

REPORT TO: CABINET MEMBER, CHILDREN, SCHOOLS AND FAMILIES
OVERVIEW & SCRUTINY (CHILDREN'S SERVICES)

DATE: 13th April 2010
20th April 2010

SUBJECT: SERIOUS CASE REVIEWS

WARDS AFFECTED: ALL WARDS

REPORT OF: IAN RUSH
INDEPENDENT CHAIR , SEFTON LOCAL SAFEGAURDING
CHILDRENS BOARD

CONTACT OFFICER: CLARE LAWSON, LSCB BUSINESS MANAGER

**EXEMPT/
CONFIDENTIAL:** NO

PURPOSE/SUMMARY:

The purpose of the report is to brief Members on the revised statutory guidance on the publication of Serious Case Review Executive Summary reports.

REASON WHY DECISION REQUIRED:

No decision required. This report responds to a request by the Overview & Scrutiny Committee (Children's Services).

RECOMMENDATION(S):

Elected Members are asked to note the report and support its recommendation that only the Executive Summary of any future Serious Case Review report should be published.

KEY DECISION: No

FORWARD PLAN: Not appropriate

IMPLEMENTATION DATE: Following the expiry of the 'call-in' period for the Minutes of the Cabinet Member meeting.

ALTERNATIVE OPTIONS:

Not appropriate

IMPLICATIONS:

Budget/Policy Framework: None

Financial:

<u>CAPITAL EXPENDITURE</u>	2009/ 2010 £	2010/ 2011 £	2011/ 2012 £	2012/ 2013 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

There are no financial implications arising out of this report.

Legal: The proposal is in line with current government statutory guidance

Risk Assessment: There are no risks associated directly with this report.

Asset Management: Not appropriate

CONSULTATION UNDERTAKEN/VIEWS : NONE

CORPORATE OBJECTIVE MONITORING:

Corporate Objective		Positive Impact	Neutral Impact	Negative Impact
1	Creating a Learning Community		√	
2	Creating Safe Communities		√	
3	Jobs and Prosperity		√	
4	Improving Health and Well-Being		√	
5	Environmental Sustainability		√	
6	Creating Inclusive Communities		√	
7	Improving the Quality of Council Services and Strengthening local Democracy		√	
8	Children and Young People	√		

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

Working Together to Safeguard Children, A guide to inter-agency working to safeguard and promote the welfare of children, Department of Children, Schools and Families statutory guidance , March 2010.

1. BACKGROUND:

On 28 April 2009 the Overview and Scrutiny Committee (Children's Services) received a report of the Strategic Director of Children's Services which provided members with information relating to an incident in 2005 which resulted in the death of a child. It was resolved, at minute 94 (4):

That the Chair of the Local Safeguarding Children's Safeguarding Board, Mr. Ian Rush, be invited to submit a report to a future meeting of this Committee, after the Secretary of State for Children, Schools and Families, Ed Balls, has responded to the Lord Laming Report in relation to Serious Case Reviews.

2. PROPOSALS

In March 2010 the government produced its revised statutory guidance 'Working Together to Safeguard Children', which sets out how organisations and individuals should work together to safeguard and promote the welfare of children and young people in accordance with the Children Act 1989 and the Children Act 2004.

The guidance was last updated in 2006 and this latest version follows the publication of Lord Laming's report, *The Protection of Children in England: A progress Report*, in March 2009.

The guidance reflects the principles contained within the United Nations Convention on the Rights of the Child, ratified by the UK Government in 1991. It takes into account the European Convention of Human Rights, in particular Articles 6 and 8. It also takes account of other relevant legislation at the time of publication. It is particularly informed by the requirements of the Children Act 1989, which provides a comprehensive framework for the care and protection of children, and the Children Act 2004, which underpins the *Every Child Matters* reforms and includes the provisions on Local Safeguarding Children Boards.

The whole of Part 1 of the guidance is issued as guidance under **section 7 of the Local Authority Social Services Act 1970**, which requires local authorities in their social services functions to act under the general guidance of the Secretary of State. It should be complied with by local authorities carrying out their social services functions, unless local circumstances indicate exceptional reasons that justify a variation.

Both the 2006 guidance and the revised 2010 guidance contain a chapter on Serious Case Reviews. The prime purpose of a Serious Case Review (SCR) is for agencies and individuals to learn lessons to improve the way in which they work both individually and collectively to safeguard and promote the welfare of children. The lessons learned should be disseminated effectively, and the commendations should be implemented in a timely manner so that the changes required result, wherever possible, in children being protected from suffering or being likely to suffer harm in the future.

When an SCR is undertaken all agencies that have had involvement with the child should produce an individual management review report and then an independent author produces an overview report which brings together and draws overall conclusions from the information and analysis contained in the individual management review reports. The independent author also produces an executive summary of the overview report which should include information about the review process, key issues arising from the case, the recommendations and the action plan. The content of the executive summary needs to be suitably anonymised in order to protect the identity of children, relevant family members and others and to comply with the Data Protection Act 1998. The executive summary should, however, include the names of the LSCB Chair, SCR Panel Chair, the overview report author, and the job titles and employing organisations of all the SCR Panel members.

The guidance deals with the issue of disclosure at para 8.49 and states:

LSCBs should consider carefully who might have an interest in SCRs – for example, elected and appointed members of authorities, staff, the child who was seriously harmed and the subject of the SCR, members of the child’s family, the public, the media – and what information should be made available to each of these interests. There are difficult interests to balance, including:

- the need to maintain confidentiality in respect of personal information contained within reports on the child, family members and others;*
- the accountability of public services and the importance of maintaining public confidence in the process of internal review;*
- the need to secure full and open participation from the different agencies and professionals involved;*
- the responsibility to provide relevant information to those with a legitimate interest; and*
- constraints on public information sharing when criminal proceedings are ongoing, in that providing access to information may not be within the control of the LSCB.*

The guidance is clear that neither the SCR overview report nor the individual management review reports should be made public only the executive summary.

Each Local Safeguarding Childrens Board owns the Overview Report and the Executive Summary and it is the view of the Sefton LSCB that the statutory guidance should be followed and only the executive summary should be published.

Sefton LSCB will publish such executive summary reports by putting them on their website.

3. RECOMMENDATION

Elected members are asked to note the report and support its recommendation that only the Executive Summary of any future SCR overview report should be published.