



The Moray Child Protection Committee

Significant Case Review Procedure (including the Initial Case Review process)

Obsolite when Printed

This procedure is available in different formats and languages on request.

Please contact:
Education and Social Care Department,
The Moray Council
High Street
Elgin, Moray
IV30 1BX

Tel: 01343 563374

Email:

educationandsocialcare@moray.gov.uk

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Obsolete when Printed

1.0 Introduction

On Tuesday 12 May 2015, Moray Child Protection Committee (CPC) formally adopted the National Guidance for Child Protection Committee's on [Conducting a Serious Case Review](#).

In the context of Child Protection, a Significant Case Review (SCR) is a multi-agency process for establishing the facts of, and learning lessons from, a situation where a child has died or been significantly harmed.

Significant Case Reviews should be seen in the context of a culture of *continuous improvement* and should focus on learning and reflection on day-to-day practices, and the systems within which those practices operate.

Any agency can ask for a case to be considered for a review by the Moray CPC, but a family cannot ask for a review. Concerns raised by families should be addressed through relevant agencies' normal complaints procedures.

It may not be immediately obvious that a case requires a significant case review. This SCR referral procedure is therefore an opportunity for Moray CPC, through an established SCR group, to consider relevant information, determine the course of action and recommend whether an SCR or other response is required. The Initial Case Review (ICR) process is set out in this procedure and this is the vehicle for referring SCRs to Moray CPC. An ICR should not be escalated beyond what is proportionate, taking account of the severity and complexity of the case and the process and its timescales.

No review, Initial or Significant, should detract from services taking whatever urgent action is required to protect any other children and young people who may be at risk. (*Sottish Government 2015*)

Moray CPC will use this procedure to respond to SCR referrals as required by the National SCR Guidance.

2.0 Initial Case Review Process

The Moray SCR Group has responsibility to manage the referral process in Moray and report to the CPC as per National Guidance. The SCR group will meet on an 'as required' basis, related to SCR referrals. IF a referral is agreed to meet the criteria for SCR and **Initial Case Review (ICR)** must be held first and this process is set out in the diagram below.

Chair

The Chairperson for the SCR Group will be a member of Moray CPC and agreed by Moray CPC where they will provide updates on the work and progress of the group. A Vice-chair will also be identified by Moray CPC and become a member of the group.

Core membership

This should include *Senior Representatives* from:

- Education
- Children's Social Work Service
- NHS Grampian
- Police Scotland
- Third Sector

This group should also include the Partnership Officer for Child Protection who will be the SCR group co-ordinator.

ROLES & RESPONSIBILITIES OF MEMBERS

- To represent their service providing the group with their unique service knowledge and perspective
- To take ownership of tasks and be the link between the request for information and completion of reports from their service
- To be responsible for ensuring their service's response is completed within the timescales
- To provide a quality assurance role in order that their service ICR is fully completed
- To keep their service updated on the work of the group
- To make decisions regarding ICRs and provide full and accurate information to Moray CPC in relation to potential SCRs

Moray Initial Case Review Register

The SCR Group are responsible for maintaining the Moray ICR Register on behalf of Moray CPC. The ICR Register will be the vehicle for collating the required information and reporting to Moray CPC and Chief Officer Group on potential SCR referrals, progress and overall work of the group.

SCR REFERRAL

Referrer has to consider whether the SCR criteria is met



Criteria for establishing whether a case is significant

A significant case need not be about just one significant incident. In some cases, for example, neglect, concerns may be cumulative.

Criteria

When a child dies and the incident or accumulation of incidents (a case) gives rise to significant/serious concerns about professional and/or service involvement or lack of involvement, and **one or more of the following apply:**

- Abuse or neglect is known or suspected to be a factor in the child's death;
- The child is on, or has been on, the Child Protection Register (CPR) or a sibling is or was on the CPR. This is regardless of whether or not abuse or neglect is known or suspected to be a factor in the child's death unless it is absolutely clear to the Child Protection Committee that the child having been on the CPR has no bearing on the case;
- The death is by suicide or accidental death^[2];
- The death is by alleged murder, culpable homicide, reckless conduct, or act of violence^[3];
- At the time of their death the child was looked after by, or was receiving aftercare or continuing care from, the local authority^[4];

When a child has not died but has sustained **significant** harm or risk of significant harm as defined in the [National Guidance for Child Protection Scotland^{\[5\]}](#), **and** in addition to this, the incident or accumulation of incidents (a case) gives rise to serious concerns about professional and/or service involvement or lack of involvement, and the relevant Child Protection Committee determines that there may be learning to be gained through conducting a Significant Case Review.

