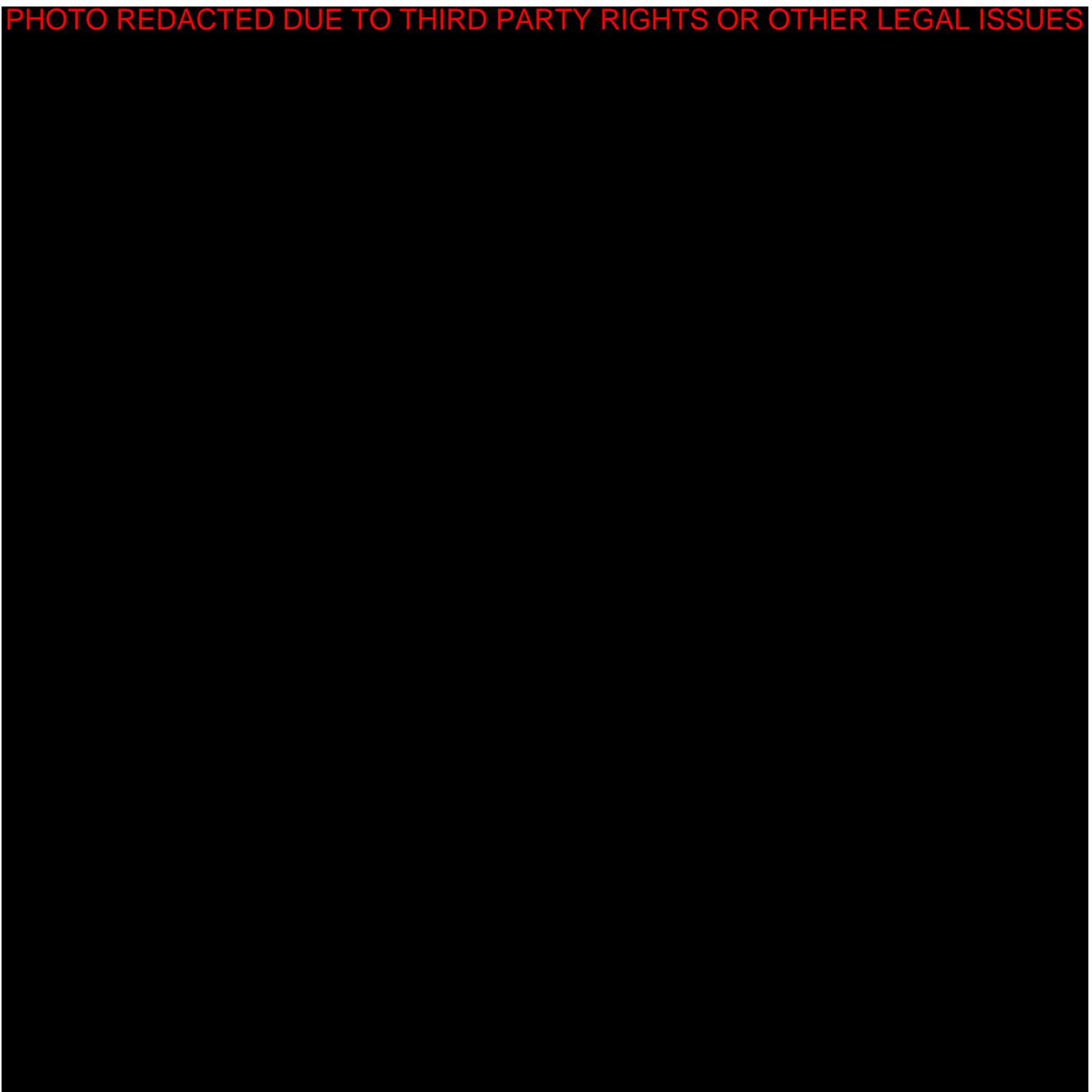


Making ContactPoint Work

Children's views on the government guidance

A report by the Children's Rights Director for England

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About the Children's Rights Director



Roger Morgan, Children's Rights Director for England

My legal duties as Children's Rights Director for England are set out in the Office for Standards in Education, Children's Services and Skills (Children's Rights Director) Regulations 2007. One of my main jobs, with my team, is to ask children and young people for their views about how they are looked after when they are living away from home, or being helped by local councils' social care services. I then tell the Government, as well as Ofsted (which does inspections to check on how children and young people are being looked after and supported), what those children and young people think, and about any concerns they have about the care or support they are getting.

