

NORTH EAST LINCOLNSHIRE SAFEGUARDING CHILDREN PARTNERSHIP

# CHILD SAFEGUARDING PRACTICE REVIEW

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## 1. PURPOSE OF CHILD SAFEGUARDING PRACTICE REVIEWS

The purpose of reviews of serious child safeguarding cases, at both local and national level, is to identify improvements to be made to safeguard and promote the welfare of children. Learning is relevant locally, but it has a wider importance for all practitioners working with children and families and for the government and policymakers. Understanding whether there are systemic issues, and whether and how policy and practice need to change, is critical to the system being dynamic and self-improving.

Reviews should seek to prevent or reduce the risk of recurrence of similar incidents. They are not conducted to hold individuals, organisations or agencies to account, as there are other processes for that purpose, including through employment law and disciplinary procedures, professional regulation and, in exceptional cases, criminal proceedings. These processes may be carried out alongside reviews or at a later stage. Employers should consider whether any disciplinary action should be taken against practitioners whose conduct and/or practice falls below acceptable standards and should refer to their regulatory body as appropriate.

## 2. RESPONSIBILITIES FOR REVIEWS

The responsibility for how the system learns the lessons from serious child safeguarding incidents lies at a national level with the Child Safeguarding Practice Review Panel (the Panel) and at local level with the 'safeguarding partners'.

The National Panel is responsible for identifying and overseeing the review of serious child safeguarding cases which, in its view, raise issues that are complex or of national importance. The Panel should also maintain oversight of the system of national and local reviews and how effectively it is operating.

Locally, the North East Lincolnshire Safeguarding Partners have made arrangements to identify and review serious child safeguarding cases which, in their view, raise issues of importance in relation to their area. The Safeguarding

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Review Group (SRG) has been given its mandate by the North East Lincolnshire's Safeguarding Children Partnership (NELSCP). They will commission and oversee the review of those cases, where they consider it appropriate for a review to be undertaken.

The Panel and the safeguarding partners have a shared aim in identifying improvements to practice and protecting children from harm and should maintain an open dialogue on an ongoing basis. This will enable them to share concerns, highlight commonly recurring areas that may need further investigation (whether leading to a local or national review), and share learning, including from success, that could lead to improvements elsewhere. Safeguarding partners should have regard to any guidance that the Panel publishes. Guidance will include the timescales for rapid reviews and for the Panel response.

### Serious Child Safeguarding Cases

Serious child safeguarding cases are those in which:

- Abuse or neglect of a child is known or suspected; and
- The child has died or been seriously harmed.

Serious harm includes (but is not limited to) serious and/or long-term impairment of a child's mental health or intellectual, emotional, social or behavioural development. It should also cover impairment of physical health. This is not an exhaustive list. When making decisions, judgment should be exercised in cases where impairment is likely to be long-term, even if this is not immediately certain. Even if a child recovers, including from a one-off incident, serious harm may still have occurred

### **3. DUTY OF LOCAL AUTHORITIES TO NOTIFY INCIDENTS TO THE CHILD SAFEGUARDING PRACTICE REVIEW PANEL**

16C(1) of the Children Act 2004 (as amended by the Children and Social Work Act 2017) states: Where a local authority in England knows or suspects that a child has been abused or neglected, the local authority must notify the Child Safeguarding Practice Review Panel if –

- (a) the child dies or is seriously harmed in the local authority's area, or
- (b) while normally resident in the local authority's area, the child dies or is seriously harmed outside England.

The local authority must notify any event that meets the above criteria to the Panel. They should do so within five working days of becoming aware that the incident has occurred. The local authority should also report the event to the safeguarding partners in their area (and in other areas if appropriate) within five working days. The local authority must also notify the Secretary of State and Ofsted where a looked after child has died, whether or not abuse or neglect is known or suspected

The duty to notify events to the Panel rests with the local authority. Others who have functions relating to children should inform the safeguarding partners of any incident which they think should be considered for a child safeguarding practice review. Contact details and notification forms for local authorities to notify incidents to the Panel are available from the notification to Ofsted page on Gov.uk.

