



**STANDING COMMITTEE
OF
TYNWALD COURT
OFFICIAL REPORT**

**RECORTYS OIKOIL
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**PROCEEDINGS
DAALTYN**

**SOCIAL AFFAIRS
POLICY REVIEW COMMITTEE**

SAFEGUARDING

HANSARD

Douglas, Monday, 20th April 2020

PP2020/0102

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Members Present:

Acting Chairman: Mr M J Perkins MHK
Ms J M Edge MHK

Clerk:

Mr J D C King

Assistant Clerk:

Ms I Perry

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Standing Committee of Tynwald on Social Affairs Policy Review

Safeguarding

*The Committee met virtually at 3.30 p.m.
Proceedings were conducted and broadcast live
from the Legislative Council Chamber.*

[MR PERKINS *in the Chair*]

Procedural

The Acting Chairman (Mr Perkins): Welcome to this public meeting of the Social Affairs Policy Review Committee, a Standing Committee of Tynwald.

I am Martyn Perkins MHK; I am acting Chair of this Committee today as we await the election of Mr Cretney's successor. With me today is Ms Julie Edge, MHK for Onchan.

5 This is a historical sitting, as I believe I am right in saying it is the first Standing Committee of Tynwald to meet electronically, so please bear with us if we have any electronic teething troubles.

Please can we ensure all mobile phones are off or on silent so that we do not have any interruptions? For the purposes of *Hansard* I will be ensuring that we do not have more than
10 one person speaking at any one time – hopefully.

The remit of the Social Affairs Policy Review Committee is to scrutinise the established but not emerging policies as deemed necessary by the Committee. We scrutinise the Department of Health and Social Care, the Department of Education, Sport and Culture and the Department of Home Affairs.

15 This afternoon we welcome Minister Chris Thomas MHK, who is Chair of the Social Policy and Children's Committee, which is a subcommittee of the Council of Ministers; and Ms Glenys Johnston OBE, Chair of the Safeguarding Board.

EVIDENCE OF

Hon. Chris Thomas MHK,

**Minister for Policy and Reform, Chair of Social Policy and Children's Committee; and
Ms Glenys Johnston, Chair of Safeguarding Board**

Q1. The Acting Chairman: For the record, I would like to begin by asking you to please state your name and job title and how long you have been in that role.

20 Mr Thomas.

The Minister for Policy and Reform (Mr Thomas): Chris Thomas, Minister for Policy and Reform since October 2016.

25 **The Acting Chairman:** Thank you.

Ms Johnston: I am Glenys Johnston. I am the independent Chair of the Safeguarding Board and I have been in post just over two years.

Q2. The Acting Chairman: Thank you very much.

30 The word 'vulnerable' is used a lot these days. Could you perhaps start by explaining how you would define vulnerability, Ms Johnston?

Ms Johnston: The terms 'vulnerable adult' and 'adult at risk' are interchangeable and some people have a preference for one or the other. If you look at the legislation, it sets out very clearly who is deemed to be a vulnerable adult, by virtue of what circumstances. This might be a person who is entitled to be receiving services to support them, but might not be, so they might not be a current service user. Nevertheless, if they have needs for care, support and safeguarding then they would be considered to be vulnerable. This is everybody over the age of 18, right up to the oldest person on the Island.

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Q3. The Acting Chairman: Would you say that is the current understanding and the interpretation of the word throughout the relevant officers and stakeholders on the Island?

Ms Johnston: I would amongst officers. I think that the Isle of Man was quite forward thinking four or five years ago in setting up an Adult Safeguarding Board and setting up a team that considers concerns as they arise. That was quite forward thinking at the time, but nevertheless I think we can do more, and it is in our planning to do more, about raising awareness with the public. We have very good links with the third sector, who are obviously very important in this arena, so yes, the awareness about safeguarding ... As we can see by the number of referrals, as we can see by the demands for training, awareness raising is on track but it is relatively new.

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Q4. The Acting Chairman: Does that mean now we can track the individuals from childhood through to adulthood seamlessly?

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Ms Johnston: We are not in that position, and of course safeguarding concerns about an adult may have very little connectivity with them as children; they are vulnerable by virtue of their circumstances.

We do gather information on safeguarding referrals. We analyse them and they are reported to the Board at every other meeting – one meeting on children, one meeting on adults. Certainly we have numbers, the nature of the abuse, who referred them to the Safeguarding team, where they came from, how old the person was, their gender etc., and we can compare those with other jurisdictions and see that they are pretty similar, really, although obviously much smaller because of the Isle of Man population. We are getting a better sense of where concerns happen, what concerns are about and who they are about, so we are developing that intelligence. We have the same arrangements with children, but that information we have gathered for longer.

65

The Acting Chairman: Thank you.

Ms Edge.

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Q5. Ms Edge: Obviously we have focused a little bit more on adults than children, but with regard to a vulnerable adult you said that some might be service users and some might not. How can a vulnerable person who feels vulnerable actually get referred through so that you are aware of them?

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Ms Johnston: On the Safeguarding Board website – and we are in the middle of designing a new one, which will cover both children and adults – there is a very clear notice on what to do if

you are concerned. Very often referrals or concerns will be brought to the attention of the Adult Safeguarding team through somebody known to the vulnerable. Of course, they can refer themselves but they are often notified or referred by the person who runs the care home, a relative, somebody from the third sector, a professional, a GP, or somebody in housing. There are lots of sources. That tells us that people's awareness of the fact that people can be abused when they are adults and where to go with that concern and what to do about it is pretty sound.

85 **Q6. Ms Edge:** Do you find that different on the Isle of Man, in comparison to other jurisdictions that you have been involved with? Do you find it a closer-knit community?

