BIRMINGHAM CASS/MASH

Children’s Advice and Support Service (CASS)

&

Birmingham Multi Agency Safeguarding Hub (MASH) Protocol

Version 1.0

Nov 2022

Document Control

|  |  |
| --- | --- |
| Owning Organisation | Birmingham Children Safeguarding Partnership |
| Document Owner | **Birmingham Children Safeguarding Partnership** |
| Title | Birmingham CASS/MASH Protocol |
| Author | Marshelene Williams & Mel Homer – Joint Chairs - on behalf of the CASS/MASH partnership |
| Protective Marking | Not classified |
| Review frequency | Annually |

Document History

|  |  |  |
| --- | --- | --- |
| 28/10/2022 | 1.0 | Draft Protocol written in consultation with partners. |
|  |  | Sign off by the CASS /MASH partnership Forum |
|  |  | Sign off by the CASS/MASH Strategic Group |
|  |  | Sign off by Birmingham Safeguarding Children Partnership |

We the undersigned agree that each agency/organisation that we represent will adopt and adhere to the protocol.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Agency | Name of Signatory | Post Held | Signature | Date of signature |
| Birmingham Childrens Trust | Jenny Turnross | Director of Practice |  | 2 February 2023 |
| West Midlands Police | Detective Chief Superintendent | Head of Public Protection | Richard North /Dez Lambert | 2 February 2023 |
| Health | Diane Rhoden | Director of Nursing \_ Safeguarding |  | 2 February  2023 |
| National Probation Service | Neil Appleby | Head of Birmingham North & East |  | 2 February 2023 |
| Education | Sue Harrison | Strategic Director for Children & Families |  | 2 February 2023 |
| Housing | Paul Langford | Interim Strategic Director |  | 2 February 2023 |

**Purpose of the protocol**

This protocol builds on our data sharing agreement and CASS/MASH operating procedures.

This protocol has been written to:

* Update and describe how agencies involved in Birmingham CASS/ MASH, work together.
* Describe the roles and structures that support the exchange of information between agencies.
* Identify the governance arrangements for the multi-agency CASS/MASH service
* Identify roles and responsibilities within this service

The signatories to this protocol will represent the following agencies participating in the MASH:

* Birmingham Childrens Trust
* West Midlands Police
* Health
* Education
* Probation
* Housing

All current and new partners joining Birmingham CASS/MASH are required to sign up to this protocol.

The data sharing arrangements are the subject of separate documents – these being Birmingham Childrens Collaborative Data Sharing Agreement and Framework / Policy and Working Together 2018

**Review arrangements**

This protocol will be formally reviewed annually by the Partner Agencies via the CASS /MASH partnership, unless new or revised legislation or national guidance necessitates an earlier review.

Any of the signatories can request an extraordinary review at any time where a joint discussion or decision is necessary to address local service developments.

**Purpose of CASS /MASH**

For many years, the sharing of information between partner agencies of appropriate information about children who come to the attention of Birmingham Children’s Trust has been vital in ensuring that as far as possible the welfare of children is safeguarded.

Research and experience have demonstrated the importance of information sharing across professional boundaries.

The Children Act 2004 emphasises the importance of safeguarding children by stating that the relevant partner agencies – which include the police, children’s services authorities, Clinical Commissioning Groups, and the NHS Commissioning Board – must make sure that functions are discharged having regard to the need to safeguard and promote the welfare of children. The Act also states that they must make arrangements to promote co-operation between relevant partner agencies to improve the well-being of children in their area. Well-being is defined by the act as relating to:

* a child’s physical and mental health and emotional well-being (“be healthy”);
* a child’s protection from harm and neglect (“stay safe”);
* a child’s education, training and recreation (“enjoy and achieve”);
* the contribution made by them to society (“make a positive contribution”); and
* Social and economic well-being (“achieve economic well-being”).

Although most commonly used to refer to young people aged 16 or under, “children” in terms of the scope of this Act means those aged under eighteen, that is, from birth until their 18th birthday.

Information upon which safeguarding decisions in relation to children and young people are made is held by numerous statutory and non-statutory agencies. Many tragic cases across the UK have highlighted deficiencies within safeguarding partnerships in relation to the sharing of information and communication. Serious case reviews and inquiries (such as Daniel Pelka, National Reviews into Arthur Labinjo-Hughes and Star Hobson) have directly attributed the lack of good information sharing and communication to the subsequent death of an individual.

In order to deliver the best safeguarding decisions that ensure timely, necessary, and proportionate interventions, decision makers need as much information from all agencies concerning an individual/child/family and their circumstances to be available to them. Information viewed alone or in silos is unlikely to give the full picture or identify the true risk.