'Children's Views' reports of what children and young people have told me are published for everyone to read. You can find copies of all my Children's Views reports on our children's rights website www.rights4me.org.

The children and young people whose views I ask for are those living away from home in England (in children's homes, boarding schools, residential special schools, residential further education colleges, foster care, or residential family centres), children in adoption placements, children who are getting help of any sort from the children's social care services of their local council, and care leavers.

As well as asking children for their views and publishing what they tell us, we also give advice to Ofsted and the Government on children's rights and welfare. We have a duty to identify and raise important issues about the rights and welfare of children living away from home or getting children's social care support, both for individual children and for whole groups of children.

A handwritten signature in black ink, which appears to read 'Roger Morgan'.

About this report

We are often asked by the Government to find out children's views about new Government ideas or changes that are being proposed in children's social care. We were asked to find out what children think of the rules that the Government is proposing to set for running the new ContactPoint database of all children in England. This report sets out the views of 62 children who gave us their views on the key rules the Government is proposing.

ContactPoint will be a new list, on computer, of every child in England. For each child it will list their name, address, date of birth, how to contact their parents or carers, their school, doctor and other people working with the child (such as youth workers, social workers or school nurses). It will not contain details of what sort of help the child is getting. Its aim is to help professionals working with children to get in touch with other people who are working with the same child, so that they can work better together for the child.

The Government produced a consultation document to check what people think of the rules they have made to make sure that the information about each child is kept safe from people who shouldn't see it, and that the ContactPoint list is used properly to help children. This report says what children thought about those rules. It is important to say that we did not ask the children whether or not they thought ContactPoint was a good idea in the first place, because the law to set it up has already been passed. It is also important to say that all the children whose views have gone into this report were children living away from home, children getting social care services, or care leavers. They are the children whose views the law says I must find out and put forward. Other groups of children might have different views.

We have already sent this report to the Government officials who are setting up ContactPoint. We are also sending the report to Government ministers, to other key people in Parliament, to the key people in Ofsted, to each of the UK Children's Commissioners, and to all children's social care authorities in England.

The report gives the views that children gave us, without adult views being added. It does not leave out views that either Ofsted or the Children's Rights Director might disagree with. It does not pick out just those views they might agree with. This report is similar to a research report, though it is the result of a consultation process rather than a research project.

We have said how many children gave each answer to some of our questions, and how many children answered those questions. Where children have written their reasons for giving particular answers, we have said in the report what some of the main reasons were, adding together the number of children who made a similar point, although of course they often used different words. We have also put in quotes from individual children where these seem to be a good example of what others said, or to make a particular point especially well. The quotes are exactly as the children wrote them; we have not changed any spelling or punctuation. Care needs to be taken about using these quotations. They are each from just one child, and we have as adults chosen them to illustrate a point made by others. On their own they are not evidence of what children generally might say.

'people who need
the help the most
aren't the known'

The children we asked

We set up a web survey about the ContactPoint rules (on our website www.rights4me.org) and invited children living in particular children's homes, schools or fostering or adoption services, or getting help from particular social care services, to fill it in. We sent a children's password to each of the services where we invited children to take part, so they were the only people who could fill in our web survey. We also sent paper copies of the survey to some people who wanted a paper version to fill in. Forty-seven children and young people filled in the survey. Thirty-nine of these filled it in on the web, and eight filled it in on paper.

We also held a discussion meeting about ContactPoint with a group of 15 younger children (aged 10 and 11, both boys and girls) at a boarding school to discuss the ContactPoint rules in more detail. This report sets out the views of the children who filled in the web survey, plus the children in the discussion group – a total of 62 children. Where we have given numbers of children who gave us a particular answer, these come from the web survey.

The children who filled in the survey

Of the 47 children who answered the survey, two thirds were boys. Their average age was 14. The youngest was nine, and three were care leavers over 18. They lived in a total of 18 different places. Twenty-six lived in children's homes, nine were from residential special schools, and six lived with foster parents. All but six were white. Fourteen told us they had a disability or behaviour problem of some sort.

