



Children and Young People (Jersey) Law 2022, Statutory Guidance:

Working Together

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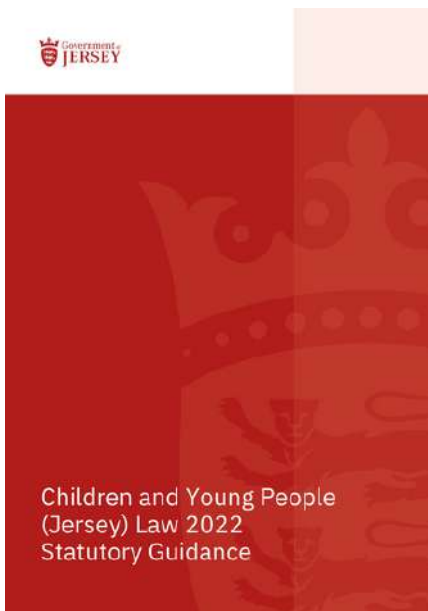
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Purpose of this toolkit

This toolkit includes activities and exercises to help corporate parents, responsible Ministers, safeguarding partners and relevant providers to develop the skills and confidence to apply the knowledge covered in the Working Together e-learning training module and achieve specific learning objectives.

Context

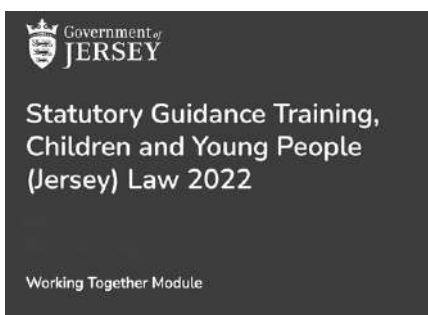
Statutory guidance has been published to support everyone who works with and/or provides services to children, young people and families to understand their roles and responsibilities under the Children and Young People (Jersey) Law 2022. A series of training modules and toolkits have also been developed and this toolkit supplements the e-learning Working Together module.



"We all must play our part in promoting and supporting the wellbeing and safeguarding the welfare of children and young people in Jersey"

Deputy I. Gardiner, Minister for Children and Education

[Children and Young People \(Jersey\) Law 2022 Statutory Guidance](#)



There is essential training for all employees/volunteers that provide services to children, young people and families

[Statutory Guidance training is available from gov.je](#)

How to use this toolkit

If you are a corporate parent, responsible Minister, safeguarding partner or relevant provider, you must have regard to the working together section of the statutory guidance and have completed the e-learning training module of the same name.

As this is a broad audience, this toolkit has been designed to be flexible - the activities can be completed at an organisational level or they can focus on the responsibilities of a specific team or individual role. Similarly, the activities can be completed during group workshops or used by individuals, pairs and small teams.

For further information about how to deliver individual, paired and group training sessions, please refer to the toolkit delivery notes available on gov.je.

There are seven parts to this toolkit. In general, each part will require between 45 minutes and one hour to complete. The exception is Part E which includes three case studies and each example may require one hour to work through.

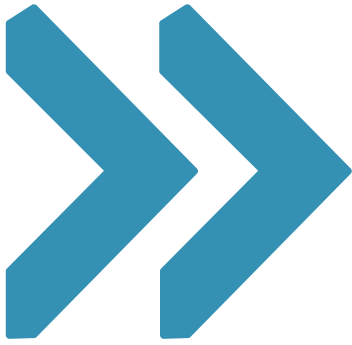
All of the activities can be carried out within your organisation but working through the activities with other agencies and practitioners from other areas is encouraged to enrich the discussion and contribute to a shared understanding.

Learning objectives

The activities and exercises in this toolkit have been designed to achieve the following learning objectives:

Learning Objectives	Toolkit Activity	Delivery
1. Explain how your organisation is aligned with the shared vision (<i>can be adapted to team/role</i>)	Part A	Group / Pair/ Individual
2. Give examples of how the 'Working Together Principles' might be applied in the context of your organisation and/or professional role	Part B	Group / Pair/ Individual
3. Determine whether you and / or your organisation fall(s) under one or more of the named groups in the Law, with a responsibility to apply the duties in Article 2	Part C	Group / Pair/ Individual
4. State what the overriding objective of the Law means in the context of your role and / or organisation and give practical examples of how it might apply	Part C	Group / Pair/ Individual
5. Give examples of the appropriate measures that could be taken in your role and / or organisation to protect children and young people from unlawful discrimination	Part D	Group / Pair/ Individual

Learning Objectives	Toolkit Activity	Delivery
6. Describe how to take into account the best interests of the child when working through practical examples of decision making based on fictional scenarios	Part E	Group / Pair/ Individual
7. Describe what having regard to the views of children looks like in your role and / or organisation, and best practice when having regard to the views of children (this could include reference to a specific participation model used in your service)	Part F	Group / Pair/ Individual
8. Describe how your organisation promotes the health and development of children and young people	Part G	Group / Pair/ Individual



Part A

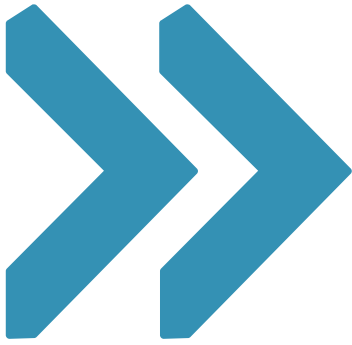
A shared vision for working together

This session has been designed as a group session, encouraging attendees to focus on how their organisation is aligned with the shared vision for working together. However, these activities can also be adapted for a specific team within an organisation, or for individuals, to reflect on how they are aligned with the shared vision.

