



**CAMBRIDGESHIRE LSCB
SCR SUB GROUP
TERMS OF REFERENCE JAN 2017**

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1. Criteria for Serious Case Review – the legislation

- 1.1. **“Serious Case Reviews** Regulation 5 of the Local Safeguarding Children Boards Regulations 2006 sets out the functions of LSCBs. This includes the requirement for LSCBs to undertake reviews of serious cases in specified circumstances. Regulation 5(1)(e) and (2) set out an LSCB’s function in relation to serious case reviews, namely:
- 5(1) (e) undertaking reviews of serious cases and advising the authority and their Board partners on lessons to be learned.
 - (2) For the purposes of paragraph (1) (e) a serious case is one where:
 - (a) abuse or neglect of a child is known or suspected; and
 - (b) either — (i) the child has died; or (ii) the child has been seriously harmed and there is cause for concern as to the way in which the authority, their Board partners or other relevant persons have worked together to safeguard the child.
- 1.2. “Seriously harmed” in the context of paragraph 18 below and regulation 5(2)(b)(ii) above includes, but is not limited to, cases where the child has sustained, as a result of abuse or neglect, any or all of the following:
- a potentially life-threatening injury;
 - serious and/or likely long-term impairment of physical or mental health or physical, intellectual, emotional, social or behavioural development.
- 1.3. This definition is not exhaustive. In addition, even if a child recovers, this does not mean that serious harm cannot have occurred.
- 1.4. LSCBs should ensure that their considerations on whether serious harm has occurred are informed by available research evidence.
- 1.5. Cases which meet one of the criteria described above **must always** trigger an SCR. This includes cases where a child died by suspected suicide. Where a case is being considered under regulation 5(2) (b) (ii) when a child has been seriously harmed, unless there is definitive evidence that there are no concerns about inter-agency working, the LSCB **must** commission an SCR.
- 1.6. In addition, even if one of the criteria is not met, an SCR **should always** be carried out when a child dies in custody, in police custody, on remand or following sentencing, in a Young Offender Institution, in a secure training centre or a secure children’s home.
- 1.7. The same applies where a child dies who was detained under the Mental Health Act 1983 or where a child aged 16 or 17 was the subject of a deprivation of liberty order under the Mental Capacity Act 2005.
- 1.8. The final decision on whether to conduct an SCR rests with the LSCB Chair. LSCB should consider conducting reviews on cases which do not meet the SCR criteria. If an SCR is not required because the criteria in regulation 5(2) are not met, the LSCB **may** still decide to commission an SCR or they may choose to commission an alternative form of case review.

1.9. The LSCB Chair should be confident that such a review will thoroughly, independently and openly investigate issues. The LSCB will also want to review instances of good practices and consider how these can be shared and embedded. The LSCB should oversee implementation of actions resulting from these reviews and reflect on progress in its annual report.” Working Together 2015 Ch 4.

2. Purpose of the Serious Case Review sub-group

2.1. The purpose of the Serious Case sub-group is to:-

- Enable agencies to share information and consult on cases where they identify indications that a referral could be required but lack sufficient evidence to make a decision.
- Identify and consider referrals for those cases which meet the criteria for a Serious Case Review.
- Identify those cases where lessons can be learned but which do not meet the criteria for a Serious Case Review.
- Identify any themes or trends within the referral cohort to support local learning.
- Consider any themes or issues from national Serious Case Reviews that may further improve the quality and impact of safeguarding in Cambridgeshire.
- Ensure that the learning from all case reviewing activity is embedded in practice.
- This guidance should be used in conjunction with chapter 4 of Working Together 2015 and is supported by the principles of the Cambridgeshire LSCB Learning and Improvement Framework.
- The SCR subgroup will be chaired by an Independent Chair.

2.2. Scope of the Serious Case Review sub-group

2.3. The SCR sub-group will:-

- Share information held by agencies where an agency has sufficient cause to be considering whether a serious incident or serious case review referral is required.
- Review all serious incidents referred to consider if the Serious Case Review Criteria have been met

2.4. For those cases **that reach** the Serious Case Review threshold, the SCR sub-group will:-

- Support the chair of the sub-group in outlining the rationale for the chair’s decision to initiate a Serious Case Review.
- Support the development of the draft terms of reference for the Serious Case Review and consider the methodology for carrying out the review.
- Identify a potential independent reviewer with the relevant skills and knowledge to conduct the review and produce a final multi-agency report.
- Identify the multi-agency review team.
- Outline the membership for the Serious Case Review Panel.

- Monitor the implementation and impact of any multi-agency lessons to be learned.
- Ensure the outcome has been shared with National Serious Case Review Panel, DfE and Ofsted.

