

Serious Case Reviews – what are they and what do they do?

Background to LSCBs

Local Safeguarding Children Boards (LSCBs) as a body are not responsible for running local child protection services. They have a coordination and scrutiny role to challenge local agencies to protect children and young people in the local area. The Chair of the LSCB is an experienced professional who is independent of the local agencies.

Section 14 of the Children Act 2004 sets out the objectives of LSCBs, which are:

- (a) to coordinate what is done by each person or body represented on the Board for the purposes of safeguarding and promoting the welfare of children in the area; and
- (b) to ensure the effectiveness of what is done by each such person or body for those purposes.

What is a Serious Case Review?

The Department for Education states that a Serious Case Review (SCR) must be undertaken by Local Safeguarding Children Boards (LSCBs) where:

- Abuse or neglect of a child is known or suspected; and
- Either
 - The child has died; or
 - The child has been seriously harmed and there is cause for concern as to the way in which the authority, the LSCB partners or other relevant persons have worked together to safeguard the child.

The final decision on whether to conduct the SCR rests with the Chair of the LSCB, who is informed by recommendations made by the LSCB serious case review sub-group. It is also important to remember that the review is not a public enquiry, a disciplinary process or grievance hearing. The focus of the review has to be on how agencies worked together on this case and to identify ways in which local practice might be improved in future.

When does it start?

A decision to start a SCR is taken within weeks of the death or incident. If the death or incident results in criminal proceedings, these must be completed before the SCR is published.

The process of commencing the review usually begins with a discussion at the serious case review sub-group where the known facts are analysed to see whether the criteria mentioned above are satisfied. The chair of the sub-group then makes a recommendation to the Chair of the LSCB who will make the final decision about whether a serious case review or some other sort of review process should take place.

How long do they take?

It depends on many factors such as the scale and complexity of the case as well as other issues such as criminal proceedings.

The target for serious case reviews is to complete them within six months. This period is sometimes extended because of on-going police investigations or criminal proceedings. Even if the review process has not been completed - due to situations such as those mentioned - lessons to improve practice are usually identified at an early stage before the final Overview Report is written and action is commenced. It is important that any lessons that can be learnt are implemented and shared at the earliest opportunity.

Who writes the review?

There is usually one independent author of a serious case review Overview report, however their work is based on the management reviews which have been undertaken by the individual agencies, and the quality of their work, and the strength of their analysis greatly influences and contributes to the overall Overview report.

There is usually an Overview author and a separate panel chair. The most important thing is that the chair and the author are independent of the local agencies and can bring specialist knowledge and objectivity to bear on the case.

How are they chosen?

The Overview report author is usually someone with substantial experience as a practitioner and manager from one of the disciplines involved in child protection. There are several registers of available independent authors however they tend to be chosen on reputation and through recommendation from other LSCBs who have been impressed by the quality of their work.

In practice, an Overview author is usually chosen because of their relevant experience, their availability to work within a set time scale and their professional reputation. The same is true of independent panel chairs.

Generally what experience do they have?

As mentioned above, they would usually have extensive experience of practice and management in one of the relevant disciplines, social care, health, police, education or probation. Sometimes independent chairs are academics that have a specialist interest in child protection or child welfare.

What are the potential outcomes of the SCR?

The serious case review will make a series of recommendations aimed at improving practice across and between agencies. There are likely to be some recommendations with national implications that will be made to central government. Clearly the aim of all the recommendations is to improve how child protection concerns are responded to in a timely and appropriate way, to decrease the likelihood of signs of abuse being missed and above all to prevent other children being seriously harmed or killed in the future.

Are they legally binding?

The recommendations are not legally binding. They have the status of professional advice based on the experience of the case and the analysis of the facts. It is for the constituent agencies of the LSCB to respond to this advice and review and amend where appropriate their operational policies procedures and practice for their practitioners to follow.

A recommendation could only be legally binding if Government decided to take it up and to make changes to existing laws designed to protect children. Any such changes would be made through the Parliamentary process.

However recommendations, once they are accepted by the LSCB are taken extremely seriously. The LSCB is itself subject to external scrutiny and is held accountable by government. The LSCB is required to publish the actions that are taken in response to recommendations and to evaluate their effectiveness in improving local practice.

Could SCRs lead to disciplinary action/ dismissals /further legal proceedings?

Serious case reviews do not in themselves lead to disciplinary action, grievances or further legal proceedings. A serious case review does not recommend action against an individual; it seeks to look at how the whole system can be improved to protect children from harm.

However the findings of the serious case review may be used in subsequent actions by individual agencies after it becomes a public document.

Once a SCR is published is that it? Does anything else happen to it?

As well as the Overview report, the LSCB is also required to publish information about actions which have already been taken in response to the review findings; the impact these actions have had on improving services; and what more will be done.

Once the Overview report is published the LSCB will monitor the implementation of the actions to be taken by the partner agencies until they are all in place. This process is not a quick fix and can take anything up to 2 years depending on the nature of the recommendation. Progress is regularly reported to the LSCB and if there are difficulties in achieving recommendations then the Board has a responsibility to challenge those partners to ensure agreed actions have been taken and changes implemented.

The death of a child through abuse inevitably represents a failing of some kind in the systems which are there to protect children; therefore it is important that there is as full an understanding as possible of the circumstances surrounding the case, and professionals are given the opportunity to learn from this process in order to improve their practice in the future.