90 **Ms Johnston:** No. You may know I was the independent chair in Jersey for six years until August last year, and our data ... the numbers per thousand are very similar and the nature is very similar; there might be some slight differences in which age group we have most concerns raised about. We are aligning our data with the English dataset, and so we can read across a big jurisdiction like England and also smaller jurisdictions like Jersey and Guernsey, because islands have unique characteristics and it is important that we compare like with like as well as benefiting from a bigger jurisdiction.

95

Ms Edge: Thank you.

100 **Q7. The Acting Chairman:** Just going on to the Combined Action Plan for Children and Young People, in the foreword it said the Scottish Care Inspectorate had been engaged to do a desktop review, and I think, going back to Tynwald, the Minister indicated that you had actually received the feedback from that review. Would you care to comment on that?

105 **Ms Johnston:** I have not seen the feedback from the review. I am aware of the Combined Action Plan. There were actions for the Board included in that. Some were joint actions with Children's Services and another body and some were solely for the Board, not many. So I have had an opportunity to comment on that action plan, that it needs to have outcome measures in it and so on, but it has been good that it has been brought to one place.

The Scottish Care Inspectorate inspection had taken place before I came and there had been a follow up, and then I think this desktop review followed that too and made some small recommendations about implementation of their original recommendations.

110

The Acting Chairman: Okay, thank you.

115 **Q8. Ms Edge:** Can I just ask, further on that and with regard to the Combined Action Plan, within the plan there are obviously quite a few things that perhaps have not been completed – I think there is one in particular that I read with regard to the independent review service on a statutory basis by amending the Children and Young Persons Act, an amendment Bill to be moved forward – and I just wonder if Minister Thomas would comment as to whether we are going to see these changes brought forward during this administration, so that the Combined Action Plan can be successful going forward to make sure that we have got the right legislation in place.

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125 **The Minister:** Yes, Chair and Member, the director has not seen the Scottish Inspectorate review done in the summer of 2019. I have, the Department of Health and Social Care Children and Families Division has, and basically, in the light of the Tynwald debate and the promises I made, a revised action plan for a couple of years is awaiting consideration by the Council of Ministers' subcommittee that I chair, and that action plan also deals with the issue you have just raised in your question about when we have an external regulatory review.

130 So, when the Social Policy and Children's Committee subcommittee of the Council of
Ministers next meets, one of the items on our agenda will be the consideration of the
continuation action plan, which also includes an action to address independent regulation and
also all the other incomplete actions at the end of the three years that were identified in the
debate and the report for the debate laid before Tynwald in October and received by Tynwald.

135 **Q9. Ms Edge:** I am quite sure you have a lot of legislation that you are wishing to bring
forward. Can you see any delays in your legislative programme with respect to the COVID issue?

The Minister: It was a very full Tynwald in October 2019. Not only did it include the
safeguarding report that we are here to debate mostly today, I think, and safeguarding issues; it
140 also included a report on three years of Children and Young Persons Action Plan arising from a
part of a previous Safeguarding Board independent investigation. It also included the legislation
programme that you refer to, Julie – if you do not mind me being so bold – and that legislation
programme included three pieces of legislation, two of which have completed their passage
through the Branches. That is the Child Death Overview Panel amendment, which went through,
145 and it also included the limitation in the context of abuse, which has gone through both
Branches. It also included the Domestic Abuse Bill, which has now been through both Branches,
and the House of Keys, once it has reconvened the regular business, will be considering the
Domestic Abuse Bill.

Subsequent to October, Minister Ashford mentioned he would like to bring forward the
150 prioritisation of some other legislation – for instance, further amendments to the Children and
Young Persons Bill – and the Legislation Committee will be reconvened in the next couple of
weeks to actually consider the timescale for the whole of the legislation programme that was
announced in October and also the additional things that became important for DHSC before the
coronavirus emergency. The Council of Ministers suspended its subcommittees a couple of
155 months ago, but it is recognised that we now need to reconvene certainly the Legislation
Committee I believe also the Social Policy Committee so that it can pick up on the Action Plan for
Children and Young Persons, because there are very strong actions in that, and also the
legislation programme.

160 **Q10. Ms Edge:** With regard to some of the items that you have talked about, some of the
legislation and so on for domestic abuse and that, I know at the time it was debated within the
Chambers there was consideration within that of vulnerable people and how they could still
continue possible abuse in a divorce situation etc. I suppose the comment that I want to make is
the capacity legislation is probably critical to making any of that legislation that has recently
165 been approved successful, because it is difficult without capacity legislation to actually ... There
could be an accusation against a very vulnerable person who does not have the capacity, so I
suppose I am urging you, really, to ... (**The Minister:** Yes.) and how soon we can bring that
forward.

170 **The Minister:** You are quite right, and so that is why the Legislation Committee needs to
reconvene virtually and actually make recommendations to Council Ministers based on officer
and political input in respect of all of these pieces of legislation. We cannot do everything at
once, we have to prioritise it, but I think capacity and some of the other legislation will end up
being quite important for a number of reasons.

175 Perhaps the Safeguarding Chair can comment, but the other point is domestic abuse
legislation is one thing but we also need the domestic abuse pathway around that. I know, for
instance, the Police have been working a lot with the DHSC and Cabinet Office to actually think
through some of the implications in terms of homelessness that will arise potentially to do with
the situation that you alluded to about removing people from housing and so on. That is
180 something that has been going on in the background and I have been involved politically to

make progress, so that we end up with practical solutions to real problems that are incredibly serious and in fact you could argue have been amplified during the coronavirus emergency given some of the figures that the Chief Constable has given about domestic abuse and other issues at home in recent weeks.

