all other circumstances, consent must be sought. Please remember that consent must be informed, explicit consent (ideally written) is always best and this should be recorded on the case record.

There is no prescribed age when a child may give (or refuse) consent for sharing information. It is a matter of professional judgement and a practitioner should consider the following in assessing if a child or young person has sufficient understanding to make this decision:

- What information might be shared
- The main reason(s) for sharing the information
- The implications of sharing, not sharing it

#### Can they;

- Appreciate and consider the alternative courses of action
- Weigh up one aspect of the situation against another
- Express a clear personal view on the matter
- Be reasonably consistent in their manner on the matter

For further guidance on Information sharing you can access the Isle of Wight Information Sharing Protocol published on the Isle of Wight section of the 4IsCB website [www.4iswcb.org.uk](http://www.4iswcb.org.uk). Comprehensive information and support resources regarding information sharing is also available on the Every Child Matters website [www.dcsf.gov.uk/everychildmatters/resources-and-practice](http://www.dcsf.gov.uk/everychildmatters/resources-and-practice)

Further training is available on Information Sharing via the CAF Training programme. If you do not access CAF training then it may be possible to arrange bespoke Information Sharing Training. For further details please contact Paul Barnard on [paul.barnard@iow.gov.uk](mailto:paul.barnard@iow.gov.uk)

## **5) The principles of effective recording**

All agencies should ensure that all aspects of their work involving children and families is accurately and appropriately recorded, ensuring that the interests, views and needs of any child or children are considered and recorded centrally throughout.

- Records should be maintained and updated as soon as reasonably practicable after any event, visit or contact, and in the case of any child protection issues the LSCB takes the view that recording should be completed by the person receiving the information within 24 hours of the information being received.
- Chronologies should be maintained appropriately
- Agencies should complete and record key processes of any assessment, care planning and review and/or statutory visits within timescales and using correct formats so that they contribute to proactive case management and accurate performance measurement.
- Record all decisions with intended outcomes and the reasons behind them ensuring that decisions are Specific, Measurable, Achievable, Realistic and with Timescales (SMART)
- Record all details of discussions and actions agreed including referrals to or discussions with other partner agencies
- Ensure that any management discussions and any decisions made are recorded on a child or children's records with reason underpinning such decisions

### **5.1 Alterations to records**

A record is not normally altered once completed but there are certain circumstances where this is necessary and records must be changed to:

- a) correct significant inaccurate facts which may effect decision-making or
- b) remove entries which are clearly inappropriate such as discriminatory language or defamatory remarks about colleagues.

If this happens the date, circumstances and who altered it must be transparent. The date and person responsible will automatically show on electronic records and must be made clear on **all** paper records whatever the purpose.

If any significant decision is found to have been made on the basis of incorrect information or unproven/prejudiced information recorded as fact, the relevant manager should review the case and take action accordingly seeking legal advice if necessary.

However it is illegal to alter a record once the person or family member it concerns has requested access under the Data Protection Act (1998). The same principle would apply regarding requests for information made under the Freedom of Information Act (2000).

## **5.2 Recording about adults on a child's file**

The needs of family members are interdependent and therefore information and issues about parents and significant adults, the impact of these on parenting and the services they receive in their own right will be a necessary part of a child's record. Where a parent or relevant adult receives a service for an additional need in their own right the relevant adult protocol should be applied and where necessary used to co-ordinate planning and services.

## **5.3 Access to case records**

Any person has a right to see the personal information an organisation holds about them (Data Protection Act 1998).

In brief the requirements are that to access their record an individual must:

- make the request in writing
- describe the information they want
- provide proof of identity (e.g. passport, driving licence or in some circumstances personal identification by caseworker).

A person does not have the right to know what is recorded about someone else. A child or young person's file will inevitably contain information about parents and other family members. When a file is accessed information about others will remain where it directly relates to the welfare and decisions made regarding the child but otherwise will be removed before access.

If the information came from a third party (e.g. another agency or a member of the public) such third parties will be asked for their consent before information can be disclosed to the individual. If consent cannot be obtained for example because the person has died, cannot be traced or agencies no longer exist, or if the subject already knows the information, legal advice should be sought about whether it is reasonable to disclose without consent.

An adult with parental responsibility may ask to see the record on behalf of a child who is unable to request it for themselves because of their age or capacity as long as they are acting in the child interests. Older children and young people can access their record in their own right once they are able to understand the nature and significance of the request. While there is no exact age when a person can access their own record it is generally considered that young people aged 12 years and over are able to request access themselves.

Legal advice should always be sought where the position regarding access or disclosure is unclear.

## **5.4 Best Practice Overview**

A good case record is focused and written clearly, concisely and in neutral straightforward language to communicate the meaningful "story" and decision-making about a child or young person. It will provide evidence that enables the reader to quickly understand the child's full circumstances, needs and possible risk factors and the basis for decisions made with the reasons and the outcomes intended.

It will both demonstrate and promote the process of critical thinking, partnership working and inclusive practice and it will show the constructive use of organisational systems.

Case recording is, and has always been, an integral tool of professional accountable practice. It will contribute most effectively to the achievement of good outcomes where staff view and value it as a positive aid to practice and as giving a “voice” to a vulnerable child rather than as a distraction from the “real” job. It is essential to regard recording as part of the real job.