Approximate time required: 1 hour

Preparation notes

- Ensure you have completed the relevant e-learning and read the statutory guidance related to working together.
- Book a room with sufficient space for everyone to participate.
- Invite all the relevant participants, and make sure you have everyone who will need to contribute in the room. Make sure people understand they should complete the relevant e-learning before this session.
- Gather resources including a flip chart, markers and sticky notes.
- Arrange refreshments for the session.
- Assign someone in the group to type up the actions – ensure they understand their role in the session.



Part A

A shared vision for working together

Welcome (approx. 5 minutes)

Open the session with a warm welcome and ice-breaker if necessary. Give the purpose of the session and establish any ground-rules you think necessary.

Spider-gram brainstorm (approx. 20 minutes)

All practitioners working with children and young people should be committed to, and united in, a shared vision: *for every child to live a happy and healthy life in a supportive environment, surrounded by adults who actively promote their wellbeing and act to safeguard their welfare.*

The Jersey's Children First framework sets out how practitioners should work together to ensure children, young people and their families can access the right help at the right time from the right services.

Use sticky notes to explore the question: how is our organisation aligned with the shared vision? If this exercise is being carried out to reflect on an individual role or team, the question can be changed to our team / my role as appropriate.

Write the vision (see above) in a circle in the centre of a piece of flip chart paper and add the sticky notes in a circle around the edges.



Part A

A shared vision for working together

Connect the middle circle to the sticky notes – you will have created a 'spider-gram', although yours might have more or less than eight legs!

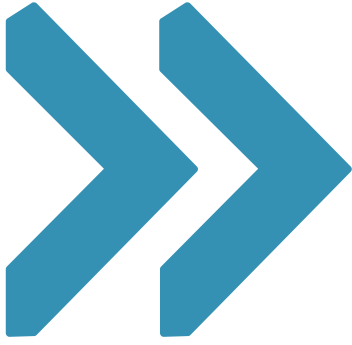
Discussion (approx. 10 minutes)

Discuss the responses shown on the sticky notes as a group. Does everyone agree? Are there any actions that could be taken forward to make improvements?

Action Planning (approx 5 minutes)

Ensure that for every action identified you have captured:
Who is responsible for following this up?
When must they do this by?

Record the responses (for example take a photo of the spider-gram) so that they can be shared and referred to.



Part A

A shared vision for working together

Proof of Learning (approx. 2 minutes)

Remind people of the objective of this session, ask the group if they feel they have achieved it:

- Explain how your organisation and / or professional role(s) is aligned with the shared vision.

Close (approx. 5 minutes)

Ensure all of the notes from the session have been captured. Invite the group to add any further comments.

Thank everyone for their contributions and let them know when the next session together is going to be.



Part B

Working together principles

This session has been designed as a group session, encouraging attendees to focus on how their organisation applies the working together principles. However, this session can also be adapted for a specific team within an organisation, or for individuals, to reflect on how they apply these principles.

Approximate time required: 45 mins

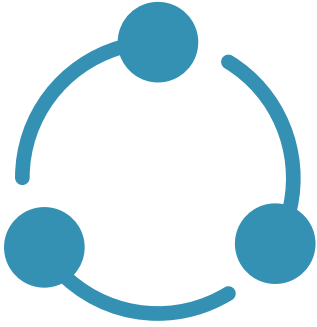
Preparation notes

If you are facilitating the session:

- Ensure you have completed the relevant e-learning and read the statutory guidance related to Working Together Principles.
- Book a room with sufficient space for everyone to participate.
- Invite all the relevant participants, and make sure you have everyone who will need to contribute in the room. Make sure people understand they should complete the relevant e-learning before this session.
- Gather resources including a flip chart, markers and sticky notes.
- Arrange refreshments for the session.
- Assign someone in the group to type up the actions – ensure they understand their role in the session.

Welcome (approx. 5 minutes)

Open the session with a warm welcome and ice-breaker if necessary. Give the purpose of the session and establish any ground-rules you think necessary.



Part B

Working together principles

Discussion 1 (approx. 2 minutes)

Ask the group to recall the five Working Together Principles (*hint: they all begin with the letter C!*).

Don't spend too long on this, it isn't a test! You can check your responses against the e-learning or statutory guidance.

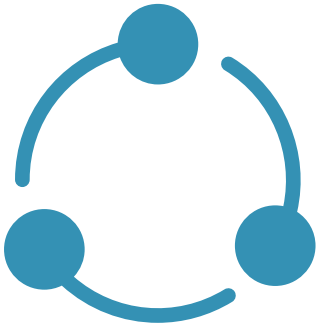
Brainstorm 1 (approx. 15 minutes)

Draw and label five boxes or write the five principles on a flip chart. They are:

- Child-centred
- Collaboration
- Communication
- Coordination
- Consistency

Refer to the working together e-learning module for more information about each of the principles.

Use the sticky notes to provide three examples of how your organisation demonstrates or applies each of the principles.