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Q11. The Acting Chairman: Just going back to the action plan, Minister, if I may – looking as an outsider, a lot of the objectives have sort of been achieved. Have you got any new targets you are going to put forward, any new plans?

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The Minister: That is a very good question, and thank you very much for asking it.

Currently the action plan was focused more on rolling forward things we had not done quite to our satisfaction, but we need to reflect politically on whether we need to add in extra things. I think we are now, though, at the stage of this administration whereby we might be a bit hesitant to add in too much extra, but there are certainly some big issues, like the ones we are alluding to in terms of domestic abuse, that we might want to think about adding. I would be very interested, when it comes to it, to hear from the Safeguarding Chair in the context of the Social Policy Committee but also from all the other officers and professional experts around Government about what we should be adding in at that point. So far, we have just got a draft continuation plan prepared for committee at the next Social Policy and Children Committee, which I hope to be able to arrange as soon as we move back to regular business.

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Q12. The Acting Chairman: Thank you.

Children with additional needs and disabilities: according the action plan in October 2019, the additional needs were being funded by the DHSC and DESC and I think that was due to expire at the end of the year. Have we got funding solutions in place for that?

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The Minister: Is that to me, or to the professional first?

The Acting Chairman: Either of you, actually. It is a question out of interest to make sure the funding is still there.

210

The Minister: Okay. It is an issue and that is one of the issues that is in the continuation action plan. We now know when that budget ends from a departmental point of view and one of the immediate issues we have got to address inside the revised action plan is how we address that issue of the children with additional needs. Also, that relates to a needs assessment being carried out by Public Health, which is now obviously in Cabinet Office, so it is work across Government. It also links in, I believe, conceivably to something like the adverse childhood experience type thing that we are looking at as well inside that programme. So there are quite a few open actions that we need to complete and they certainly need focus by Government but also by all of us, as Members of Tynwald, to make sure that we have the social care, the health, the legal social justice type systems that we deserve as an Island.

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Q13. Ms Edge: Minister, in Tynwald in October 2019 you stated the NSPCC was exploring a notion of commissioning a new independent external inspection for children's services. Is that still the intention, to look at that to ensure there is complete independent inspection and that they have got interested and involved in that?

225

The Minister: Yes, that is a good point – you have been well briefed and well researched. That is this Minister's view and the Social Policy and Children's Committee will consider the timescale for that and the mechanisms for that at its next meeting because it is part of the action plan that we are talking about.

230

235 The other point that the Scottish desktop review threw up was that the three Tynwald
Committees that laid out the actions that formed the basis of the Combined Action Plan were all
focused on action, and action is not really what we are aiming for. What we are aiming for are
better outcomes for children and for vulnerable adults. The other thing we are focusing on at
the moment is to better describe the outcomes that we are looking for, because once we have
the outcomes we will then be able to work out the actions that are needed and prioritise them
and the resources.

240 So, the first discussion – the most major discussion, in my mind – that we need to have is on
describing the outcomes, because one thing the Scottish Care Inspectorate commented on was
that we had ended up with an action plan, which is very unusual. Normally, actions done to
achieve something in terms of outcomes and the action plan that we presented to Tynwald in
October did not achieve that – it did not focus on the outcomes. We know that, we agreed with
them, and we are doing something about it. Perhaps Ms Johnson would comment on that.

245 **Ms Johnston:** Thank you, Minister. Yes, you and I have talked occasionally about outcomes.
Writing an action plan is only a part of the whole piece. You need to know what your
measurable outcomes are going to be so that you know when you have got there; and, if you are
not getting there, what impact they have had on people's lives.

250 They are not easy to write, to be specific and measurable. They can be, sometimes, just
aspirational, and it does not make it easy then to hold people to account as to whether they
have been delivered, so they need some structure around them and I know that work is going
on. It is very easy to write an action and not describe what you think and hope the difference
will actually look like and what will it look like.

255 **Q14. The Acting Chairman:** I think, looking at it as an outsider, one of the key things is to get
all the Departments to work together and even the non-Government agencies, and see how we
can all pull together to get the right result. Have you any ideas on that from working in Jersey at
all?

260 **Ms Johnston:** I think that the beauty of a statutory joint Safeguarding Board – and it is the
only joint one of its kind, spanning both children and adults – is it offers a fantastic opportunity.
You will see that the main Departments are statutory members but we have three independent
members as well, who are there to challenge and support with more of a lay perspective. But we
265 also have very good links to the third sector. So, it is about embracing and taking advantage of
everybody's ideas, everybody's perspectives, and working together. You can achieve so much
more, as you know, by working together, and the Board's statutory role is to co-ordinate the
work of the Departments, agencies and the third sector in being joined up to deliver the key
tasks for the Board and for safeguarding generally. That is where it comes together in a multi-
270 agency place.

Q15. The Acting Chairman: And also, having intervention saves money down the line if you
can get early intervention with all the key people –

275 **Ms Johnston:** Absolutely. It is like preventative medicine as opposed to acute care. Early
intervention ... I prefer the word early 'help', because we do not always have the right to
intervene in people's lives. People have a right to a private and family life, as long they are not
harming their children and so on. Early help is absolutely critical and you will not find it in some
of the more acute statutory services because early help is what happens with midwives, with
280 health visitors, with play groups, with teachers, with GPs – everybody who provides what are
called the 'universal' services. And not only is it a cost-effective measure but of course it reduces
people's experience of harm because it is quickly identified.