What councils have to do

Local councils will have to help run ContactPoint, and will have to put information about children on the ContactPoint computer. We told children what the Government says local councils will have to do, which is:

1. Have a special team of people to make ContactPoint work.
2. Make sure what they put on the computer is right.
3. Sort out complaints about ContactPoint.
4. Reply to you if you want to see what is on ContactPoint about you.
5. Reply to your parents if they want to see what is on ContactPoint about them.
6. Check that ContactPoint is being used properly.
7. Decide who can, and who can't, see what is written on ContactPoint about you.
8. Train people to use ContactPoint properly.
9. Tell people – including children and young people – about ContactPoint.

We asked children if they thought this is a good list of what councils should do to make ContactPoint work properly. Thirty-six of the children who filled in the survey said yes, this was a good list. Nine weren't sure, and only one said no, it wasn't a good list.

A lot of different comments were written about the list, but there was no single thing that a lot of people raised. The most common point, made by six people, was that they were worried **that information on ContactPoint must stay confidential from people who shouldn't see it**. One young person was worried about receptionists being asked to get information from ContactPoint for doctors or social workers: 'do not let receptionists have access to our information, its annoying to know that even the receptionist knows everything about you.' Another of the six was worried that social workers might pass information on once they had looked it up: 'some social workers will talk about young people's information during their break'; 'they promise confidentiality but then they break their promise.'

We asked children whether they thought councils should have to do anything else to make ContactPoint work properly. Eleven children made suggestions, but no single suggestion came from more than one or two children. Two wrote about making sure that children and young people themselves have an input to ContactPoint. Two wrote about keeping the information confidential.

The children who came to our discussion meeting talked about the list of things that councils would need to do to get ContactPoint off the ground. They thought that the **two members of staff each council was likely to get would not be anything like enough to set things up** and deal with all the problems that would happen at the beginning – but would probably be more people than they needed once everything was up and running. They did however think that there would **always be a lot of work for councils in dealing with constant changes** of information, an 'overflow' of information at some times, and adding and deleting people from the database.

Putting correct information on ContactPoint

We asked children what they thought of the proposed rule that people putting information about a child on the ContactPoint computer will by law have to make sure it is right. Thirty-nine children answering our survey agreed this is a good rule, but four said it was not a good rule, and three were not sure.

This time, people answering the survey question gave two main reasons for agreeing with the rule. Fifteen children said they agreed because it was **important for ContactPoint to get information about them right**. Six said that they agreed because it would **stop information about them getting mixed up with information about other people**. Examples of what some wrote on their survey questionnaires are: 'it is my right that nothing is incorrect'; 'because if they are putting things on about me it has to be right or there's no point in putting it on'; 'if you put something that is not right or true then the other people that work with this young child could get it wrong.' Four young people wrote that the rule needed to **stop people deliberately putting wrong information on ContactPoint** (three used the words 'lie' or 'lying', and one used the word 'falsify').

The four people who wrote that this is a bad rule gave their reasons. All of them were to do with not wanting any private information on ContactPoint at all.

In our children's discussion meeting, children were concerned that **ContactPoint would probably never have information on it about the children and young people who most needed it – such as asylum seeking children, or children who had run away or were living on the streets**: 'people who need the help the most aren't the known.' They thought that there might also be problems in quickly finding an approved person to look up information in an emergency, when for example a child might be brought into a hospital by ambulance after an accident. They also pointed out that there would not be much useful information on ContactPoint about **children who came to this country from other countries to go to English boarding schools or further education colleges**.

'do not let receptionists have access to our information, its annoying to know that even the receptionist knows everything about you'

The ContactPoint computer checking information fed into it

We then asked children about the proposal that the ContactPoint computer should automatically check the information being sent to it. It would check whether things like addresses or dates of birth being sent in from different places about the same child all match up. It would tell people feeding in the information which doesn't match.

Thirty-four children said they thought this was a good rule, four thought it was a bad one, and eight weren't sure. Twenty children told us why they agreed with this idea, but there were no particular reasons that came from more than one or two children each. One person told us they agreed because they thought it was a good way of checking on information, 'because it would be untrue if it did not match up.' Another said that it was especially important that information about children in care and care leavers was right but also up to date. They thought that checking what matched might also be a check on whether information was up to date: 'when people are in care or leaving care age they are liable to move around a lot so it will be good if young people's information is always updated.'