Part B

Working together principles

Prompts could include:

- How you apply the Jersey's Children First framework.
- How you work collaboratively with others. Think about how you ensure a holistic approach is taken to promote wellbeing and safeguard welfare.
- How you communicate in a clear, timely manner using consistent language and terminology.
- How you ensure a joined-up approach when working to support a child or young person.
- What you do to monitor standards to ensure a high quality and consistent practice.

Discussion 2 (approx. 10 minutes)

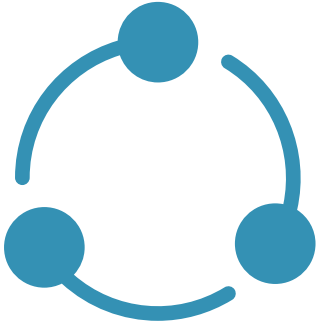
Discuss your findings and ask:

Are there any themes?

Does your organisation demonstrate some of the principles more strongly than others?

Action Planning (approx. 10 minutes)

Ensure that the responses to the above are captured. Are there any development opportunities to take forward? Are there any actions that you could take forward to help improve your practice and/or the practice of others?



Part B

Working together principles

For every action identified, ensure you have captured:
Who is responsible for following this up?
When must they do this by?

Proof of Learning (approx. 2 minutes)

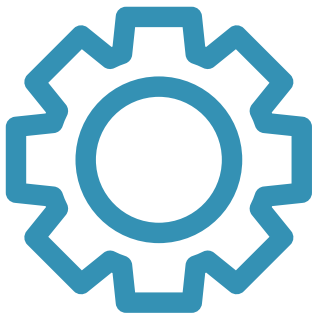
Remind people of the objective of this session, ask the group if they feel they have achieved it:

- Give examples of how the Working Together Principles might be applied in the context of your organisation and/or professional role.

Close (approx. 5 minutes)

Ensure all of the notes from the session have been captured. Invite the group to add any further comments.

Thank everyone for their contributions and let them know when the next session together is going to be.



Part C

Overriding objective: role and application

This session has been designed as a group session but it can also be carried out as a pair or individual exercise.

Approximate time required: 1 hour

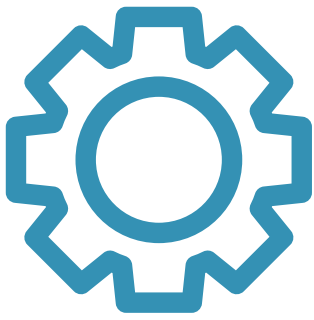
Preparation notes

If you are facilitating the session:

- Ensure you have completed the relevant e-learning and read the statutory guidance working together section related to the five responsibilities.
- Book a room with sufficient space for everyone to participate.
- Invite all the relevant participants, and make sure you have everyone who will need to contribute in the room. Make sure people understand they should complete the relevant e-learning before this session.
- Gather resources including a flip chart, markers and sticky notes.
- Arrange refreshments for the session.
- Assign someone in the group to type up the actions – ensure they understand their role in the session.

Welcome (approx. 5 minutes)

Open the session with a warm welcome and ice-breaker if necessary. Give the purpose of the session and establish any ground-rules you think necessary.



Part C

Overriding objective: role and application

Discussion 1 (approx. 3 minutes)

There are four named groups in the Law who have five additional responsibilities when carrying out their functions under the Law.

These groups are:

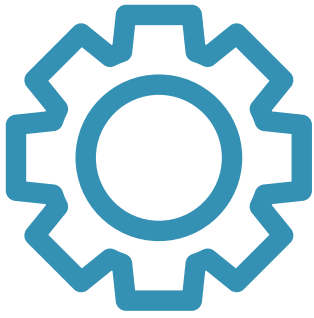
- Relevant providers
- Corporate parents
- Responsible Ministers
- Safeguarding partners

Reflect on which group, or groups, your organisation is considered under. Please refer to the glossary in the statutory guidance for definitions of these groups, or the Introduction to the Statutory Guidance e-learning module.

Sunshine brainstorm (approx. 20 minutes)

Write the overriding objective of the Children and Young People (Jersey) Law 2022 in the centre of a flip chart sheet: 'To promote and support the wellbeing and safeguard the welfare of children and young people.'

Write the following five responsibilities each in a box positioned around the central text:



Part C

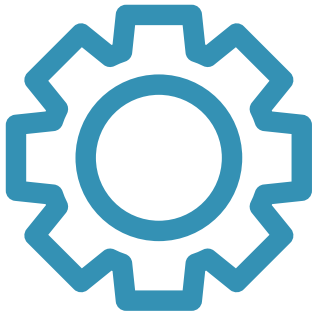
Overriding objective: role and application

- You must have regard to the overriding objective
- You must take all appropriate measures to ensure that children and young people are protected against all forms of unlawful discrimination
- You must have the best interests of children and young people as a primary consideration
- You must have regard to the views of children and young people on all matters affecting them, with due allowance being made for age and maturity
- You must promote the health and development of children and young people

Draw lines from each of the boxes to the central text and it will look like the shape of a sun.

Use sticky notes to record practical examples of how the responsibilities are demonstrated: i) in your organisation and ii) in your role. Stick the notes referring to organisational examples above each line and the individual examples under each line.

Review the examples provided and prompt for examples above and below each line for each responsibility.