Therefore, all the relevant information from various agencies needs to be available and accessible in one place. Children’s Advice and Support Service (CASS), helps ensure this and aids communication between all safeguarding partners.

CASS ensures all statutory partners have the ability to share information, which helps to identify those who need of support and or those who are subject to, or likely to be subject to harm, in a timely manner. Decisions are made in a timely way to ensure that children and families are aligned to the correct services.

The Multi-Agency Safeguarding Hub (MASH) is where qualified social work staff and partners sit to support the safeguarding and planning for children where a decision has been reached that a child has or is likely to suffer significant harm. All agencies will be notified to share information and appropriate agencies will be invited to attend a strategy meeting. Strategy discussions are facilitated within the MASH space.

CASS and MASH helps to deliver three key functions for the safeguarding partnership:

* **Information based on risk assessment and decision making.**

Identify through the best information available to the safeguarding partnership those children and young people who require support or a necessary and proportionate intervention.

* **Victim identification and harm reduction.**

Identify victims and future victims who are likely to experience harm and ensure partners work together to deliver harm reduction strategies and interventions.

* **Coordination of all safeguarding partners.**

Ensure that the needs of all vulnerable people are identified and signposted to the relevant partner/s for the delivery and coordination of harm reduction strategies and interventions.

The MASH model was highlighted in the Munro Report into Child Protection (<http://www.education.gov.uk/munroreview/downloads/8875> DfE Munro Report Tagged .pdf) as an example of good practice in multi-agency partnership working because of how it improved information sharing between participating agencies.

**Data and Information Sharing**

All decisions to share or not share information must be decided on a case-by-case basis and recorded.

The data sharing arrangements are the subject of separate documents – the Birmingham Childrens Collaborative Data Sharing Agreement and Framework / Policy. Working together 2018



Information is shared initially within CASS with or without consent in order to assess risk and harm which in turn identifies the proportionate level of response required.

Once a decision is made based upon the information shared, the CASS Social Worker will determine what information can be shared with partner agencies based upon a need-to-know basis, considering consent provided, and the concern that has been raised.

All disclosures must be relevant and proportionate[[1]](#footnote-2) to the intended aim of the disclosure.

Under the UK GDPR, Paragraph 10 of Schedule 1 of the DPA 2018 provides a condition for sharing special category data or criminal offence data where it is necessary for the prevention or detection of unlawful acts, and where asking for such consent would prejudice that purpose.

Paragraph 2 of Schedule 2 of the DPA 2018 provides an exemption (the “crime and taxation” exemption) from the UK GDPR’s transparency obligations and most individual rights, but only if complying with them would prejudice the prevention or detection of crime, or the apprehension or prosecution of offenders. Also, Schedule 8 of the DPA 2018, sharing to protect a child from harm (does not need to be “significant” harm) and potentially without consent This is not a blanket exemption and will be considered on a case-by-case basis.

### Human Rights Act 1998 – Article 8

The Right to Respect for Private and Family Life, Home and Correspondence

There shall be no interference by a public authority with the exercise of this right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Consent is relevant to the rights of those to whom confidential information relates, and thus to legal obligations such as the Human Rights Act 1998.

The sharing of information with children’s services may engage Article 8 however there will be no contravention provided that an exception within Article 8 (2) applies.

The benefits of effective sharing of information for the purposes set out in this agreement are to the direct benefit[[2]](#footnote-3) of the citizen and so in the public interest. This agreement is:

* In pursuit of a legitimate aim:
* The promotion of the welfare and well-being of children and ensuring they achieve all five outcomes is, by virtue of S.11 of Children Act 2004, a legitimate aim and major responsibility of the signatories to this agreement is also in line with Articles 2 and 3 of the Human Rights Act 1998, namely the right to life and the right to prohibition of torture or inhuman or degrading treatment.

### Proportionate:

The amount and type of information shared will only be necessary to achieve the aim of this protocol. Information is always to be considered in terms of its proportionality in each set of circumstances, but it must always be remembered that the right to life is paramount.

## Individual Responsibilities

Every individual working within the CASS/ MASH is personally responsible for the safekeeping of any information they obtain, handle, use and disclose. Every individual should:

* Know how to obtain, use, and share information they legitimately need to do their job.
* Uphold the general principles of confidentiality follow the rules laid down in this agreement and the Birmingham Childrens Collaborative Data Sharing Agreement and Framework / Policy and Working Together 2018 and seek advice when necessary.
* Be aware that any violation of privacy or breach of confidentiality is unlawful and a disciplinary matter that could lead to their dismissal. Criminal proceedings might also be brought against that individual.
* Please see attachment which includes partner agencies role/ responsibility/ offer in the CASS and MASH space.