285 However, it is not a quick fix; it may take a generation to show the outcome, the impact, of
early help. People get impatient. They believe in it and they want to see a difference quickly, and
it can take longer than perhaps we think at the beginning.

290 **Q16. Ms Edge:** Minister Thomas, within the report it did say that the Chief Officer Group
would look at cross-Government working for governance and accountability to commission a
group: has that happened, do we know?

The Minister: Early help – or intervention, as it is still called in some places – is another part
of the continuation action plan and embryonically it is happening and it is improving across the
piece all of the time.

295 What I would say is that I want to compliment you as a Committee for having encouraged us
to work together across Education, Health and Social Care and the Department of Home Affairs,
Cabinet Office and Treasury – everybody, in fact, across the piece – by calling for me as Chair
with a professional to come to you collectively about the whole of social policy, because I think
that is actually the first time it has happened in the three and a half years. I have not been called
to talk about environment and infrastructure issues, for instance, as chair of that committee,
300 and I have not been called in any other capacity. So I think we are trying to work together
greatly.

The reason we had an action plan rather than outcome-based approach to this was because
we put together, through a series of recommendations from three different Tynwald processes
that tried to deal with them ... and I hope collectively Tynwald Members, Tynwald Policy Review
305 Committees and Government can actually make things better in terms of outcomes by working
like this more in the future, because quite obviously this was partly a probation issue, partly a
policing issue, partly a social care issue, partly a health issue, partly a family law issue and so on.
We need to actually bring all of these together.

310 I want to end by commending you as a Committee for having called us to look at this issue
holistically, and I would just say to you it is ... Ms Johnson used the word ‘generational’ response,
but we would like to at least start making progress on another five-year action plan, put
together as soon as possible, based around a description of what we want our Island society to
be like in five years’ time and describe the outcomes and then get there providing resources and
actions and legal changes in a joined-up way.

315 **Ms Johnston:** I absolutely agree there is a lot that can result in improvements that are visible
early on, but if you are looking at a whole generation of children we will not perhaps know until
they are adults thinking about adverse childhood experiences and what their childhoods were
really like in terms of how they became adults and where they find themselves. And of course
320 early help needs to go along, the continuation of first-class what you might call acute services –
child protection, adult safeguarding. You cannot just stop those, you have to twin track them, so
it is quite an effort. But I think there is clarity about the Heineken nature of safeguarding and
support and how we have people who are passionately committed to making things better, and
it is about harnessing that, really.

325 **Q17. Ms Edge:** Since you have been Chair of Safeguarding, is there an outcome that you
could talk about that has been a success, or is it just the joined-up working that really is the
stage we are at, at the present time?

330 **Ms Johnston:** The first year that I was in post there were still two boards, and a lot of
preparatory work went on in that year, regulations etc. So the Safeguarding Board as a joint
body has only met since March last year and unfortunately we had to cancel the last meeting so
we have not had a full round, but I think with the new dataset that we have got, with a growing

335 understanding of the opportunities presented by a Joint Board, our priorities going forwards will
be sharper and will make tangible differences.

Unfortunately, our business planning day to do just that had to be postponed last month but the priorities will go into this year's annual report and will reflect the progress we made on last year's priorities so that you can hold me and the Board to account.

340 **Ms Edge:** Thank you.

Q18. The Acting Chairman: In your first annual report as Chair of the Safeguarding Board you note that children with complex health needs and disabilities are not receiving an optimal service and you identify that as a particular priority area for development. What action has been
345 taken since that report?

Ms Johnston: I think Minister Thomas was referring to the joint work. The report talks about the need for an integrated pathway, so that kind of helped, but it is how we bring together the support from Health, from Children's Services – children in need – and Education to put together
350 the best possible package of support at the right time in the right place for children as soon as it is evident that they have difficulties that need additional help, and it is about combining that in joint pathways, joint commissioning, that we will get the best results for these children.

The Acting Chairman: Thank you.
355 Ms Edge, have you got anything further on that?

Ms Edge: No, that was fine, thank you.

Q19. The Acting Chairman: Just turning then to the review of the deaths in adults with
360 learning disabilities, has that now been completed?

Ms Johnston: I have written to the Director of Public Health because she will report that in this year's annual report. It was a new piece of work. The death of adults with learning disabilities has been reviewed for a while in England, and what happened last year was that they spent some time in Public Health and in Health jointly getting a sort of position statement, and
365 then the idea is that having got that information you can then look at these homicides, as they are called, and does that tell us anything – why did they happen and where did they happen? So they have been establishing a baseline for that information and then we will be taking that forward this year and that will be mentioned in the annual report.

370 **Q20. The Acting Chairman:** That will be Dr Ewart's report, rather than a read-across between the two reports, will it?

Ms Johnston: Dr Ewart is a statutory member of the Board and so she will feed in elements of that to the actual report, but we also receive her Public Health annual report at the Board
375 anyway, so she is a very valuable member, a role with domestic abuse, with substance misuse, and that provides us with very up-to-date intelligence to inform pieces of work that we take forward.

380 **The Acting Chairman:** Thank you.
Ms Edge, have you got any questions on that?

Q21. Ms Edge: Yes, I suppose one question really is: have there been any serious case management reviews that have had to be conducted since you last reported, or is it just ongoing
385 work?

Ms Johnston: When I came, we had another look at a couple of reviews. They were completed out at a Tynwald briefing. We published the learning summary from that. We have a principle of publishing the reports, but you will know better than I that people can be identified in small jurisdictions and so we have to be extremely sensitive to every member of the family and to our professionals as well. So we completed those and there is some work ongoing with the recommendations. We have commissioned the first serious case management review in relation to a vulnerable adult. That is nearing completion, but I cannot ... It has not been to the Board yet, but it has gone extremely well and we have been making very good progress.

