

## Chapter 4: Improving child protection and safeguarding practice

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 (the 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 within 5 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 5 working days. The local authority must also notify the Secretary of State and Ofsted where a looked after child has died, regardless of whether or not abuse or neglect is known or suspected.

The 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 will also maintain oversight of the system of national and local reviews and judge how effectively it is operating.

Locally, safeguarding partners must make arrangements to identify and review serious child safeguarding cases which, in their view, raise issues of importance in relation to their area. They must 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. They should carry out a rapid review of the case, and complete this within fifteen working days of becoming aware of the incident.

Once 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.

The chapter contains guidance for determining whether a serious child safeguarding case meets the criteria for a local and national 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.

On receipt of the information from the rapid review, the Panel will decide whether it is appropriate to commission a national review of a case or cases. As well as considering notifications from local authorities, information from rapid reviews and local child safeguarding practice reviews, the Panel will take into account a range of other evidence, including inspection reports and other reports and research.

The Panel should take decisions on whether to undertake national reviews and communicate their rationale appropriately, including to families. The Panel will notify the Secretary of State when a decision is made to carry out a national child safeguarding practice review. The Panel will conduct national reviews according to the same procedures used for local child safeguarding practice reviews.

The safeguarding partners will be responsible for commissioning and supervising reviewers for local reviews. The guidance sets out the criteria they should consider when

selecting a reviewer. The safeguarding partners should agree with the reviewer the review method taking into account the Working Together to Safeguard Children guidance and the principles of the systems methodology recommended by the Munro review.

Safeguarding partners must send a copy of the full report to the Panel and to the Secretary of State no later than 7 working days before the date of publication. They should also provide the report, or information about improvements, to Ofsted within the same timescale.

Depending on the nature and complexity of the case, the report should be completed and published as soon as possible and no later than 6 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.

**[The Child Safeguarding Practice Review and Relevant Agency \(England\) Regulations 2018](#)** provide the framework for the review of serious child safeguarding cases and the role and remit of the Child Safeguarding Practice Review Panel. Panel members were appointed in June 2018 and their role will become clearer as they begin to review cases and issue further guidance.

In the letter issued by Edward Timpson (Panel Chair) alongside Working Together to Safeguard Children he says: *“Working Together sets out the process for handling serious child safeguarding cases. However, we have agreed with Government that it is important not to be too prescriptive at the outset.*

*Therefore in the first six months our focus will be on working with you to make sure that we develop a system which is dynamic and effective as well as one which secures the timeliness we all appreciate is required. As a result, Working Together 2018 does not set timescales for conducting rapid reviews or the Panel response – these will be set out in practice guidance the Panel intends to issue once we have tested our approach and agreed how the system should best operate. We expect to be in a position to agree these revisions with Government following discussion with our key partners in six months’ time. However, we need to establish a timely process now for how we respond to serious child safeguarding incidents and so from 29 June we expect:*

- *Local Authorities to notify the Panel of any serious incident within five working days; and,*
- *Safeguarding Partners, or Local Safeguarding Children Boards where the new partnership arrangements are not yet in place, to undertake a rapid review into all serious child safeguarding cases promptly and complete this within fifteen working days of becoming aware of the incident.”*

### **Transitional Arrangements for Serious Case Reviews**

After new safeguarding partner arrangements are set up, LSCBs in the area will have a statutory ‘grace’ period of up to 12 months to complete and publish outstanding SCRs. Where an SCR has not been completed at the point the new safeguarding partner arrangements begin to operate, for example, if they have only recently been commissioned, the LSCB should seek to complete and publish the SCR within 6 months of the date of the decision to initiate a review, but has a maximum of 12 months to do so. In this 12 month grace period the LSCB may not commission any further SCRs or continue with any other former activities. LSCBs must complete all SCRs by 29 September 2020 at the latest.