The four people who thought this was a bad idea had different reasons. One was concerned that computer checking could make mistakes, and two were against the computer having information about them at all.

Checking information with children and parents or carers

The next proposed rule was that anything that the computer finds that doesn't match up will have to be checked with the child or their parent or carer.

Thirty-seven children agreed with this rule, five were not sure, and again, four said it was a bad rule.

Twenty-six people gave us their reasons for agreeing with this rule. Nineteen said that the main reason for **checking the information with children themselves, or with their parents or carers, was that this would be the best way to make sure the information is right**. Here are some examples of the reasons given: 'because I am the person who knows the right answer'; 'other people can read it and know it is right'; 'this is a good rule because you are checking it out with the person whose details they are instead of just asking another worker.'

Three of the four people who said the rule was a bad one (and one of the five who said they weren't sure) gave the reason that they wouldn't want their parents seeing information about them.

'I am the person who knows the right answer'

Keeping information safe

The rule the Government proposes to keep information safe on ContactPoint is that anyone who wants to see information about a child on ContactPoint will have to give a reason for wanting to see it. Why people are using ContactPoint will then be checked to see if someone is using it for the wrong reason. Councils (as well as other organisations with staff who use ContactPoint) must do an investigation if anyone seems to be getting information about a child for the wrong reasons. People who do that can be punished – for example, with a fine or imprisonment.

We asked children what they thought about this. Thirty-eight children agreed this was a good way of keeping their information safe. Five weren't sure, and three thought this was a bad rule.

Thirty-two people wrote their reasons for agreeing with this rule. **Most (23 people) said they thought this would keep their information safe**, and give them either confidentiality or protection. Examples of what children wrote are: 'so my details are protected in good hands'; 'no one you don't know should know your personal information, they could be anyone, they should be arrested for this'; 'cause I don't want some paedophile or something to know my stuff'; 'information about myself is personal and only close people should know about it.'

Two people made different but (we think) important points. One wrote that if their details weren't kept very safe on ContactPoint; 'I will worry my dad could find me.' The other worried that rules like this one might be made but then not followed; 'but how many times has the government promised things put it on paper but do not follow them – do you know that there are young people who do not get visited by their social workers, yet it is written on paper. Make sure that this happens for real, please.'

'if paedophiles know, they'll try'

One of the people who were unsure about this rule was unsure whether they would actually be able to spot mistakes and put them right: 'something I might not know about as they happened in the past.'

The children in our discussion meeting were very concerned that ContactPoint, being **a list of all the children in the country with details like where they live and how old they are, would always attract paedophiles** to try to get at that information: 'if paedophiles know, they'll try.' They thought that paedophiles would spend a lot of time and effort trying to break into ContactPoint. They thought that **one day, eventually, the system would either break down, or its security would be breached**, and that would have very bad consequences for children and, they thought, for the Government.

Those at the discussion meeting also thought that one of the big risks about the wrong people getting information from ContactPoint will be that even with electronic security tags and passwords, **some staff will always pass their tags and passwords to other people**, and that will immediately give people who haven't been approved a way in to the information. Very strong security measures 'more extreme than a bank account' sounded good, but were not going to prevent people doing this. They thought that every password or code tag gets passed on without authority in most offices after quite a short time.

Another issue children raised in our discussion meeting was the question of exactly **how much information someone would need to have about a child before they could look up more details about them** on ContactPoint. They were worried that if someone didn't need to know much about a child already, then they might start '**scrolling through children**', which would be very dangerous for children. If though they had to know a lot about a child before they could use ContactPoint to find out more, then many people who needed to find details out about a child might not know enough to get into the system to look up more.

The children at the meeting also talked about what punishments should be given to people who used ContactPoint wrongly. They all thought that a paedophile using ContactPoint should definitely be put in prison. But they thought that there should only be a **light punishment for someone who was found out 'innocently looking up their friends through curiosity'**, because this is only human nature and will happen a lot.

