

Conflict of Interest: Policy Statement for Safeguarders Panel

November 2021

1. Safeguarders and conflict of interest

Safeguarders have a responsibility to ensure that there is no conflict of interest in any aspect of the performance of their role. This is in line with the Safeguarders' letter of appointment.

A conflict of interest is any situation, activity, loyalty, or interest which is, or is perceived to be, in conflict with the role of Safeguarder and which may affect a Safeguarder's independence.

A conflict of interest may be professional or personal. It includes situations where prior or current knowledge or experience may affect the independence of a Safeguarders role.

Conflict of interest impacts on a Safeguarder's ability to undertake their role in ways which ensures independence, confidentiality, integrity, impartiality, and transparency.

Ensuring a consistent and robust approach to conflict of interest prevents difficulties which cause delays, distress and unnecessary intrusion into children's and families lives.

A commitment to children's rights, should underpin any consideration of conflict of interest in relation to the Safeguarder role. This is in line with United Nations Convention on the Rights of the Child (UNCRC), the European Convention on Human Rights and other rights commitments and standards.

2. Identifying conflict of interest

A conflict of interest will generally be identified by the Safeguarder at an early stage in the process of taking on a case. In some instances, it may emerge later in the case and should be treated with the same consideration.

Safeguarders should actively consider if they are aware of any conflict of interest at point of allocation, and later in the process as more information is known.

Any indication of a conflict of interest, including areas where a Safeguarder is unclear if there is a conflict of interest, must be discussed as soon as possible with a member of the Safeguarders Panel Team. This is with a view to reaching agreement on next steps and how these will be taken forward.

Any party involved in the case - children, young people, families, and other professionals involved in the Hearings or court - may identify or raise a concern about conflict of interest in relation to a Safeguarder.

Where there is a conflict of interest, another Safeguarder will be allocated to the case, or a plan agreed on how to proceed. Depending on the stage of proceedings, children, young people and their families and other professionals will be kept informed with discussions as appropriate.

Where a Safeguarder does not notify or discuss a conflict of interest with the Safeguarders Panel Team (with a view to a potential agreement or management) or where they do not adhere to agreements, measures will be considered to address this, including removal from the Safeguarders Panel, depending on the circumstances.

3. Examples where there are, or may be, a conflict of interest in relation to the Safeguarder role:

1. A Safeguarder has acted for, or had, professional contact with the child or a family member in a different role e.g., social worker, lawyer, teacher, family support worker, educational psychologist etc.
2. A Safeguarder has a personal connection with the child, a family member, or another related person.
3. The Safeguarder has, or had, another professional role with the child or a family member at any time.
4. The Safeguarder is part of a company or firm where another member of staff provides, or has provided, a service to the child or a family member.
5. The Safeguarder lives in the immediate locality or has worked in the area where the child or a family member lives and can reasonably expect that there may have been previous contact or connection.
6. The Safeguarder has personal relationships or connections to other professionals who are providing a service to the child or family.
7. The child or family has raised concerns, or complaints about a Safeguarder which relates to conflict of interest.
8. A Safeguarder's commitment to their other professional role impacts on their ability to undertake the independent Safeguarder role.