**Role and function of CASS and MASH**

CASS is the central point for all Request for Support Forms (RFSF’s) /email and telephone calls when a child/parent/carer/member of the public or professional wants some advice or to report any concerns they have for a child and/ or their family who reside in Birmingham or if an incident has occurred in Birmingham even if they live elsewhere.

**CASS supports all** Information requests from partner agencies across the country.

The process below outlines the different levels of information that can be shared by CASS with agencies and the procedure by which agencies can access this information

**Information Request Level 1.**

Level 1 information requests are appropriate where an agency is seeking information as to whether a child is or was known to Children’s Social Care and if a child has an allocated Social Worker or Family Support Worker.

CASS will be able to tell agencies the worker’s name, contact telephone number and email address.

If an agency is enquiring about one child, they can ring CASS on 0121 303 1888 option 2 option 2 and make a level 1 information request. For data protection purposes the CASS worker on the phone will ask the professional caller to send an email direct to the Referral and Advice Officer whist they are still on the phone to verify the identity of the caller. The CASS worker will then provide this information over the phone.

**Information Request Level 2.**

Agencies can request level 2 information when they are seeking more detailed information on a child/family known to Children’s Social Care, but the case has been closed.

Agencies making level 2 information requests will need to complete the CASS Information Request Form. For these requests CASS will search the child’s reports to identify the length and nature of this involvement with Birmingham Children’s Social Care.

CASS will only be able to disclosure limited information e.g., dates of involvement, reasons for involvement and whether the child was on a Child Protection Plan, Child in Need plan or whether a section 47 investigation has taken place. CASS would also be able to disclose if the child/family has received family support or whether a child has been in care.

To access this more detailed information, evidence of consent from the child or young person or their parents/carers is generally needed. This should be provided with the request. Evidence of consent will usually be the requester agency’s form or letter signed by the parent/child. However, CASS will accept confirmation from the requesting agency that verbal consent has been obtained.

Consent is not needed where a local authority or an agency such as CAFCASS is actively involved in a Child Protection enquiry (S.47) or care proceedings. Consent is also not required in instances where a local authority or an agency such as CAFCASS is writing S7 or S37 reports, or the family subjected to private and public care proceedings being in PLO.

**Information Request Level 3**

In some instances, an agency will require more detailed information held on an individual child or young person’s record if they are involved in court proceedings or Section 47 investigations i.e., need to view whole case files. In these instances, the agency can make a request to the Disclosure Team [disclosureteam@birmingham.gov.uk](mailto:disclosureteam@birmingham.gov.uk)

All Request for Support Forms (RFSF) received should evidence what the needs of the child/family are, what support has been offered, clarification around consent and any specific details about the child such as siblings, disability, ethnicity, EHCP /SEN needs and family networks.

A qualified Social Worker in CASS will progress the RFSF or enquiry, based upon the information already known about the child or their family in a timely and proportionate manner considering the risks/needs are identified in line with RHRT threshold document. CASS will signpost parents/ carers and professionals where appropriate to alternative services and support them through the Early Help offer if this is appropriate

Where the threshold has been identified under complex and significant aligned to the ***Right Help, Right Time*** (RHRT) Threshold Document or anonymous referrals, all appropriate agencies in the CASS/MASH space will be approach to share information they hold on the child or adults known to the child. This assists the CASS Social Worker identifying the most appropriate outcome for any child/family.

This is a partnership space where information is shared /assessed, and decisions are made to ensure that children’s needs are understood and responded to. We have access to over 25 agencies at the front door to share and seek information from to make good decisions for children and families (please see attached) This supports early identification of need/risk and allows a timely and proportionate decision making within CASS



When threshold has been met or likely to be met under complex and significant, checks are then completed with partners that sit in CASS (as identified above).

Same day responses are required from partners to allow CASS to make timely and proportionate recommendations without delay.

There are occasions when information is required back within hour/s due to the nature of the risks raised. There is a 24-hour timescale set for all enquires to have clear decisions. Timeliness of decision making at the front door is monitored on a daily basis

Once the checks have been returned, this information is utilised to make an informed decision on the outcome of a RFS. If the information has not been returned to CASS by the time its progressed to an assessment, then this information is forwarded to the allocated social worker by CASS when it is received thus supporting continuous information sharing once outside of the CASS area from all agencies.