IF THE REQUEST MEETS THE CRITERIA

The Referrer should complete and forward the ICR Notification form to the SCR Co-ordinator - Appendix 1

Note – the Referrer should **ALWAYS** discuss the referral with their Line Manager before completing the ICR Notification form

(The Referrer can also discuss the referral with the SCR Chair and/or Co-ordinator)



ON RECEIPT OF THE REFERRAL – 'INITIAL MEETING'

The Chair of the SCR group and SCR Co-ordinator (or their nominated depute) will arrange to discuss the ICR within 14 calendar days of receipt of notification. This is called the '**Initial Meeting**' and they will reach a decision as to whether the criteria is met and if an Initial Case Review (ICR) should be undertaken

TWO POSSIBLE DECISIONS



NOT TO ARRANGE AN ICR	ARRANGE AN ICR
<p>Where the decision is that an ICR will not be undertaken, the Chair will discuss with the referrer and the decision will be followed up in writing within 14 calendar days of the conversation.</p> <p>This information will also be reported back to Moray CPC.</p>	<p>If the decision is that an ICR should be undertaken the Chair and SCR Co-ordinator will:</p> <ul style="list-style-type: none"> ➤ Decide which services should complete the ICR reports (Appendix 2) ➤ Alert the SCR Group service representatives of the requirement to complete the ICR report accordingly ➤ Arrange a date & venue for the SCR Group to meet and discuss the referral and send invites as appropriate (this should be treated as a priority meeting) ➤ Decide if any additional representatives out with the core membership are required at the ICR meeting and invite ➤ Initiate and complete The ICR Summary Report (Appendix 3)

Note - The service representatives are responsible for arranging for the ICR notification form to be completed and returned to the SCR co-ordinator within the timescale of **14 calendar days** of the '**Initial Meeting**'

3.0 SCR group meeting

The SCR group will meet no later than **28 calendar days** from the date the 'Initial Meeting' between the SCR Chair and co-ordinator.

The SCR Chair is responsible for setting the agenda for the meeting. The Chair will facilitate the discussion and sharing of information from ALL core members and services at the meeting. Ultimately the group must make one of the following decisions and ensure the subsequent actions are progressed without delay:

1. Further information required	2. Progress to a SCR	3. Do not progress to a SCR
<p>Specify what further information is required and from whom</p> <p>Timescale further information required by</p> <p>Date for next meeting (and this meeting will then decide on whether to progress to an SCR or not, again ensuring the subsequent actions are progressed without delay)</p>	<p>ICR Summary Report detailing the decision and reasons to be completed by SCR Chair & Co-ordinator and submitted to Moray CPC for consideration</p> <p>Moray CPC will then report their decision back to the SCR group</p>	<p>ICR Summary Report detailing the decision and reasons to be completed by SCR Chair & Co-ordinator and submitted to Moray CPC for consideration and approval</p> <p>Moray CPC will then report their decision back to the SCR group</p>

Moray CPC must decide whether to approve the recommendation for an SCR and subsequently report this to the Chief Officers Group (COG) for ratification.

Whether a SCR is approved or not the, ICR Summary Report must be provided to the Team Around the Child (TAC) to be recorded in the Child's File. The ICR Summary Report must also be sent to the Care Inspectorate and other appropriate services e.g. Crown Office.

4.0 Significant Case Review

Having agreed that an SCR is required, and this has been ratified by the COG, the National Guidance for CPCs on Conducting a SCR should be followed. The National Guidance for CPCs on Conducting a SCR, from page 15 onwards, describes the Purpose, Principles, Governance and Methodology considerations for undertaking a SCR. There is advice on Reviewers, National Resources, Report Format (Exemplar provided), Support, Dissemination, Publication and Media.