Part C

Overriding objective: role and application

Brainstorm 2 (approx. 10 minutes)

Draw two columns on a flip chart sheet and add the following headers: What do we do well? and What could we improve?

Reflect on the previous exercise and any themes you have identified from the responses to help you populate each column.

Action Planning (approx. 10 minutes)

Identify how the findings for 'What do we do well?' and 'What could we improve?' can be taken forward at an organisational level and by individuals, perhaps in specific roles.

Ensure that for every action identified you have captured:

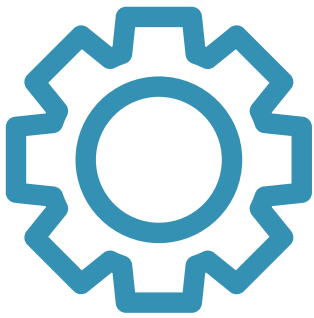
Who is responsible for this action?

When must they do this by?

Is there an opportunity to collaborate with other organisations or individuals to achieve this action?

Discussion 2 (approx. 5 minutes)

Reflect on the actions that have been agreed from this session and discuss how achieving these will benefit your organisation and children and young people.



Part C

Overriding objective: role and application

Record the responses as these may be useful in reviewing progress against the actions and the impact of the changes.

Ask the group if they would like to arrange a meeting to review their progress. If not, agree how this will move forward.

Proof of Learning (approx. 2 minutes)

Remind people of the objectives of this session, ask the group if they feel they have achieved them:

- Determine whether you and / or your organisation fall(s) under one or more of the named groups in the Law, with a responsibility to apply the duties in Article 2.
- State what the overriding objective of the Law means in the context of your role and / or organisation and give practical examples of how it might apply.

Close (approx. 5 minutes)

Thank everyone for their contributions and let them know when the next session together is going to be.

Share the record of the responses with the group after the session.



Part D

Measures to protect against unlawful discrimination

This session has been designed as a group session but it can also be carried out as a pair or individual exercise.

If you are a corporate parent, responsible Minister, safeguarding partner or relevant provider, you must take all appropriate measures to ensure that children and young people are protected against all forms of unlawful discrimination.

This activity encourages you to explore how this responsibility is demonstrated in your organisation, team or specific role.

Approximate time required: 45 mins

Preparation notes

If you are facilitating the session:

- Ensure you have completed the relevant e-learning and read the statutory guidance working together section related to the five responsibilities.
- Book a room with sufficient space for everyone to participate.
- Invite all the relevant participants, and make sure you have everyone who will need to contribute in the room. Make sure people understand they should complete the relevant e-learning before this session.
- Gather resources including a flip chart, markers and sticky notes.



Part D

Measures to protect against unlawful discrimination

- Arrange refreshments for the session.
- Assign someone in the group to type up the actions – ensure they understand their role in the session.

Welcome (approx. 5 minutes)

Open the session with a warm welcome and ice-breaker if necessary. Give the purpose of the session and establish any ground-rules you think necessary.

Brainstorm 1 (approx. 5 minutes)

Engage the group in the topic by asking if they can name the seven characteristics protected from discrimination under the Discrimination (Jersey) Law 2013. These are listed in the statutory guidance.

The protected characteristics are:

- Race
- Sex
- Sexual orientation
- Gender reassignment
- Pregnancy and maternity
- Age
- Disability



Part D

Measures to protect against unlawful discrimination

Ask the group to define discrimination in their own words.

An example is included here for reference:

Person (A) discriminates against another person (B) if, because of a protected characteristic, person (A) treats person (B) less favourably than person (A) treats or would treat others.

Ask the group to define multiple discrimination in their own words.

Brainstorm approx. 15 minutes)

Draw the diagram provided below on to a flip chart sheet.

What measures / policies / safeguards are in place in our organisation to protect against discrimination?

How effective do we think these are?

How can we make these better?

Are there any gaps/ are we missing any measures to protect against discrimination?



Part D

Measures to protect against unlawful discrimination

Ask the group to use sticky notes to complete the grid for their organisation. In the final square, the group may wish to also record items they are unsure about and /or questions they may have.

Useful prompts may be awareness raising, training, clear policies and forums for user feedback.

Action Planning (approx. 10 minutes)

Refer to the 'How can we make these better?' and 'Are there any gaps / are we missing any measures to protect against discrimination?' boxes and mark each item in terms of urgency (green: not urgent, orange: needs to be looked at and red: needs immediate attention).

For each of the items recorded, identify what actions can be taken forward and ask what other organisations you could work with to make this happen.

Ensure that for every item you have captured:
Who is responsible for following this up?
When must they do this by?

Record the responses as these may be a useful resource when you meet again to review your progress.



Part D

Measures to protect against unlawful discrimination

Proof of Learning (approx. 2 minutes)

Remind people of the objective of this session, ask the group if they feel they have achieved it:

- Give examples of the appropriate measures that could be taken in your role and / or organisation to protect children and young people from unlawful discrimination.

Close (approx. 5 minutes)

Ensure all of the notes from the session have been captured. Invite the group to add any further comments.

Thank everyone for their contributions and let them know when the next session together is going to be.



Part E

Best interests of the child

This session has been designed to be used by a group, pair or an individual.

If you are a corporate parent, responsible Minister, safeguarding partner or relevant provider, you must have the best interests of children and young people as a primary consideration when carrying out your functions under the Children and Young People (Jersey) Law 2022.