<https://www.gov.uk/guidance/report-a-serious-child-safeguarding-incident>

NEL Council Children's Social Care will notify the national Child Safeguarding Practice Review Panel of any incident that meets the notification criteria within 5 working days of becoming aware using the approved online notification process. A copy of the notification will be provided to the partnership support office on the same day that it is submitted.

Any organisation with statutory or official duties in relation to children (including the Child Death Overview Panel - CDOP - and all members of the partnership) should inform the safeguarding partners of any incident which they think should be considered for a child safeguarding practice review. This should be undertaken using the NEL SCP Serious Child Safeguarding Incident Notification to Safeguarding Partners form following discussion with the designated lead within the organisation and agreement by the service manager. Professionals should discuss the case with their agency designated safeguarding lead/officer to help formulate the rationale. A referral should be made as soon as possible after the serious incident occurs. **Safeguarding Practice Review referral Form**

#### **4. DECISION ON LOCAL AND NATIONAL REVIEWS**

Safeguarding partners must make arrangements to:

- identify serious child safeguarding cases which raise issues of importance in relation to the area and
- commission and oversee the review of those cases, where they consider it appropriate for a review to be undertaken

When a serious incident becomes known to the safeguarding partners, they must consider whether the case meets the criteria for a local review. Meeting the criteria does not mean that safeguarding partners must automatically carry out a local child safeguarding practice review. It is for them to determine whether a review is appropriate, taking into account that the overall purpose of a review is to identify improvements to practice. Issues might appear to be the same in some child safeguarding cases but reasons for actions and behaviours may be different and so there may be different learning to be gained from similar cases.

Decisions on whether to undertake reviews should be made transparently and the rationale communicated appropriately, including to families. Safeguarding partners must consider the criteria and guidance below when determining whether to carry out a local child safeguarding practice review.

#### **5. RAPID REVIEW OF SERIOUS CHILD SAFEGUARDING CASES**

The NEL Safeguarding Review Group will arrange for a 'Rapid Review' to be undertaken and completed for:

- All cases notified to them as a result of the notification of incidents process.
- All cases raised for consideration of a review by partner organisations.

The aim of this rapid review is to enable safeguarding partners to:

- Gather the facts about the case, as far as they can be readily established at the time.
- Discuss whether there is any immediate action needed to ensure children's safety and share any learning appropriately.
- Consider the potential for identifying improvements to safeguard and promote the welfare of children.
- Decide what steps they should take next, including whether or not to undertake a child safeguarding practice review.

During the rapid review process all agencies should consider the impact of the serious child safeguarding case on the welfare of the relevant staff and provide support that is in line with their organisation's policies and procedures. See Appendix one Rapid Review process.

As soon as the rapid review is complete, the safeguarding partners should send a copy to the Panel. They should also share with the Panel their decision about whether a local child safeguarding practice review is appropriate or whether they think the case may raise issues which are complex or of national importance such that a national

review may be appropriate. They may also do this if, during the course of a local child safeguarding practice review, new information comes to light which suggests that a national review may be appropriate.

As soon as they have determined that a local review will be carried out, they should inform the Panel, Ofsted and DfE, including the name of any reviewer they have commissioned. In such cases in the rapid review process will be supported by the Multi Agency Innovation Hub guided by the safeguarding partner's and their representatives. This will be undertaken via agencies providing a written report about the facts of the case and the potential for identifying improvements. There will be discussion between the representatives and any agency where clarity is required

The safeguarding partners representatives of the Safeguarding Practice Review Group will meet to evaluate agencies reports and decide the next steps, including their recommendation to the safeguarding partners about whether or not to undertake a child safeguarding practice review or whether they think the case may raise issues which are complex or of national importance such that a national review may be appropriate.