Having liaised with the SCR Chair and co-ordinator **the Moray CPC** is responsible for establishing:

- Remit of the SCR
- Methodology
- Report Format
- Process and Timescales
- Who will undertake the review;
 - Lead Reviewer (internal or external)
 - The Review Team
 - Support
 - Roles and Responsibilities (across the partnership ensuring multi-agency approach)
- Who will write to and engage with the child/young person and their family/carers advising of the intention to undertake a SCR
- Financial requirements, including a contract and tendering process
- Dissemination and Publication of the Report
- Self-Evaluation and implementation of the recommendations
- Quality Assurance

5.0 Equalities Statement

The Equality Act 2010 imposes a duty on public authorities to have due regard to the need to eliminate unlawful discrimination, promote equality of opportunity and to foster good relations between groups who share a protected characteristic and those who don't. The protected characteristics under the Act are: sex, race, disability, pregnancy and maternity, religion or belief, sexual orientation, marriage and civil partnership and gender reassignment.

Partners in the Moray Community Planning Partnership (CPP) will not and do not discriminate on any grounds. They advocate and are committed to equalities and recognises their responsibilities in this connection. They will ensure the fair treatment of all individuals and where any individual feels that they have been unfairly discriminated against, that individual shall have recourse against the partner to whom the concern relates to in line with that partners grievance and harassment procedures.

In relation to equality of information provision, partners will ensure that all communications with individuals are in plain English, and shall publish all information and documentation in a variety of formats and languages. Where required, partners will use the services of their translation team to enable effective communication between them and the individual. Where an individual has sight, hearing or other difficulties, the partner will arrange for information to be provided in the most appropriate format to meet that individual's needs. The partner will also ensure that there are no physical barriers that could prohibit face to face communications.

6.0 Data Protection

The Data Protection Act 1998 governs the way information is obtained, recorded, stored, used and destroyed. The Moray CPP partners comply with all the requirements of the Act and ensure that personal data is processed fairly and lawfully, that it is used for the purpose it was intended and that only relevant information is used. The Moray CPP partners will ensure that information held is accurate, and where necessary kept up to date and that appropriate measures are taken that would prevent the unauthorised or unlawful use of any "personal information".

7.0 Freedom of Information

The purpose of the Freedom of Information (Scotland) Act 2002 is to "provide a right of access by the public to information held by public authorities". In terms of section 1 of the Act, the general entitlement is that a "person who requests information from a Scottish public authority which holds it is entitled to be given it by the authority". Information which a person is entitled to is the information held by the public authority at the time that the request is made. This is a complex area of the law that can overlap with the Data Protection Act and other legislation.

All Freedom of Information requests are to be sent to the relevant partner.

8.0 Human Rights Act

In October 2007 the three equalities commissions: Racial Equality, Disability Rights and Equal Opportunities were merged to form one Commission: The Equality & Human Rights Commission (Scotland).

The main aspects covered in the Human Rights Act 1998 are:

Right to life; protection from torture; protection from slavery and forced labour; right to liberty and security; right to a fair trial; no punishment without law; right to respect for private and family life; freedom of thought, belief and religion; freedom of expression; freedom of assembly and association; right to marry; protection from discrimination; protection of property; right to education and right to free elections.

Public authorities must ensure that they don't act in breach of the Human Rights Act. All parts of this policy and associated procedures will comply with the Human Rights Act.

9.0 Performance Monitoring

In order to comply with its service commitments, the Moray CPP sets performance standards in relation to its policies' and will monitor its achievement of these standards.

10.0 Review and Feedback

This procedure will be reviewed on 1 October 2018 and every 3 years after that. Feedback can be sent to Stuart Lamberton, Partnership Officer for Child Protection, and will be included in the next review.

[Initial Case Review Notification Form](#) - Appendix 1

[Initial Case Review Report](#) - Appendix 2

[Initial Case Review Summary Report](#) - Appendix 3