2.5. For those cases that **fall below** the Serious Case Review threshold the SCR sub-group will:-

- Support the chair in developing the rationale to not initiating an SCR if one has been requested.
- Determine if there is relevant possible learning from the case, and recommend the process and methodology for understanding the learning.
- Ensure, where relevant, the outcome has been shared with National Serious Case Review Panel, DfE and Ofsted.
- Identify who needs to contribute to the review.
- Outline the terms of reference for the review and the methodology for carrying out the review.
- Identify a timescale for the review and submission of any reports.
- Translate learning and challenges into action; outlining how the impact and effectiveness of any response will be evaluated.

In addition the SCR sub-group will:

- Identify relevant SCRs in other LSCB areas to further develop and enhance local safeguarding practice.
- Agree a model to evaluate how learning from any statutory or non-statutory reviews commissioned has been implemented including impact on practice.

3. How to make a referral to the SCR subgroup?

- 3.1. For advice regarding whether or not a case should be referred to the Serious Case Review sub-group, please contact the named or designated safeguarding lead/ SCR sub-group representative in your organisation in the first instance. They will then discuss with the Independent Chair of the SCR Sub-group or Business Manager and make them aware of your intention to refer the case for consideration
- 3.2. For an initial information sharing exercise, members of the group will be required to submit the child and relevant family/carer details on the SCR and MAR Referral Form, together with supporting documents, to the Chair via the LSCB or Business Manager at least 10 working days prior to the meeting
- 3.3. All cases for consideration should be referred using the SCR referral and decision form at Appendix One and sent to gcsxseriouscasereview@cambridgeshire.gcsx.gov.uk. Please ensure that this is sent securely.
- 3.4. This form is to be used to describe the reason for the referral. Once the referral has been processed, this form will be used to outline the rationale for the decision of the Independent Chair of the sub-group as to the course of action to be taken.

4. Making the Decision to initiate a Serious Case Review

- 4.1. When the referral form regarding a request for any case review is received by the LSCB, it will be considered by the Chair of the SCR sub group. If the chair sees the referral as appropriate, it will be placed on the agenda of the next monthly Serious Case Review sub-group. At this point, the referring agency may be asked to provide further information.
- 4.2. Agencies will be asked to submit a brief précis of their involvement with the child, its siblings or any family members identified in the referral. This will be shared with the SCR subgroup members in order to inform the discussion and recommendations about the referral.
- 4.3. Information about the involvement of agencies with the child and the family will be shared by the relevant member. A discussion as to whether the case fits the criteria for an SCR will be conducted. Each agency's representative will be asked to offer their recommendation to the chair as to whether to initiate
- 4.4. Should the information suffice, the Panel will make a recommendation as to the need for an SCR. The LSCB Independent Chair will make the final decision.
- 4.5. The LSCB Independent Chair's decision will normally be deferred for a week after the SCR sub-group. During this time there will be the opportunity for the LSCB Independent Chair to reflect on the available information, request more information if required, and have further discussion with agencies as regards the decision to initiate a Serious Case Review.
- 4.6. Once the Chair has made this decision it will be recorded and will be shared via email with all of the agencies that attended the SCR sub-group that discussed the referral, the referring agency's LSCB Board member, the Director of Children's Services and the Chief Executive of the Local Authority. The decision will be recorded on the SCR Referral and Decision form.
- 4.7. *NB there is a useful grid at Appendix 2 to this document which can support the decision-making - process*

5. Where there is no Serious Case review requested or initiated from the referral

- 5.1. Where the threshold for a Serious Case Review is not met, the SCR sub-group will consider alternative ways of learning about the safeguarding practice/ system. This could include:-
 - Single agency management reviews
 - Multi-agency reviews
 - Single or multi-agency theme based case audit
 - Literature or research reviews
 - Local Practice groups
 - Peer Review/ mentoring between local agencies

5.2. If a Serious Case Review is to be held then the following should be informed by the Business Manager using the required templates:

- Ofsted
- Department of Education
- National SCR Panel

6. Serious Case Review sub-group membership

6.1. **Chaired by an Independent Chair**, the Serious Case Review sub-group should include as standing members:-

- Children's Social Care: Service Director or designated Head of Service
- Designated Doctor Safeguarding Children
- Designated nurse Safeguarding children
- Named Nurse from NHS Acute, Community Service and Mental Health Trusts
- Police: Head of Public Protection (deputy: DCI in PPD)
- Learning: Head of Service
- Early Help/Preventative Services: Head of Service (deputy: Youth Offending Service Manager)
- Probation: Team Manager

6.2. Where the Serious Case Review sub-group are to consider a referral, a representative from all agencies known to be involved in the case will be invited to be part of the discussion and in formulating a recommendation about how to proceed with the case. This could include named nurses from provider health trusts, CAF/CASS safeguarding lead, drug and alcohol treatment services, key voluntary organisations. There is flexibility within the sub group membership to co-opt additional members with expertise or knowledge relevant to any of the cases being reviewed or screened.