## **6. GUIDANCE FOR THE NATIONAL CHILD SAFEGUARDING PRACTICE REVIEW PANEL**

On receipt of the information from the rapid review, the Panel must decide whether it is appropriate to commission a national review of a case or cases. They must consider the criteria and guidance below. Safeguarding partners must consider the criteria and guidance below when determining whether to carry out a local child safeguarding practice review. The criteria which the local safeguarding partners must take into account whether the case:

- highlights or may highlight improvements needed to safeguard and promote the welfare of children, including where those improvements have been previously identified
- raises or may raise issues requiring legislative change or changes to guidance issued under or further to any enactment
- highlights or may highlight recurrent themes in the safeguarding and promotion of the welfare of children

The Panel should also have regard to the following circumstances:

- significant harm or death to a child educated otherwise than at school
- where a child is seriously harmed or dies while in the care of a local authority, or while on (or recently removed from) a child protection plan
- cases which involve a range of types of abuse
- where the case may raise issues relating to safeguarding or promoting the welfare of children in institutional settings
- where the case may raise issues relating to safeguarding or promoting the welfare of children in institutional settings

As well as considering notifications from local authorities and information from rapid reviews and local child safeguarding practice reviews, the Panel should take into account a range of other evidence, including inspection reports and other reports and research. The Panel may also take into account any other criteria they consider appropriate to identify whether a serious child safeguarding case raises issues which are complex or of national importance. In many cases there will need to be dialogue between the safeguarding partners and the Panel to support the decision-making process. The safeguarding partners must share further information with the Panel as requested.

The Panel have given a commitment to respond promptly to the safeguarding partners with a decision on the majority of cases within 15 working days of a rapid review being received. The Panel should inform the relevant safeguarding partners promptly following receipt of the rapid review, if they consider that:

- a national review is appropriate, setting out the rationale for their decision and next steps
- further information is required to support the Panel's decision-making (including whether the safeguarding partners have taken a decision as to whether to commission a local review)

The Panel should take decisions on whether to undertake national reviews and communicate their rationale appropriately, including to families. The Panel should notify the Secretary of State when a decision is made to carry out a national review.

If the Panel decides to undertake a national review they should discuss with the safeguarding partners the potential scope and methodology of the review and how they will engage with them and those involved in the case.

There will be instances where a local review has been carried out which could then form part of a thematic review that the Panel undertakes at a later date. There may also be instances when a local review has not been carried out but where the Panel considers that the case could be helpful to a national review at some stage in the future. In such circumstances, the Panel should engage with safeguarding partners to agree the conduct of the review.

## **7. MULTI AGENCY LOCAL LEARNING**

Some cases may not meet the definition of a 'serious child safeguarding case', but nevertheless raise issues of importance to the local area. That might, for example, include where there has been good practice, poor practice or where there have been 'near miss' events. Safeguarding partners may choose to undertake a local child safeguarding practice review in these or other circumstances.

In North East Lincolnshire where the case does not meet the definition of a 'serious child safeguarding case', but raises issues of importance to the local area, an interagency Line of Sight Learning Event may be undertaken. During the learning process all agencies should consider the impact of the child's case on the welfare of the relevant staff and provide support that is in line with their organisation's policies and procedures.

## **8. INTERFACE WITH OTHER REVIEWING PROCESSES**

Alongside any national or local reviews, there could be a criminal investigation, a coroner's investigation and/or professional body disciplinary procedures. The Panel and the safeguarding partners should have clear processes for how they will work with other investigations, including Domestic Homicide Reviews, Multi Agency Public Protection Arrangements Reviews or Safeguarding Adults Reviews, and work collaboratively with those responsible for carrying out those reviews. This is to reduce burdens on and anxiety for the children and families concerned and to minimise duplication of effort and uncertainty.

In North East Lincolnshire, the safeguarding partners and/or their representatives will liaise with the relevant lead for the other review process(es) to ensure that a parallel review process(es) are undertaken to reduce burdens on and anxiety for the children and families concerned and to minimise duplication of effort and uncertainty.