This activity uses case studies to provide an opportunity to think about how you might consider the best interests of children and young people in practice, including what extra information you might need, and the questions you might ask.

Approximate time required: 45 mins - 1 hour for each case study (3 case studies provided)

Preparation notes

If you are facilitating the session:

- Ensure you have completed the relevant e-learning and read the statutory guidance related to the five responsibilities.
- Book a room with sufficient space for everyone to participate.
- Invite all the relevant participants, and make sure you have everyone who will need to contribute in the room. Make sure people understand they should complete the relevant e-learning before this session.



Part E

Best interests of the child

- Gather resources including a note book or laptop to record any notes or actions.
- Arrange refreshments for the session.
- Assign someone in the group to type up any actions – ensure they understand their role in the session.

Welcome (approx. 5 minutes)

Open the session with a warm welcome and ice-breaker if necessary. Give the purpose of the session and establish any ground-rules you think necessary.

Introductory notes:

If you are a corporate parent, responsible Minister, safeguarding partner or relevant provider, you must have the best interests of children and young people as a primary consideration when carrying out your functions under the Children and Young People (Jersey) Law 2022.

This case studies provide an opportunity to think about how you might consider the best interests of children and young people in practice, including what extra information you might need, and the questions you might ask.



Part E

Best interests of the child

Case Study 1: Jenny

Jenny is a 12-year-old female in foster care. She has three siblings who are also in care: her older sister Jane (aged 14) who is in residential care, and Lilly (aged 8) and Lola (aged 6) who live together in a foster placement.

The Court has granted a Care Order for Jenny and a plan of permanence has been agreed for long-term foster care on the basis that it is not in Jenny's best interests to be returned to the care of her mother, and there are no other viable family members to consider.

Jenny currently has weekly family time with her mother; she and her mother do not want this time together to reduce and do not want it to be supervised. However, the Minister has parental responsibility through the Care Order and recommends that family time remains supervised and is reduced over time, with a break in family time when Jenny is introduced to her forever foster family.

Discussion:

Question 1: Read through the case study and reflect on how you would determine what is in Jenny's best interests in this scenario.



Part E

Best interests of the child

Question 2: What considerations should you make?

Consider the elements proposed by the United Nations Committee on the Rights of the Children to be taken into account when assessing the child's best interests:

- The child's views
- The child's identity
- Preservation of the family environment and maintaining relations
- Care, protection and safety of the child
- Situation of vulnerability
- The child's right to health
- The child's right to education

Question 3: Think about what further information or support you would require to consider what is in Jenny's best interests, and how you would request this information or support.

Spend a few minutes capturing your thoughts before reading the additional information included over the page.



Part E

Best interests of the child

Additional information to inform decision making:

Although family time with Jenny's mother has improved over recent months in some respects, there are still concerns. Jenny receives mixed messages from her mother during family time and it is evident that her mother does not support the decisions made within Jenny's placement and makes unhelpful comments which undermine the stability of the placement.

Jenny has feelings of blame and guilt regarding herself and her sisters coming into care, and she needs a great deal of reassurance that it is not her fault. This is because, until recently, Jenny's mother would not accept that her parenting has influenced her children, and she would not admit that her choices had placed her children in vulnerable situations where they suffered significant harm as a result. Blame was therefore shared between Jenny and her sister Jane, and their mother would remind them of this often when they were in her care. Although there has been an improvement in this, Jenny's mother can be inconsistent in her behaviour during family time.

There is a high level of unsupervised indirect contact by phone between Jenny and her mother and Children's Social Care have no way of monitoring this. Jenny has got the message from her mother that she is returning to her care, creating confusion for Jenny which will not reduce until the end of the care proceedings - at the very earliest.



Part E

Best interests of the child

Jenny also feels loyalty towards her mother. At the end of each evening, Jenny will be required to give her phone to her foster carers to prevent unmonitored telephone calls with her mother.

Question 4: Does this additional information impact your consideration of what is in Jenny's best interests?

Record any notes as these may help to identify actions you can take forward after the session.

Outcome:

It is not considered in Jenny's best interests for more frequent family time to take place given that there is no plan for her to return to the care of her mother.

Given Jenny's age, her wishes and feelings in regard to family time should be given serious consideration and it may be that Jenny will request more than the recommended contact with her mother in future. Family time arrangements will be reviewed regularly and potentially be increased or decreased depending on what is in Jenny's best interests at that time.

Jenny will need stable contact with her mother to continue their attachment to one another in a supportive and helpful manner. However, it is considered that the current arrangements for family time do not promote Jenny's sense of security and stability and are potentially harmful to Jenny.



Part E

Best interests of the child

In line with permanency planning, it is the position that telephone contact is reduced to one contact in between direct family time sessions. The telephone calls will be made with Jenny's carers present, as there are concerns about unsupervised, unmonitored family time taking place between Jenny and her mother without the knowledge of Children's Social Care. There is also a concern that telephone conversations may not be appropriate and place responsibility on Jenny to ensure her mother's welfare and wellbeing.

Question 5: Consider the outcome and how it compares with the way forward you identified in your notes.

Reflect (approx. 5 minutes)

Are there any actions that you can take forward to improve your practice? For example, is there any training (new or refresher) that would be helpful, would you recommend this activity to a colleague, would it be helpful to work through this or the other case studies with colleagues/other agencies?