When CASS identify that a Strategy Discussion is required this is progressed for strategy meeting in a timely manner in line with the initial risk assessment done by CASS.

MASH aim to respond to all strategy meetings within 24 hours unless there is a clear risk assessment that allows for up to 72-hour exception as identified in the local Safeguarding Protocol. Timeliness and partner participation of strategy meetings is monitored as part of the ongoing performance data

MASH is the arena where the agencies are invited to attend the strategy discussion which are arranged by coordinators employed by BCT. It is the responsibility of all partners to participate and present information about the child/family within the meeting.

Decision making about outcomes and safety plans should be evidenced by partners and collated in the strategy meeting minutes. Each agency is responsible for their own actions and feedback process, to the professional group, within their own organisation or to the allocated social worker. Each agency is responsible for their own good quality case recording on internal systems.

The MASH arena allows for early, quality information sharing, analysis and decision making to safeguard vulnerable children and young people. It supports early risk assessments and safety planning for children who are at risk and support partners to respond to risk in a proportionate and timely way. Following a Strategy Discussion each agency is clear on the outcome and actions that will be completed by all attendees to ensure the children’s needs and safety is met.

The MASH space also supports strategy meetings for children already open to the TRUST – whilst it is expected that the partnership group already established for the child/family should attend this meeting – resources in MASH are available should this support a wider access to information or there is an issue of attendance by a member of the child’s partnership group. MASH health, education and any other agency supporting CASS/MASH, are available to support information sharing in these situations.

**Responsibilities of each agency**

It is the responsibility of each agency to ensure that staff who work within this area are available for work on a consistent basis. It is the ethos of the service that we work together in one space, face to face. It is acknowledged that since the pandemic restrictions some agencies have identified that they will be offering virtual support. It is the responsibility of each agency to review the effectiveness of that decision and to assure themselves that their offer meets the needs of the service

It is responsibility of each agency to ensure that they review the demand /capacity needs at the front door. Each agency should be discussing the needs of the multi-agency CASS/MASH service and raising resource issues within their own organisation and sharing this within the partnership identifying actions to resolve.

It is the responsibility of each agency to ensure that they participate in the Quality Assurance Framework set by the CMP and CASS/MASH strategic board. Supporting an understanding of the quality of the work undertaken by all agencies in the CASS /MASH arena, data analysis within their own organisations and CASS/MASH. This framework should support ongoing improvements, sharing of good practice, responsiveness to national or regional issues, learning and development of all agencies within the partnership space.

Each agency is responsible for engaging with the escalation policy ensuring that disagreements and or concerns are escalated appropriately to support swift resolutions. Where resolutions can’t be reached an escalation to the Snr Managers of each organisation should be progressed.

If the escalation is in line with a strategic requirement this will be discussed and supported by the CASS/MASH Strategic Safeguarding board.

Each agency is responsible to identifying an attendee for the CASS/MASH partnership and ensuring consistent attendance.

**Governance**

The multi-agency CASS MASH service is overseen by the Strategic CASS/MASH partnership which has representatives from the 4 main statutory partners and Birmingham Safeguarding Children Partnership – The main responsibilities of this group is

* To review/develop MASH governance and management structure
* To review/develop and update the MASH vision and purpose
* To ensure resourcing, supervision, and management oversight within the MASH
* Multi-agency workforce development for personnel working within the MASH
* To oversee the effective implementation of a Quality Assurance Framework for MASH.

The Strategic partnership is overseen by Birmingham Safeguarding Children Partnership Executive Board

The operational work of the multi-agency CASS /MASH is governed and overseen by the CASS /MASH partnership (CMP) forum that meets on a monthly basis. The timings of these meetings can be reviewed with the agreement of the CMP.

The CMP is overseen by the Strategic CASS MASH The CMP is a forum where the partners that support the CASS/MASH space meet on a to review the work undertaken in the CASS MASH space this is inclusive of data/Performance/quality and practice and processes.

The CMP works together to ensure that the front door is a safe, effective, and responsive system that meets the differing needs of children/families who reside in Birmingham.

This forum supports the partnership to have clear accountability and understanding of the demand/need and quality of practice within the CASS /MASH arena. It supports a partnership understanding of all different organisations and their contribution to safeguarding children.



Date of Review of Protocol November 2022

Review Date – November 2023

1. The implication here is that full records should not be routinely disclosed, as there will usually be information that is not relevant. [↑](#footnote-ref-2)
2. Benefit does not always equate to real public interest, and when it does, it still has to be “proportionate” [↑](#footnote-ref-3)