Children seeing what is written on ContactPoint

Another proposed rule for running ContactPoint is that children will be able to write to their local council asking to see what is written about them on ContactPoint. The council must then show the child what is written, if they think that the child understands things enough to be allowed to see their information. If the child thinks that what is written about them on ContactPoint is wrong, the law says they can ask for it to be put right.

Thirty-seven of the children who filled in our survey agreed with this. Two thought it was a bad rule, and seven weren't sure. There were two main reasons for agreeing with this rule. The top reason was that **allowing children to see what was written about them would mean they could check the information was right**. Sixteen children gave this reason: 'then we can redo it'; 'some of my information or other young people's information may get mixed up so it would be good to see what is written about us.'

The other reason, from eight children, was that **children should have a right to see information that is written about them**: 'because the information is about ME!'; 'I have the right to say to put it right.'

One person summed up both main reasons when they wrote that they agreed with the rule 'because I would like to know what has been written about and I would like to check it now and then.'

In our discussion meeting, children were concerned about exactly what information they might find about themselves on ContactPoint. They wanted the Government to make two promises. The first was that it would never put a child's photograph on ContactPoint. The second was that it would never put the telephone number where a child is living on ContactPoint, so there would never be a danger that the child might answer a phone to someone who had looked them up on ContactPoint.

This rule gives the right to see what is written, to any child the council thinks is able to understand what has been written about them – which doesn't just depend on how old they are. When we asked children in 2006 about the Government's ideas on sharing information about children, the children gave us rules for deciding whether a child is able to understand.¹ Children were very clear that the important thing is not how old you are, but how much you understand about a particular thing at a particular time. Children put forward these questions to help staff work out whether a child is able to understand:

Once things have been explained properly, does the child understand:

- the question?
- the main reasons behind it?
- what the alternatives are?
- what will happen if they decide one way?
- what will happen if they decide the other way?

and can the child:

- weigh these things up for themselves?
- say what they want for themselves?
- keep to the same view, not keep changing it?

The Government has already put these questions in its guidance for sharing information about children, which applies to ContactPoint.

In our discussion meeting, **13 of the 15 children there said that if they are told when ContactPoint starts, they would want to have a look at the information it had about them**.

The children at the meeting also raised a question that is not covered in the Government rules so far. They wanted to know what would happen if a child or young person asked for a change to be made to their own entry on ContactPoint in order to put incorrect information there about themselves. They thought this would certainly happen as some children and young people tried to make sure people couldn't find them easily through ContactPoint, sometimes for their own good reasons.

¹ *Passing it on*, Children's Rights Director, January 2006. This can be found on www.rights4me.org.

Complaints about ContactPoint

We asked about the proposed rule that anyone unhappy about what is written on ContactPoint, or about how it is being used, can make a complaint. The local council would look into complaints. Councils would have to tell children how they could make a complaint, and if a child did make a complaint, the council would have 20 days to reply to the child.

Thirty-three children in our survey agreed with this rule, six disagreed, and seven were not sure. There were no main reasons for agreeing with this rule, apart from many people writing that they thought it **only right that people should be able to complain**, or that it was **right to get a fairly quick reply when you do make a complaint**. One person summed up what many wrote: 'this is a good rule because if you make a complaint then you want to be heard and not wait for ages for it to be replied to.' The same person went on to say: 'they might have a lot of complaints but 20 days is long enough to answer a complaint even if they have a lot of them.'

One person made a different point to most, when they wrote that councils 'need to make sure that people are informed of how to complain in the first place.'

The main reason for either disagreeing with the rule, or not being sure about it, was that children wanted a quicker answer to complaints than the 20 days allowed.

If getting information from ContactPoint might put a child in danger

Another proposed rule for keeping children safe would be that the local council could stop people seeing information about a particular child on ContactPoint if they thought it might put that child, or someone else, in danger. A child could ask them to do this if they thought it would help keep them out of danger.

This was the rule that got the most support from children in our survey. Forty children agreed with it, six were not sure, and nobody disagreed with it. The main reason for agreeing with the rule was **simply that it is important to protect children**. This was the reason given by 19 children. Eight children said that **the rule would make very personal information more confidential when this was important**. Only one person who wasn't sure about the rule said why this was, and that person gave the reason that they didn't think any information should be put on a computer about them anyway.