Make a note of any actions you have identified and consider the next step and the timeframe for moving each item forward.

If this is the end of your session, please refer to the Proof of Learning and Close sections, otherwise please continue to the next case study.



Part E

Best interests of the child

Case Study 2: Bethany

Bethany (14) is in a long-term foster placement where she has been since she was 10 years old. There is a Care Order in place granting parental responsibility to Children's Social Care which is shared with her mother, Calissa. Her father is unknown.

Bethany has a diagnosis of developmental trauma, ADHD and autism and the team around Bethany feel there is a need to apply for a Record of Need.

Bethany has significant needs which also include possible foetal alcohol syndrome, sensory processing difficulties, anxiety/ low mood and a tendency to internalise. Bethany also has underdeveloped independence and self-care skills.

A specialist multi-disciplinary assessment on Bethany's needs was undertaken for the Court. The assessment summarises that it is important that Bethany's difficulties are understood and she is offered appropriate support, especially in an academic setting where the difficulties she experiences may increase as she progresses through school and the demands and expectations placed on her increase.



Part E

Best interests of the child

The assessment recommends that Bethany's level of complex hidden need requires a Record of Need and highlights the importance of all school staff understanding how stressful and overwhelming Bethany finds school. The assessment highlights that Bethany's presentation can be misleading as she is not able to show how she is feeling or ask for help. She may look like she is coping but she is not.

Bethany's school reports that her needs are not apparent in school and she is achieving in line with age-related expectations although she is under-performing slightly in some areas. The school therefore does not think there is enough evidence to make an Exceptional Action request which is required to inform the decision about putting in place a Record of Need.

Bethany's Social Worker and other members of the team around Bethany feel that she is a young person who has successfully managed to mask the extent of her difficulties – she will copy and mimic others in how she presents and with her schoolwork.

Bethany's mother is of the view that her daughter is fine, she doesn't want Bethany to stand out from others and a Record of Need labels her more.



Part E

Best interests of the child

Discussion:

Question 1: Read through the case study and reflect on how you would determine what is in Bethany's best interests in this scenario.

Question 2: What considerations should you make?

Consider the elements proposed by the United Nations Committee on the Rights of the Children to be taken into account when assessing the child's best interests:

- The child's views
- The child's identity
- Preservation of the family environment and maintaining relations
- Care, protection and safety of the child
- Situation of vulnerability
- The child's right to health
- The child's right to education

Question 3: Think about what further information or support you would require to consider what is in Bethany's best interests, and how you would request this information or support.

Spend a few minutes capturing your thoughts before reading the additional information included on the next page.



Part E

Best interests of the child

Additional information:

Bethany's Social Worker completed some work with Bethany to gain her voice. Bethany shared that, at times, she feels overwhelmed at school and this really affects her learning and has made her feel highly anxious.

Question 4: Does this additional information impact your consideration of what is in Bethany's best interests?

Record any notes as these may help to identify actions that you can take forward after the session.

Outcome:

Informed by Bethany's views and the findings of the specialist multidisciplinary assessment, the Social Worker felt that it was in Bethany's best interests to have an Exceptional Action assessment.

As school did not agree, the Social Worker sought advice from the Virtual School Head Teacher who advised the Social Worker on the SEND Code of Practice which sets out that a parent has rights to request an Exceptional Action assessment. As Children's Social Care has shared Parental Responsibility for Bethany, the Social Worker requested Education to commence an Exceptional Action assessment.



Part E

Best interests of the child

The Exceptional Action process was undertaken with the Educational Psychologist joining the team around Bethany. Informed by the evidence and advice submitted by the team around Bethany, the SEN Panel determined that a Record of Need was applicable.

Question 5: Consider the outcome and how it compares with the way forward you identified in your notes.

Reflect (approx. 5. minutes)

Are there any actions that can you take forward to improve your practice? For example, is there any training (new or refresher) that would be helpful, would you recommend this activity to a colleague, would it be helpful to work through this or the other case studies with colleagues/other agencies?

Make a note of any actions you have identified and consider the next step and the timeframe for moving each item forward.

If this is the end of your session, please refer to the Proof of Learning and Close sections, otherwise please continue to the next case study.



Part E

Best interests of the child

Case Study 3: Lucy

Lucy (aged 16) is in foster care, following a voluntary agreement with her mother under Article 17 of the Children (Jersey) Law 2002 for Lucy to be looked after by Children's Social Care. There are no care proceedings at present and Lucy's mother has sole parental responsibility.

Lucy has a diagnosis of autism and sensory and communication difficulties and has stated that she does not want any information to be shared with her mother. Lucy is deemed to have capacity to make this decision by her social worker, school nurse, school and CAMHS. However, Lucy's mother feels there is a need for a capacity assessment.

Discussion:

Question 1: Read through the case study and reflect on how you would determine what is in Lucy's best interests in this scenario.

Question 2: What considerations should you make?

Consider the elements proposed by the United Nations Committee on the Rights of the Children to be taken into account when assessing the child's best interests:



Part E

Best interests of the child

- The child's views
- The child's identity
- Preservation of the family environment and maintaining relations
- Care, protection and safety of the child
- Situation of vulnerability
- The child's right to health
- The child's right to education

Question 3: Think about what further information or support you would require to consider what is in Lucy's best interests, and how you would request this information or support.