We are also reviewing – although it is not a serious case management and you would want to stress that – as I said, the multi-agency arrangements for adult safeguarding, so serious case management reviews in terms of adults. It is the first one that we have had and so the annual report requires me to explain which reviews we have carried out and what the main learning was from them. So, that is part of our business and we have principles about how we do them. They always involve an independent person with relevant expertise, a really credible person who is experienced in these matters, and then we make sure we involve all the agencies that were involved at senior management level but we also always hold an event that includes practitioners and we share with them the emerging findings, because they might say, ‘Well, that’s all very well but we think this is what needs to happen.’ So we are benefiting at several layers and in each review we make great efforts to invite the family. Sometimes they are a little bit reluctant but we have been able to get round that. Sometimes they make a brilliant contribution because they are talking about how they have received services and what would have helped them. Sadly, if somebody has died, we cannot speak to the service user, but we are really keen on enabling people to talk to us frankly about how they found things.

I think we need to remember the serious case management reviews should highlight good practice. We can learn just as much from what went well, why on that particular day or in that particular piece of work did we really get it right, rather than always looking at the kind of deficit, what went wrong. I work from a position that nobody goes to work to do a bad job, and very few serious case reviews in any jurisdiction will find individual professionals and practitioners at fault. It is often about how much work they have got, how much training, how much supervision and the level of knowledge and understanding and working with some people who do not necessarily want to be involved with support services.

So, I think we have got our process right and we are able to be flexible about our process and adapt to the needs of the case to get best value, really, and speed to arrive at the recommendations.

Q22. The Acting Chairman: Thank you.

One of the themes in your last audit was the safe recruitment of staff who work in schools. Who actually does the DBS checks now?

Ms Johnston: They are done departmentally and as part of my assurance role I am requesting assurance from each Department as to the position in their organisation. I am anticipating, had the Board not been practically cancelled a couple of weeks ago, we would have had that, so that we have a clear position statement about what the policy is in the Department, how many people have been DBS checked, are there regular three-yearly checks, are people checked again when they move jobs, are all the right pieces of information being gathered, and that is part of my assurance role that I share with the Board as a partnership.

The Acting Chairman: Thank you.

Q23. Ms Edge: Can I just ask on that, and this one here is where we have crossed paths in your role as Safeguarding Chair: are you confident that ...? I am aware that contractors were recently requested to get their own DBS checks carried out and they were directed to a

company, I believe, in Scotland. Are you confident that the process is adequate, bearing in mind that the Isle of Man has only signed up to agreements with regard to disclosure and barring
440 information with the UK and Ireland and Scotland, and no further beyond that? Are there any concerns or anything you could recommend that we need to do as an Island to ensure that there is a better check beyond the borders of the UK and Ireland and Scotland, and in particular that Education are checking with regard to their employees and particularly with teachers through the Teaching Regulation Agency and the criteria that are set in there for reporting teachers and
445 possible prohibition orders that have been placed on teachers? Are you confident, or have you not had enough time to actually look at that as yet?

Ms Johnston: The latter matter I am aware of. I think the appropriate use of DBS checks has grown exponentially and it is in a far better place than it was. There is a commitment to repeating checks three yearly – you are aware of all of that, Ms Edge.
450

I think the issue about contractors ... it may be appropriate for them to get their own, but if the Isle of Man has a service level agreement or a contract for services with a body of people on whatever they might be, it should be absolutely explicit that there is an expectation that DBS checks will have been carried out and there is evidence that that is done, otherwise they would
455 not be complying with their contractual arrangements.

I think you are talking about Disclosure Scotland where people can go to get checks. I think the issue of getting checks from other jurisdictions outside Great Britain and the UK is more difficult. I am not an expert on the subject but it certainly ... DBS is a very important part of safeguarding but it is not the only element that keeps people safe. You can do a DBS check and you do not do another one for three years, and in that period something could happen about which you might not become aware, so it is about safe recruitment, being challenging in interview, taking up references, asking quite challenging questions. It is about making sure that people have good supervision and that the people who work around them have confidence in reporting concerns that they might see. Safeguarding is everybody's business and if we see
460 something that makes us uncomfortable, whether it be inside or outside of work, then we should be saying something about that. So, it is about having safe procedures, about arrangements so that professionals do not put themselves at risk.

We assume that abuse is carried out by people from all walks of life. It does not matter what your background, age, social standing or income level are. We need to assume it can happen, take seriously what people say – we do not always find that we have substantiated what they have said, but we need to have that listening ear and be alert to the fact that the majority of people in the Isle of Man are very safe, it is a very safe environment, but there is domestic abuse, there is harm in proportionate ways to other places, so we all need to be tuned into that and not just think a DBS check means everything is hunky-dory.
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Q24. Ms Edge: As a follow-up to that, you mentioned about safe recruitment. Have you done any work with the Office of Human Resources, who I know ...? Certainly from my experience working within Education for 20 years, we used to do the recruitment ourselves and we used to make sure we had done all these checks appropriately. That role has been taken over by the centralised body. Will you, as part of your role, make sure that there is a check done to ensure that they are following safe recruitment practices around safeguarding with regard to that for when you do report?
480

Ms Johnston: Absolutely. The other thing that we have had ... Before I came, there was a sound procedure for dealing with allegations against people who work with children, people in positions of trust, and we have almost completed the same arrangement for adults. It is a slightly different arrangement. I had discussions with Corporate HR, 18 months ago, about that and about the children's policy, because obviously they are very important in that mix.
485

490 **Ms Edge:** Thank you.