Examples of what children wrote in support of this rule are: 'will keep me out of danger and safe'; 'my safety should come first'; 'because I want to be kept safe at all times.'

Some children gave us examples of why children might not want people to be able to look up their details on ContactPoint: 'the person might not want a particular person or people seeing it'; 'if people wanted to find you, then this would stop them from finding out where you are.' Where we were given examples, the two main things that children thought might put them in danger were **people they didn't know being able to look up information about them, and people being able to find out where they lived**. Sometimes you didn't want strangers to know where you lived. Sometimes you didn't want a particular person to be able to find out or get told where you lived. One child wrote 'I don't want my father to see it.' One person summed up the points about strangers and children's addresses: 'because you might not want people who you don't know to know where you live.'

'I will worry my dad could find me'

Children in our discussion meeting told us that some children in boarding schools could be put in particular danger if the wrong people found out which school they were at. Sometimes a child in a boarding school would be the **child of someone famous, or of a well known politician or military person, not always from this country, or they might be well known in their own right** (for instance if they were in a film or TV show), and for any of these reasons they might be in danger if their whereabouts could be found out too easily. **Some children both in care and in boarding schools shared a worry that there may be someone who might put them in danger if they ever found out where the child is living and so could get to them.**

Two people wrote that they thought that children should always be asked for their permission before anyone could look at details about them on ContactPoint: 'to protect me. I also think people should first ask my permission before accessing my information'; 'they should be able to say who they want to see it and who they don't want to see it.'

The children in our discussion meeting thought that **all children who could understand should have the choice of having their details kept more safely so that people could not look them up easily on ContactPoint.** They too thought that people being able to look up any child's address put children generally in danger.

Some children wanted each child to be able to choose whether they wanted their information kept more confidentially to keep them safe: 'as it means that people you don't want to see it will not see it and harm you or do something bad to you; 'because I live to be kept private.' Children at our discussion meeting **wanted to know whether they would be able to ask for their details to be kept from being looked up on ContactPoint because they were simply afraid of paedophiles.** Would that be accepted from a child as a reason for their information to be kept from being looked up? One person in our survey also wished to be able just to ask for their information to be kept out of the list people could look up: 'I would rather this happen because I know then that all my details are safe and nobody else can get them.'

Any other problems identified by children

In our survey, we invited children to tell us of any other problems or issues they could see with ContactPoint, apart from the ones covered by the rules we asked about.

Here are the other problems they told us about, in their own words:

- 'letting the children know what information is going to be held on them before its up and running'
- 'making sure all staff are fully trained before putting contact point into force'
- 'letting children and parents /carers know about contact point'
- 'try to make sure that there are no errors at all when they put contact point in place'
- 'people who do need to get into contact may not have access to the information and be able to get in contact'
- 'the computer will break down and lose information on young people'
- 'what happens if they put the wrong info on the wrong person?'
- 'to get our permission before people get access to our information'
- 'to inform us of who is using the information and tell us what is being put on there.'

The question of **value for money** was raised in our children's discussion meeting. Generally, the children in the meeting (from a boarding school) did not think that the cost of having information about every child in the country on the one database would be justified, when only a small proportion of children would ever need people helping them to be able to look up information on it. One person in the survey made a similar point: 'it's not a bad idea but why of all the problems faced by the care system would the government think of putting our information on so-called contact point. There is a lot going on which needs to be solved.' The children in our discussion group thought, overall, that **the extra help some children might get because of ContactPoint might be outweighed by the dangers** that could face many children if the wrong people managed to break into ContactPoint: 'causing more risks than stopping them.'

Other messages about ContactPoint

In our survey, we asked children to write any other messages about ContactPoint that they wanted us to give to the Government's ContactPoint team. Here are all those final messages:

- 'please make sure you keep me safe'
- 'this is a good idea because its protecting the young people in care and keeping all the information together'
- 'this is a waste of time'
- 'well done for making this up – and keep us safe'
- 'where will it be'

Last word

The last word in this report goes to the young person who wrote us the following message to give to the Government's ContactPoint team:

'u can't put too much trust in a machine ... just my opinion but you know better than I do, good luck.'

'U can't put too much trust in a machine'

The Children's Rights Director

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