Spend a few minutes to capture your thoughts before reading the additional information included over the page.

Additional information:

No professional has had any concerns regarding Lucy's ability to respond or hold conversations and Lucy has been able to articulate her responses meaningfully to suggest there are no issues related to capacity.

Lucy has been in a mainstream school up to year 11 and will be going to a mainstream College.



Part E

Best interests of the child

Lucy has been loud and clear in her wishes and in conversations with practitioners; they are confident she understands what is being said regarding her physical and emotional health.

Question 4: Does this additional information impact your consideration of what is in Lucy's best interests?

Record any notes as these may help to identify actions you can take forward after the session.

Outcome:

In the context of Lucy's mother having parental responsibility, the social worker balanced maintaining family relations against Lucy's wish not to share information with her mother and decided that it was in Lucy's best interest to share some information with her mother.

The Social Worker discussed with Lucy what information she wishes to withhold from her mother, and whether she would consent to basic information being shared with her mother, explaining that as her mother has parental responsibility, there is some information which would need to be shared, including significant events and issues relating to safeguarding.



Part E

Best interests of the child

Lucy consented to basic details being shared such as when she goes to the dentist, where she is living and her day to day activities. She was informed that significant events would need sharing with her mother such as if she went missing or needed to go to the hospital.

Everyone working with Lucy has agreed that all information in their reports for meetings will be in full and a separate report or letter will be sent to Lucy's mother which will be also discussed with Lucy before it is sent.

The social worker has explained to Lucy's mother how capacity is assessed dynamically for each decision and why Lucy is assessed as having capacity to make this decision.

Question 5: Consider the outcome and how it compares with the way forward you identified in your notes.

Reflect (approx. 5 minutes)

Are there any actions that you can take forward to improve your practice? For example, is there any training (new or refresher) that would be helpful, would you recommend this activity to a colleague, would it be helpful to work through this or the other case studies with colleagues/other agencies?



Part E

Best interests of the child

Make a note of any actions you have identified and consider the next step and the timeframe for moving each item forward.

Proof of Learning (approx. 2 minutes)

Remind people of the objective of this session, ask the group if they feel they have achieved it:

- Describe how to take into account the best interests of the child when working through practical examples of decision making based on fictional scenarios.

Close (approx. 5 minutes)

Ensure all of the notes from the session have been captured. Invite any further comments.

Thank everyone for their contributions and let them know when the next session together is going to be.



Part F

Regard to the views of children and young people

This session has been designed as a group session but it can also be carried out as a pair or individual exercise.

If you are a corporate parent, responsible Minister, safeguarding partner or relevant provider, you must have regard to the views of children and young people on all matters affecting them, with due allowance being made for age and maturity.

This activity explores your engagement with children and young people as an organisation/team/in a specific role.

Approximate time required: 45 mins

Preparation notes

If you are facilitating the session:

- Ensure you have completed the relevant e-learning and read the statutory guidance working together section related to the five responsibilities.
- Book a room with sufficient space for everyone to participate.
- Invite all the relevant participants, and make sure you have everyone who will need to contribute in the room. Make sure people understand they should complete the relevant e-learning before this session.
- Gather resources including a note book or laptop to record any notes or actions.



Part F

Regard to the views of children and young people

- Arrange refreshments for the session.
- Assign someone in the group to type up any actions – ensure they understand their role in the session.

Welcome (approx. 5 minutes)

Open the session with a warm welcome and ice-breaker if necessary. Give the purpose of the session and establish any ground-rules you think necessary.

Discussion 1 (approx. 3 minutes)

What does having regard to the views of children and young people mean to you in your organisation?

Invite the group to share responses to this question. You may wish to write this question on a flip chart sheet and use sticky notes to record key words or responses.



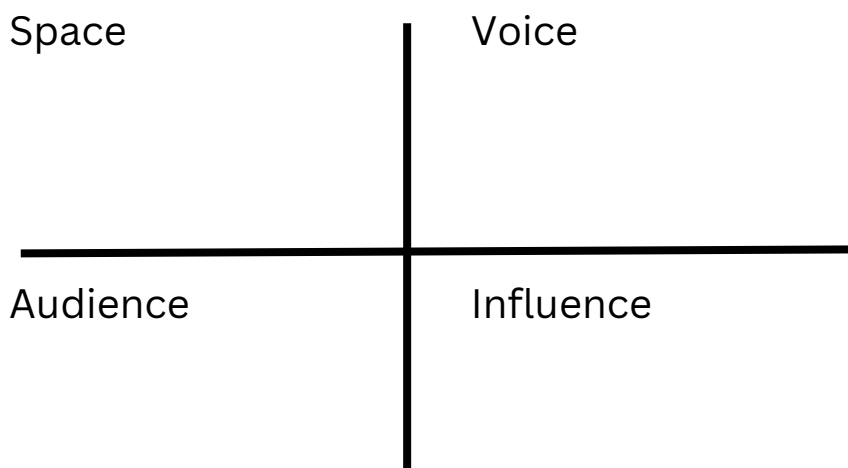
Part F

Regard to the views of children and young people

Brainstorm (approx. 15 minutes)

Draw the diagram provided below on to a flip chart sheet. The diagram represents the Lundy Model of participation which is based on four interrelated concepts:

- Space: Children must be given the opportunity to express a view
- Voice: Children must be facilitated to express their views
- Audience: The view must be listened to
- Influence: The view must be acted upon, as appropriate



Use the sticky notes to record what this looks like for your organisation. You could select one scenario relevant to your organisation, or think about this in general.