Q25. The Acting Chairman: Just touching back on the recruitment, how is the 'grow your own' plan going?

495 **Ms Johnston:** For social workers?

The Acting Chairman: Yes.

500 **Ms Johnston:** It is going very well, I understand. Talking to Debbie Brayshaw, the plans are going well. She is able to identify the sort of people that will come on stream. She has got good academic support contributing to their training. They will get off-Island experience. One hopes very much that having been born and raised here or come from here they will understand what they are going into and make it part of their career, so it is a very exciting opportunity.

505 **Q26. The Acting Chairman:** Yes. Just touching on that one minute, as somebody coming in from outside, how are you finding things? Just occasionally on the Island people are concerned that somebody comes from off Island and ... Are you getting co-operation from the people you are dealing with?

510 **Ms Johnston:** Yes, from the very first day I have reflected to the Chief Secretary in my monthly one-to-ones how co-operative and welcoming people have been. I am not your first independent Chair – you obviously had Paul Burnett before me and you had others before him – but I know that Paul really appreciated the support he had and I have found that absolutely, without question. I think being a chair in Jersey for six years was a good training ground.

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Q27. The Acting Chairman: You developed a thick skin, did you?

520 **Ms Johnston:** No, but I have done quite a lot of work in small islands. They do really interest me and there is something about them that presents great opportunities, but we have to be aware that we do not assume. Because these are beautiful places, the majority of people are very safe, children are brought up in a wonderful environment etc., we must not assume that below that surface there are not things that are going on that should not go on. They go on everywhere. We are not immune to those things. Sometimes I think that is difficult because people take pride in their island and it is a bit unpalatable to say yes, we know these things happen. That is hard, but there is no loss of appetite to take on the challenges that we have, and the challenges are very different and you have to ...

530 As an independent Chair I am only with you a week a month. I have to listen very carefully to what my colleagues and others are saying. You cannot cut and paste what goes on in England or Scotland or Wales on to a small Island. You have your own way, your own laws, your own culture. We can learn from Northern Ireland, from Scotland, from Wales, from England, but we cannot just cut and paste it over here and say that will fit, that will work, because it will not.

Q28. The Acting Chairman: Okay, thank you.

535 You have got a new website under construction at the moment. When can we expect that to come online and what are the key features?

540 **Ms Johnston:** We have received some tenders. We have to go out twice. I had a discussion only this morning about the website. It has not been easy to find a company that understands that we cover both children and adults, because there are very few joint adults and children boards in England and therefore there are very few joint websites.

We need to make sure that it is really useful. We really do not want to spend a lot of time and effort on a website and it is no use to anybody. People have to be able to get the information they need quickly, without searching all over the place. They need to be able to access our multi-agency procedures, they need to be able to access all the guidance and advice, useful contact numbers, everything that we are going to put on there, and it should be a really good working tool.

Our practitioners can have a link to their desks, so when a change in a procedure comes in they are automatic informed. It needs to be part of the tool kit, really, rather than just something that just sits there and we think, 'Oh, we'll have a vague look at that.' So, it needs to be active and responsive. I am not an IT person, but I know what I want it to look like – but please do not ask me how that will come about, it is not within my skills set!

Q29. Ms Edge: Obviously we touched on the technology earlier, but how do the people ...? The most vulnerable in society tend to be the people who do not have the finances or access to websites, or avoid that initial contact. They do not really want contact because they are in that situation, which makes them more vulnerable, really. How are you going to ensure that the same information is available to them that you are hoping to put across on this – your vision, not this fab system that hopefully we will be leaders in, where it cuts across children and adults?

Ms Johnston: Of course social media, Twitter and all those things ... Everybody has a different way of wanting to receive information. Some people like to read it, some people like to hear it – we are all different in how we like to be communicated with. I think a lot of people prefer to hear from somebody they know, so it may be somebody they might be going to look up, or something they go to regularly and people talk there about 'Have you heard about this?' and 'You can find out about that.' So I think it is about being multi-dimensional, really, not saying, 'You can only look at the website, we don't give you anything else.'

I am very keen that we should have an awareness-raising campaign. I have just had a meeting and attended a Rotary lunch recently to talk to people particularly about adult safeguarding. There are lots of opportunities to do that.

Of course, all your professional staff have this information. They also have families, they have parents – they do not just come to work; that is not the only that they do – and so the breadth of knowledge is getting wider all of the time. I think it is about giving people confidence to report, to share information to keep people safe. And sometimes people are very diligent about data protection but there are occasions when we should be sharing information to safeguard people.

Q30. Ms Edge: I do not know what you are developing with your website. Obviously there are to children, who can talk to Childline etc. Do you think there is going to be opportunity within that to have an Isle of Man system that they could make a phone call through and it comes into your safeguarding ... or reported via emails or Twitter? Is that something that is being considered? Sometimes they want their anonymity to be kept initially, and that is the difficulty, isn't it?

Ms Johnston: I cannot see the Board actually establishing a helpline, but people do write to me if they have concerns. They manage to find the address and the email, or write. The numbers are not huge, but each one is taken very seriously and they are on a range of subjects. I think it will be very important that we have a website, which may be divided up, so we have a section for adults, we have a section for professionals and we have a section for children, and that on the website we have our material, our information, in accessible language – in Makaton or pictorially, or we offer to do translations. Those are the important parts that are not always thought about at the beginning, but if you look at the very best websites that is what they offer. I am not saying that these sections are completely separate and they cannot each look at the

595 other, but we can target our information to make it quick and accessible, and having children as
part of that we would want to consult with them about what they want. They are not going to
ask me, at my age, because I would not know, so we need to say 'What would you find useful?
Are there things you wouldn't find useful? Or wouldn't you use a website? Would you rather talk
on social media?' So, it is about listening as well as being creative.