## **9. COMMISSIONING A REVIEWER OR REVIEWERS FOR A LOCAL CHILD SAFEGUARDING PRACTICE REVIEW**

The safeguarding partners are responsible for commissioning and supervising reviewers for local reviews. Safeguarding partners may also consider appointing reviewers from the Child Safeguarding Practice Review Panel's pool of reviewers where available. In all cases they should consider whether the reviewer has the following:

- professional knowledge, understanding and practice relevant to local child safeguarding practice reviews, including the ability to engage both with practitioners and children and families
- knowledge and understanding of research relevant to children's safeguarding issues
- ability to recognise the complex circumstances in which practitioners work together to safeguard children
- ability to understand practice from the viewpoint of the individuals, organisations or agencies involved at the time rather than using hindsight
- ability to communicate findings effectively
- whether the reviewer has any real or perceived conflict of interest

## **10. LOCAL CHILD SAFEGUARDING PRACTICE REVIEWS**

The safeguarding partners should agree with the review(s) the method by which the review should be conducted, taking into account this guidance and the principles of the systems methodology recommended by the Munro review. The methodology should provide a way of looking at and analysing frontline practice as well as organisational structures and learning. The methodology should be able to reach recommendations that will improve outcomes for children. All reviews should reflect the child's perspective and the family context.

North East Lincolnshire Children's safeguarding Partnership are committed to the use of a systems methodology where appropriate. The review should be proportionate to the circumstances of the case, focus on potential learning, and establish and explain the reasons why the events occurred as they did. As part of their duty to ensure that the review is of satisfactory quality, the safeguarding partners should seek to ensure that:

- practitioners are fully involved in reviews and invited to contribute their perspectives without fear of being blamed for actions they took in good faith
- families, including surviving children, are invited to contribute to reviews. This is important for ensuring that the child is at the centre of the process<sup>14</sup>. They should understand how they are going to be involved and their expectations should be managed appropriately and sensitively

The safeguarding partners must supervise the review to ensure that the reviewer is making satisfactory progress and that the review is of satisfactory quality. The safeguarding partners may request information from the reviewer during the review to enable them to assess progress and quality; any such requests must be made in writing. The President of the Family Division's guidance covering the role of the judiciary in SCRs should also be noted in the context of child safeguarding practice reviews.

## **11. EXPECTATIONS FOR THE FINAL REPORT**

Safeguarding partners must ensure that the final report includes:

- a summary of any recommended improvements to be made by persons in the area to safeguard and promote the welfare of children
- an analysis of any systemic or underlying reasons why actions were taken or not in respect of matters covered by the report

Any recommendations should be clear on what is required of relevant agencies and others collectively and individually, and by when, and focused on improving outcomes for children. Reviews are about promoting and sharing information about improvements, both within the area and potentially beyond, so safeguarding partners must publish the report, unless they consider it inappropriate to do so. In such a circumstance, they must publish any information about the improvements that should be made following the review that they consider it appropriate to publish. The name of the reviewer(s) should be included. Published reports or information must be publicly available for at least one year.

When compiling and preparing to publish the report, the safeguarding partners should consider carefully how best to manage the impact of the publication on children, family members, practitioners and others closely affected by the case. The safeguarding partners should ensure that reports are written in such a way so that what is published avoids harming the welfare of any children or vulnerable adults involved in the case.

Safeguarding partners must send a copy of the full report to the Panel and to the Secretary of State no later than seven working days<sup>16</sup> before the date of publication. Where the safeguarding partners decide only to publish information relating to the improvements to be made following the review, they must also provide a copy of that information to the Panel and the Secretary of State within the same timescale. They should also provide the report, or information about improvements, to Ofsted within the same timescale.

‘Working day’ means any day which is not a Saturday, Sunday or Bank Holiday. Depending on the nature and complexity of the case, the report should be completed and published as soon as possible and no later than six months from the date of the decision to initiate a review.

Where other proceedings may have an impact on or delay publication, for example an ongoing criminal investigation, inquest or future prosecution, the safeguarding partners should inform the Panel and the Secretary of State of the reasons for the delay. Safeguarding partners should also set out for the Panel and the Secretary of State the justification for any decision not to publish either the full report or information relating to improvements.