6.3. However, the chair of the sub-group will seek the recommendation of the **members of sub-group** only as to what they advise the decision of the chair should be.

6.4. Also, in attendance

- Legal representative - required to provide legal advice regarding decision making about a referral; Terms of Reference for SCRs; and would also join any panel for an SCR where there where legal issues arising
- Business Manager
- Minute taker

6.5. Appointing a panel to oversee a Serious Case Review. When a Serious Case Review is initiated and the lead reviewer has been appointed and the terms of reference approved by the SCR sub-group, the case will then be overseen by a panel. Membership will consist of representatives from all agencies providing an agency report. The representative will have oversight of the work of the agency author and will quality assure the work. The panel will be chaired by an

independent chair, most likely the chair of the SCR sub-group. The panel will meet at critical points in the review to ensure that the Terms of Reference are appropriate and are being met by the work of the agency authors and the lead reviewer. The LSCB Business Manager and a minute taker will attend and where required, legal and expert advice will be sought if the panel deem this necessary.

7. Organisational and performance arrangements

- 7.1. The SCR sub-group meets bi-monthly as a minimum, on Tuesday mornings. The meetings will be set for a year ahead.
- 7.2. Members of the group will be required to submit any agenda items and supporting documents to the Chair via the LSCB or Business Manager at least 10 working days prior to the meeting.
- 7.3. Agendas and documentation will be sent by secure email at least 5 working days before the meeting.
- 7.4. Progress of Serious Case Review Action Plans and other action plans will be monitored through a 'RAG Rating' System and reviewed on a quarterly basis.
- 7.5. The SCR sub-group will contribute to the Learning and Improvement framework report which is presented on an annual basis to the LSCB as part of the LSCB annual report.
- 7.6. The following measures will be used to evaluate the SCR sub-group effectiveness:
 - 100% of planned and required meetings take place – however where appropriate, meetings may be cancelled where it anticipated that there is no business. This is the decision of the chair
 - Agencies will ensure 100% attendance, offering a regular deputy should the lead would not be able to attend.
 - The SCR sub-group ensures that all reviewing activity decided upon as the appropriate response to a referral is begun within 3 months of the decision and completed within 12 months
 - The sub-group highlights any agencies or actions that are at risk of not being completed within the timescale to the LSCB's independent chair
 - Minutes are circulated within 14 working days of a meeting
 - An annual Learning and Improvement summary is completed

8. Informing the Department of Education

- 8.1. In all cases the decision made as to whether an SCR should be initiated will be shared with the Department of Education - Mailbox.CPOD@education.gsi.gov.uk and details of the author when appointed sent to the National SCR Panel - Mailbox.SCRPANEL@education.gsi.gov.uk

Appendix One: SCR referral and Decision form
(Provided in a separate document)

Appendix 2: Case Review Decision Matrix

This matrix identifies the potential outcomes from a referral and should support the initial screening and decision making process. Initial referrals will be screened by the LSCB Business Manager and the chair of the SCR sub-group resulting in a recommendation being made on how to progress.

	SCR Required	SCR Possible	Alternative Review/Serious Child Care Incident	No Further Action
Abuse or neglect of a child is known or suspected; and (i) the child has died	●			
Abuse or neglect of a child is known or suspected; and it is suspected that the child committed suicide				
Abuse or neglect of a child is known or suspected; and (ii) the child has been seriously harmed* and there is cause for concern as to the way in which the authority, their Board partners or other relevant persons have worked together to safeguard the child.	●			
A child dies in custody, in police custody, on remand or following sentencing, in a Young Offender Institution, in a secure training centre or a secure children's home. The same applies where a child dies who was detained under the Mental Health Act 1983 or where a child aged 16 or 17 was the subject of a deprivation of liberty order under the Mental Capacity Act 2005.	●			
If an SCR is not required because the criteria in regulation 5(2) are not met but the LSCB Chair is confident that such a review will thoroughly, independently and openly investigate the issues.	●	●	●	

8.2. "Seriously harmed" in the context of paragraph 18 below and regulation 5(2)(b)(ii) above includes, but is not limited to, cases where the child has sustained, as a result of abuse or neglect, any or all of the following:

- a potentially life-threatening injury;
- serious and/or likely long-term impairment of physical or mental health or physical, intellectual, emotional, social or behavioural development.

Appendix 3 National Contacts

AGENCY	CONTACTS
Ofsted	Ofsted's National Business Unit, Piccadilly Gate, Store Street, Manchester M12 WD Urgent Notifications Only - 0300 123 1231
National Serious Case Review Panel	Secretariat: -SCRpanel@education.gsi.gov.uk
Department for Education	Mailbox.CPOD@education.gsi.gov.uk