Some discussion prompts are provided on the next page:



Part F

Regard to the views of children and young people

- What opportunities do you give children and young people to express a view on your organisation / the relevant services you provide?
- What opportunities do you create and/or use to receive the views of children and young people on your organisation / the relevant services you provide?
- How do you actively seek out the views of children and young people?
- What steps do you take to ensure all children and young people can express their views?
- How do you facilitate engagement with children and young people, for example what information do you provide, how do you provide clear and accessible information, is there are a range of ways children and young people can respond?
- Do you seek specialist support to communicate with specific groups of children and young people, for example pre-verbal, non-verbal, English as a second language?
- What steps are in place to ensure that the views of children and young people are received and acted upon, where appropriate?
- Who in your organisation is informed of the views of children and young people that you receive?
- How do children and young people know they were listened to?



Part F

Regard to the views of children and young people

Discussion 2 (approx. 5 minutes)

Ask the group how difficult the brainstorm activity was to complete and to think about the reasons for this.

Action planning (approx 5 minutes)

Can any responses from the brainstorm activity be taken forward as actions to improve your organisation's practice, or shared to help other organisations?

For each item, note who will take this forward and the required timescale.

Signpost the group to the [Participation Standards for Children and Young People](#), available on gov.je



Part F

Regard to the views of children and young people

Proof of Learning (approx. 2 minutes)

Remind people of the objective of this session, ask the group if they feel they have achieved it:

- Describe what having regard to the views of children looks like in your role and / or organisation, and best practice when having regard to the views of children (this could include reference to a specific participation model used in your service).

Close (approx. 5 minutes)

Ensure all of the notes from the session have been captured. Invite the group to add any further comments.

Thank everyone for their contributions and let them know when the next session together is going to be.



Part G

Promotion of health and development

This session has been designed as a group session but it can also be carried out as a pair or individual exercise.

If you are a corporate parent, responsible Minister, safeguarding partner or relevant provider, you must promote the health and development of children and young people.

This activity provides an opportunity for you to reflect on how you in your professional role / your organisation promotes the health and development of children and young people.

Approximate time required: 45 mins

Preparation notes

If you are facilitating the session:

- Ensure you have completed the relevant e-learning and read the statutory guidance working together section related to the five responsibilities.
- Book a room with sufficient space for everyone to participate.
- Invite all the relevant participants, and make sure you have everyone who will need to contribute in the room. Make sure people understand they should complete the relevant e-learning before this session.
- Gather resources including a flip chart, markers, sticky notes and a laptop to record notes and actions.



Part G

Promotion of health and development

- Arrange refreshments for the session.
- Assign someone in the group to type up any actions – ensure they understand their role in the session.

Welcome (approx. 5 minutes)

Open the session with a warm welcome and ice-breaker if necessary. Give the purpose of the session and establish any ground-rules you think necessary.

Discussion 1 (approx. 3 minutes)

What does health and development mean?

Invite the group to share responses to this question. You may wish to write this question on a flip chart sheet and use sticky notes to record key words or responses.

Ensure that responses reflect the following;

- health means physical or mental health
- development includes behavioural, emotional, intellectual, mental, moral, physical, spiritual, and social development

The above points are included in the statutory guidance and in the Children and Young People (Jersey) Law 2022.



Part G

Promotion of health and development

Note: You may decide to spend longer on this activity if it would be helpful to the group, for example some individuals may be less familiar with the health and development definition depending on their roles.

Brainstorm (approx. 10 minutes)

Use sticky notes or record on a flip chart sheet how you in your role or how your organisation promotes the health and development of children and young people.

It may be useful to consider the services your organisation provides to children and young people and if these are provided directly or indirectly. *(Note: indirectly may mean through a third party or through information being shared with you necessary to fulfil your function/s under the Children and Young People (Jersey) 2022 Law).*

Note: spending 10 minutes on this activity may be difficult, depending on the organisation and the services provided. Try to encourage discussion using the notes above so that this is given careful consideration. Encourage individuals to share examples.

Discussion 2 (approx 10 mins)

Ask the group to reflect on the responses and how they felt about completing this activity.



Part G

Promotion of health and development

How well do you think your organisation fulfils their responsibility to promote the health and development of children and young people?

How confident are you that your organisation can recognise potential issues / causes for concern, knows how to respond and can take appropriate action?

Action planning (approx 5 minutes)

Can any of the responses from the previous discussion be taken forward as actions to improve your organisation's practice, or shared to help other organisations?

For each item, note who will take this forward and the required timescale.

Remind the group that if, at any point, they are concerned about a child, a referral should be made to the Children and Families Hub. In the case of an emergency or where an immediate response is required, the States of Jersey Police should be contacted.



Part G

Promotion of health and development

Proof of Learning (approx. 2 minutes)

Remind people of the objective of this session, ask the group if they feel they have achieved it:

- Describe how your organisation promotes the health and development of children and young people

Close (approx. 5 minutes)

Ensure all of the notes from the session have been captured. Invite any further comments.

Thank everyone for their contributions.



For additional training information
and resources visit gov.je