Safeguarding partners should have regard to any comments that the Panel or the Secretary of State may make in respect of publication. Every effort should also be made, both before the review and while it is in progress, to (i) capture points from the case about improvements needed, and (ii) take corrective action and disseminate learning

## **12. ACTIONS IN RESPONSE TO LOCAL AND NATIONAL REVIEWS**

The safeguarding partners should take account of the findings from their own local reviews and from all national reviews, with a view to considering how identified improvements should be implemented locally, including the way in which organisations and agencies work together to safeguard and promote the welfare of children. The safeguarding partners should highlight findings from reviews with relevant parties locally and should regularly audit progress on the implementation of recommended improvements. Improvement should be sustained through regular monitoring and follow up of actions so that the findings from these reviews make a real impact on improving outcomes for children.

The Safeguarding Review Group will take the leadership, in conjunction with the reviewer, on devising an action plan following the completion of a local child safeguarding practice review or a multi-agency local learning review. The group will regularly monitor and follow up on actions taken to ensure that the recommended improvements in agencies and how they work together to safeguard and promote the welfare of children are completed. This group will report regularly to the safeguarding partners and the Safeguarding Children Partnership Executive Board and clearly demonstrate that the findings from a review has made an impact on improving outcomes for children. The safeguarding partners may decide to request that an independent scrutiny officer complete an audit/assurance event to ensure that the recommended improvements are embedded in multi-agency practice.

The Safeguarding Review Group will continue to give oversight to the action of the action plan until completion. The action plan will be finally signed off by the Safeguarding Children Partnership Board. The SCP Safeguarding Assurance Improvement Group (SAIG) will oversee the impact of the action plan.

The SAIG will focus on:

- Learning from local child safeguarding practice reviews or multi-agency local learning reviews
- Learning from other areas local child safeguarding practice reviews and national child safeguarding practice reviews

- Improvement and development work following local Line of Sight meetings
- Communication of learning to and development of professionals and the wider public

### **13. GUIDANCE FOR THE CHILD SAFEGUARDING PRACTICE REVIEW PANEL – REVIEWER**

The Panel must set up a pool of potential reviewers who can undertake national reviews, a list of whom must be publicly available. If they consider that there are no potential reviewers in the pool with availability or suitable experience to undertake the review, they may select a person who is not in the pool. When selecting a reviewer, the Panel should consider whether they have any conflict of interest which could restrict their ability, or perceived ability, to identify improvements impartially. For national child safeguarding practice reviews, the Panel should follow the same guidance on procedure and supervision as for local child safeguarding practice reviews.

**Appendix 1 Rapid Review process**

Serious Incident Notification Submitted, Agency referral *Serious Incident Referral Form*

<p>Within <b>2 working days</b> of referral</p>	<p><i>Initial Scoping and Information Sharing Template</i> sent to all relevant agencies</p>
	<p style="text-align: center;"><b>Date set for Rapid Review Meeting</b>  <i>(This could be a standing Group responsible for overseeing learning from serious incidents or an extraordinary meeting to undertake the Rapid Review)</i></p>

<p>Within <b>5 working days</b></p>	<p>Completed <i>Initial Scoping and Information Sharing Template</i> returned by agencies and then shared with those attending the Rapid Review meeting along with the Referral Form and any LA notification</p>
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<p><b>Between 7 and 13 working days</b> of receiving the referral</p>	<p style="text-align: center;"><b>Rapid Review</b> meeting:</p> <ul style="list-style-type: none"> <li>• Reviews the facts about the case presented in the documentation</li> <li>• Agrees any immediate action</li> <li>• Considers the case against the criteria for child safeguarding practice reviews</li> <li>• Decides whether a practice review or other learning review should take place</li> <li>• Completes the <i>Rapid Review Template</i> and agrees the recommendation</li> </ul>
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<p>Within <b>2 days</b> of the Rapid Review meeting</p>	<p><i>Rapid Review Template</i> and <i>accompanying letter</i> sent to national Panel.</p> <p>Agencies (including the agency who made the referral) are informed of the outcome of the Rapid Review</p>
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