600 **Q31. The Acting Chairman:** Just touching on the electronic communications, how has the
COVID virus affected your meetings? Have you have been able to communicate with Teams, like
we are now?

605 **Ms Johnston:** Yes, and I hear more and more of these meetings are taking place. I had looked
at various models and then I was told that the Isle of Man was adopting, Government-wise,
Microsoft Teams, and it is really a joy. I think as an off-Island Chair I am used to not being with
you in person. I am used to being remote – hopefully not remote, but working remotely by
email, by phone. We are very accessible. There is not quite anything as good as face to face, but
we have to be creative and we have to keep the show on the road. I think as a Board Chair I was
I was very keen to be respectful of the unprecedented demands on services and not be
610 inappropriately demanding for pieces of work and responses and so on, and to be proportionate
about the requests. Nevertheless, this period gives us an opportunity – when we are not able to
hold all the meetings that we would like, not because people cannot access them remotely but
because they physically do not have the time to get to the meetings – so we are using this time
to carry on some of the work on our policies and procedures that in the business of a normal day
615 perhaps do not get the priority that they need.

620 **Q32. The Acting Chairman:** Thank you. You just mentioned about your website in different
languages. Have any extra measures been put in place at this time, with the COVID problem and
domestic abuse being on the increase, in particular with the non-English-speaking groups that
we have?

625 **Ms Johnston:** I am not aware of specifics but I my understanding would be that the Police,
through translators and interpreters, would be well able to relate, listen to and deal with
situations that arose like that.

630 We anticipated that, quite obviously, domestic abuse would increase. It has done from China
right across the world. I was reading at the weekend that the UK's biggest domestic abuse
charity, Refuge, had an increase of 700% in *one* day. But also there has been an increase in the
number of people coming forward and saying 'I am an abusive person and I want to stop', or 'I
am worried that I am going to be, because of the pressures and the situation', and so them
seeking help is very important as well.

635 Sadly, everywhere, not just here, we have seen a rise in domestic abuse that occurs between
older children and their parents, often the mother, and this is something that we really need to
address. We need to make sure that those people are not just seen as perpetrators but also
vulnerable people, because they are going to go on to be partners, husbands, fathers and so on.
That started to emerge when I was working in England and Jersey a few years ago and it was a
fairly new area for us. There is good advice from Police on the website on what to do if people
are concerned.

640 It is difficult on a small Island – you cannot go across the county to another border or easily
hop on a train and go somewhere else – but people are tuned into that and there are regular
meetings where this is very high on the agenda, so there is a watching brief being kept on it to
keep you safe. But if you have a difficult relationship and you are at home in perhaps difficult
circumstances, perhaps with no outside space ... We are all finding it challenging, aren't we? It is
not our normal way of working. So, if you already experience these problems, they will only be
exacerbated and I would urge people listening absolutely to seek help. Whether you are worried

645 that you might harm somebody or be harmed, it is absolutely essential for your own safety and
the people around you, especially your children, that you talk to somebody about it, whether
that is your doctor ... Ring the Police and you will be taken very seriously.

The Acting Chairman: Thank you.

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Q33. Ms Edge: I have concerns with regard to the court processes that are currently
postponed, really, with regard to children and families and the difficult circumstances for
families where it is a split family and it might have been going through the court process and the
children perhaps are with one part of the family and there is difficulty with them getting the
655 access which is already agreed through the courts. I suppose it is a difficult situation that social
workers will be in, because they cannot actually really demand anything different during these
circumstances. I suppose my big concern with regard to these delays is that some people may be
getting to the point where they are ... I think it is within a one-year period that if a child has been
with one parent or the other, access will then be denied to perhaps a father or a mother
660 because ... We have reached that because of our court process being postponed.

I wonder, from your point of view as the Safeguarding Chair, to safeguard these children and
their mental health for the future, whether there is going to be any consideration that the delays
due to COVID and the court process cannot have that impact. I suppose it is legislation that will
need to be looked at – perhaps Minister Thomas can comment – but the normal processes
665 which have had to be delayed because of COVID are a real concern to me. I do have some
constituents who are in this situation and you cannot help them – there is nothing. We have not
actually done anything as a Government as yet, so I was just wondering whether you have a
view on it, as Safeguarding Chair, as to how we can make sure there has not been any further
adverse effect on families and children going forward.

670

Ms Johnston: I think that this is, as we all know, a completely extraordinary situation and
people are trying to be adaptable about court processes. There is a case-by-case consideration
about these children.

Debbie Brayshaw wrote to me recently and I wrote to the Board about children who are in
675 private law proceedings, children who are, as you say, perhaps living with one parent and there
is a shared arrangement and it is not so easy for them to travel to see the other one. These
issues are being resolved. You know very well from your own experience that the outcome for
the child has to be based on their paramount needs. Whether there will be extensions on
individual cases because there is a view that it is not possible to make an assessment given
680 COVID-19 and the particular arrangements, I think that is very much on people's minds at the
moment: how to keep those children safe, how to build on good relationships across people
who might be separating but nevertheless so the children can make good arrangements, and
how we move those children to a resolved permanent situation in the future.

Q34. Ms Edge: I suppose, then, the other question that follows on from that is the normal
inspections of homes etc. in these situations to make sure that the same stability has continued,
where social workers sometimes would go and do home inspections to make sure that
everything has happened; obviously they cannot do that at the present time – or are they going
to be doing that with the two-metre distancing? I would imagine not, but –

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Ms Johnston: You mean home visits?