At first sight the techniques for recording may seem obvious – However a high level of skill and versatility is needed to reflect the complexity of the work with vulnerable children and their families.

The following sections outline the essential practice requirements for effective recording;

If you can answer yes to all of the following questions it is likely that your recording is already of a high quality and standard.

***“If I disappeared tomorrow, would somebody reading this record be able to quickly establish a complete and vivid picture of this child or young persons circumstances, and the child’s level of understanding of those circumstances and be able to use the information to take suitable further action in the child’s best interests?”***

Are the following aspects clear?

- The factors contributing to need and risk?
- The decisions made with evidence and reasons
- Who else is in the family, household and wider network
- Was the child seen?
- Is each entry dated and timed accurately, and is the person completing the record identified?
- Was the child seen alone and does the record capture the voice of the child?
- The contacts with the child and family and the views of parents/cares?
- Which partner professionals are involved, identified by both job title and name and how to contact them?
- Does the language, content and tone demonstrate socially inclusive practice and is it suitable for the person concerned to read?
- Is the record in the appropriate format and maintained securely?
- Is the record free of jargon, abbreviations and acronyms?
- Is there an up to date child chronology
- Is there evidence of management and supervision oversight?
- Does this record overall reflect the work of an accountable professional using sound judgement?



## 5.5 Recording Content which reflects Best Practice

- **Reflects the “voice” of the child or young person.** Direct communication with and/or observation of the child, whether this was alone and his or her wishes, feelings and views must be recorded prominently. It must also be demonstrated how the child’s views were used to inform decision-making – for instance *“During our one to one session, T drew a picture of what had happened and told me she did not want to go back .....This informed the decision for T to move”*
- **and the family and carers** While the focus must remain on a good outcome for the child, the record should reflect where and how this is being achieved through work with and support for parents and carers in their parenting role. However the record should **not** become so “adult focussed” that the needs and outcomes for the child are lost.
- **Outcomes** An outcome is expressed as the effect on the wellbeing of an action on the child or young person for instance *“L will take K to her hospital appointments” (action) so that her epilepsy is controlled (consequence) and she can live a normal life for her age” (outcome).* An outcome is **not** a decision or an action or a service. A way to clarify what is a genuine outcome is to think of it in terms of the child’s welfare rather than a professional intervention. It is essential that all plans, interventions are geared towards an intended outcome and that this is explicitly recorded and used to measure progress.
- **Analysis** This is the “making sense of” or drawing out the “meaning” of all the information available for the child or young person and their family as a basis for deciding future actions. The critical thinking involved in analysis enables you to move beyond a list of issues to examine the interaction between them, any cumulative affect and the protective factors and determine the risks and needs to be addressed.
- **Decision – making process and accountability** Significant decisions affecting plans and possible outcomes for the child, who made them and the reasons behind them must be made explicit so that that accountability is clear and in later life the young person will be able to understand the basis on which important decisions were made which affected their lives. Where significant decisions are made outside formal meetings or supervision they must still be recorded in the above detail and for the above reasons under Management Decisions.
- **Inclusive practice** The language and actions reflect respect and consideration for each individual and for diversity and difference regardless of circumstance. For example *“S learns best using visual information due to her learning disability so I took photographs and used them to explain”*
- **A co-ordinated approach with partner agencies and teams** this will show in the records through appropriate information sharing, joint plans, prompt responses etc. *“I contacted JN, social worker in ACS for P’s father and we agreed to undertake a joint assessment”*
- Recording should always indicate any additional communication methods over and above spoken English e.g. communication aids required such as using pictures, British sign language, Makaton, or use of interpreters etc.

## 5.6 Recording Style

All the following aspects will demonstrate professionalism and contribute to the validity of the account in formal proceedings.

- **Concise** i.e. in as few words as possible needed to cover the main points and ensure the information flows and the issues can be easily read and understood while also ensuring that all necessary information is included. In some circumstances bullet points can help to clarify the elements of a situation or observations.
- **Plain English** Language will be straightforward without jargon or acronyms or where they are inevitable they will be explained in full at the first use in each report. This will aid understanding for anyone else who needs to read it and enable the person it concerns to understand it at a later date.
- **Accurate spelling and grammar** demonstrating professionalism. A spell check is available for all electronic formats
- **No colloquial figures of speech** for instance “*Mother*” or her name rather than “Mum”. “*The children*” rather than “*kids*”.
- **Neutral language** for instance “*H said that G left the house for the second time this week after an argument*” rather than “*G stormed out in one of his usual tempers*”
- **Names and job roles where relevant written in full** so that all individuals and their actions can be easily identified at any time. Professional staff to be referred to as “*F. N., Health Visitor...*” rather than “*Frankie ....*”
- **Signed legibly with full name, role and dated** this is particularly important in paper records. It is usually recorded automatically in electronic formats.
- **Recording individual or one-to-one work.** Important interactions and insights may be revealed in work sessions that must be recorded to contribute to understanding of the child’s views and to planning. While it may be difficult to record every moment the essence should, at least be captured in a summary. Direct quotations can be powerful in conveying meaning.

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