Ms Edge: Home visits and child protection plans, etc. Have they been curtailed? Where will
we be – and I suppose none of us knows the answer to this – if there is a case that is found
695 beyond COVID-19, if a child has suffered anything which perhaps could have been seen if these

inspections and the home visits were still taking place? I am assuming they have been suspended, but you perhaps know different to that.

700 **Ms Johnston:** I think obviously a lot of people are working from their offices, working from home, depending on their situations, but what you have is a service that is very well managed and there is an oversight of these children's places that they are looking at every day and they risk assess them. Sometimes the risk might grow and sometimes it might fall, but that ongoing scrutiny of what is going on is part and parcel of a senior manager's life in Children's Services, and in Health and in Adult Services. They are constantly saying, 'That arrangement has made
705 that a bit better; however, on this situation this has happened and now we need to step in and do something about that.'

Of course, safeguarding is about everybody's concerns and it is about everybody's business, so it is not just social workers or health visitors that identify. That can be through other people the child may have contact with. Some children are going to school in limited numbers during
710 that. So it is not ideal and is new to a lot of people. It is new to all of us, something of this scale for this length of time. I think everywhere people are working as hard as they can to keep pace with some issues we could have anticipated would come out of the pandemic, but others that are new, and it is the little but important things, as you pointed out, that perhaps we would not have thought about six weeks ago.

715

Ms Edge: Thank you.

The Acting Chairman: Any other questions, Ms Edge?

720 **Ms Edge:** No, that is fine, thank you.

Q35. The Acting Chairman: Thank you very much indeed, Ms Johnson, for your contribution today, and Minister Thomas. We have enjoyed talking to you.

With that, the Committee will now sit in private. Thank you very much indeed.

725

Ms Johnston: It is a pleasure. Thank you very much.

The Minister: Chair, can I just say one last thing?

730 **The Acting Chairman:** Of course.

The Minister: Earlier on, you talked about the Children and Young Persons Combined Action Plan, and although we sent the original one to you I wanted to make this promise: that as soon as Government has settled the continuation one, we will make that available to you as a
735 Committee.

Secondly, we would invite any further requests for information from the Committee because I wanted to repeat that it is excellent that you have invited us on a cross-Government basis and we would be pleased to provide you with any information that you want as a Committee about what we are doing across Government.

740 And then finally, at the end, you talked about the COVID response across this issue. Something is there tomorrow in our Emergency Tynwald sitting about the response to homelessness during the COVID response and I just wanted to say that in a way is a demonstration of all the success all of the Departments have had working together, because they have actually put together something to make things safe for the people involved and also
745 for the rest of us, in terms of homelessness, under intense pressure. That is something that has been achieved by the Department of Home Affairs working very closely with DHSC, Treasury, Cabinet Office, the Constabulary and the third sector. I think it is a wonderful achievement that

they have managed to do in difficult times and I am sure there is something similar going on for domestic abuse and likewise.

750 That is just the last thing I wanted to say. Sometimes it seems as if Ms Johnson and her Board are responsible for everything to do with safeguarding, and I just wanted to remind everybody for the record that section 4 of the legislation identifies all of the safeguarding bodies, and the Safeguarding Board as such is just there under section 7 with functions prescribed in law around all of the other safeguarding bodies. We will do everything we can to make sure that the website
755 for the Safeguarding Board is as good as possible and as useful as possible, but it is not just the two or three people in the Safeguarding Board's environment, the staff and then the Board beyond them, who are responsible for everything that you have been discussing today. We all are, particularly the safeguarding bodies that are identified in the legislation. I think I am right in saying that, Glenys, aren't I?

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Ms Johnston: You are, absolutely. That is the beauty of having the partnership. The Board does not deliver services. It is there to co-ordinate and to assure itself, so it has a slightly different role, but absolutely.

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The Minister: I appreciate, Chair, you have given me this chance, but the last point is when we started the Combined Action Plan it was in response, in part, to the concerns of your Committee, the concerns of a particular Select Committee of Tynwald and also a group of 14 families' particular cases with concerns. What I wanted to say is that at the right point, which will be in coming months, in the run-up to 2021 and the new administration, we need to make
770 sure that we involve those families in those cases, who started all this off again, in the review of what we have achieved in terms of outcomes, because all this started with concerns that politicians heard from those families. We do need to go back and address them, to make sure that we have actually done something better by them and for them.

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The Acting Chairman: Excellent. That is good news. Ms Edge.

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Q36. Ms Edge: Can I just ask another question on legislation? In the Children and Young Persons Act a child can be taken to court for a criminal act at the age of 10. However, under a lot of the legislation that we have been moving lately we are viewing children as vulnerable people and we seem to have managed to say any anybody under 18. I am just a little bit concerned, having read the Children and Families Act, or parts of it, in the last few days, that it is still 10 within that. Is it the intention, when you look at any legislation, to review that? I appreciate why it was brought, I know when it was brought in, and I think it was so ASBOs could be given out.

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The Minister: Unless Ms Johnson wants to answer, could we not take that as the first question for your follow-up meeting and we will send you information about that later on, after we have produced a written response for you? I think, certainly on my behalf, before the end of the year it would be lovely to come back to discuss where we are in terms of the legislation and where we are in terms of the action plan and the outcomes, and perhaps Ms Johnston would
790 accept another invitation as well.

Ms Johnston: I would be delighted. Thank you.

Ms Edge: Thank you.

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The Acting Chairman: Excellent. We will pencil that in for the next agenda, then. Thank you very much indeed. We shall now hold the rest of the meeting in private. Thank you.

The Committee sat in private at 4.42 p.m.