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Llywodraeth Cymru  
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## Consultation Response

### *Draft Guidance*

Protecting Children in Wales:

Arrangements for Multi-Agency Child  
Practice Reviews

June 2012



# Welsh Government response to the Consultation on “Protecting Children in Wales: Arrangements for Multi-Agency Child Practice Reviews – Draft Guidance”

## Introduction

1. A public consultation on the draft guidance for *Protecting Children in Wales, Arrangements for Multi-Agency Child Practice Reviews* was held between January and April 2012.
2. The draft guidance sets out arrangements for Child Practice Reviews (CPRs) in circumstances of a significant incident where abuse or neglect of a child is known or suspected. It is addressed to all Local Safeguarding Children Boards (LSCBs) and partner agencies. The draft guidance sets out a system for Multi-Agency Concise and Extended CPRs that are fit for purpose in circumstances of serious incidents resulting from abuse or neglect. These changes are expected to lead to new learning which can support a process of continuous improvement in inter-agency child protection.
3. Responses were generally very positive and welcoming of the decision to introduce a more coherent framework for improving policy and practice in child protection. There has been a clear pattern of themes arising; specifically the need for further clarification on dealing with parallel reviews, dissemination of learning, and support for reviewers. The Welsh Government will be considering these issues along with other points raised during the finalisation of the practice guidance. From responses received there was widespread agreement that the guidance was user friendly and easy to understand.
4. The Welsh Government would like to take this opportunity to thank all those who responded to this consultation exercise. This document provides the Welsh Government’s response to the consultation and includes a summary of many of the key issues raised.

## Responses

5. Respondents were invited to consider specific questions about the draft guidance and also encouraged to make any other points relating to them that they considered necessary.

6. In total there were 21 written responses received from the following groups:

• LSCBs	–	6
• Health	–	5
• Local Authorities	–	2
• Police	–	2
• Private Individuals	–	1
• Other	–	5

## **Preface**

7. It was generally agreed that the preface provides a clear explanation of the proposed changes and what the new framework hopes to achieve in respect of key learning.

8. Most respondents agreed that the difference between the current Serious Case Review system and the new approach to learning and reviewing is transparent and clearly laid out in the guidance. One responder felt that although the new process is clearly laid out, acknowledgement should be made to the many positives of the current system which works well and could potentially be maintained in the new format.

9. Several respondents highlighted typographical errors and amendments required to the implementation date. The Welsh Government will amend these errors in the final guidance.

## **Section 2: Principles**

10. This section sets out the principles which underpin the new process and the majority of respondents agreed that they are sufficiently clear and relevant.

11. There was the suggestion that a bigger emphasis should be put on the effective dissemination of learning regionally and nationally to ensure that all can learn from agency practice across Wales.

12. A high proportion of respondents welcomed the engagement, from the onset, of families in the process.

13. The Welsh Government is clear that the new framework should improve future practice so learning must be distributed on a regional and national basis; we will therefore aim to ensure that this is strengthened in the guidance. The inclusion of the child and family members is an important feature of the new process which hopes to foster the need to focus on accountability rather than culpability.

## **Section 3: Learning and Reviewing Framework**

14. This section set out the key features of the new framework and feedback indicated that this has been clearly set out. A suggestion was made that it would be useful if the words 'the key features' were included in the title.

15. There were several suggestions regarding further information which should be contained in the guidance, such as dealing with cases of historic abuse, how to train as a facilitator and what support is available for practitioners.

16. The Welsh Government has started to consider historic abuse and this will be included in the final guidance. In addition, our intention is to contact stakeholders regarding plans for implementation and support of the new framework.

#### **Section 4: Multi-Agency Professional Forums**

17. Whilst the majority agreed this section explained clearly the role and purpose of Multi-Agency Professional Forums, several respondents thought that the intent was firm but that further clarity was needed especially in relation to dissemination of learning.

18. There were concerns raised regarding appropriate funding for LSCBs to carry out this work and it was considered to be beneficial for an audit tool relating to the new framework for LSCBs to be included in final draft of the guidance. The Welsh Government has considered these suggestions and will take them into account when finalising the draft guidance and looking at a programme of implementation.

19. Some respondents highlighted that potential practitioner culpability and representation needs should be addressed. Specifically, clarification was required on disciplinary procedures both in terms of staff in disciplinary processes being involved in the review process and in terms of sharing information that may lead to disciplinary procedures without undermining the need for openness and transparency in the process.

20. The Welsh Government will consider how to reflect this in the final guidance but is clear that the review process is about practice learning. If any issues of individual staff training needs or staff malpractice emerge during the course of a Concise Review, these matters should be managed through the relevant agency's own staff procedures.

#### **Section 5: Concise Reviews**

21. This section sets out the criteria for concise reviews and a high proportion of respondents agreed that it has been clearly explained.

22. Various respondents raised the need to be aware of the difficulties which may arise with parallel investigations such as homicide reviews and interaction with coroners and it would be welcomed if guidance on how to deal with any resulting delays could be provided. In addition, guidance was requested on cross border issues and reviews that straddle service providers in England.

23. Some respondents suggested that it would be helpful to include a paragraph on the role, function and membership of review sub-group panels.

24. One respondent stated that there was no longer a need for a specific reference to youth justice and that it was no longer appropriate for there to be a 'lead' agency for deaths in custody.

25. The Welsh Government intends to consider how to ensure this information is included succinctly in the finalised guidance.

## ***Timelines***

26. A significant change in the new framework is the requirement to provide a timeline rather than the current chronologies. The majority of responders welcomed the timeline process and felt it would allow for a more focussed review although some thought that a degree of flexibility will be required.

27. A number of people who responded thought that a definition of 'timeline' might be useful and there was a suggestion that guidance was needed on what should be in the summary. It was also considered helpful if guidelines could be produced for requirements regarding individual agency timelines, analysis and recommendations.

## ***Reviewers***

28. Most respondents agreed that there is sufficient independence in the proposed appointment of a reviewer. Some requested a clearer definition of the word 'independence'. A suggestion was made that it would be helpful and consistent to have a pool of trained and accredited reviewers.

## **Section 6: Extended Reviews**

29. This section set out the criteria for extended reviews and it was agreed that the purpose and criteria was clearly explained. The consensus was that the additional issues to be addressed for scrutiny purposes are appropriate, although one point that did arise was that the term 'external' needs to be defined.

30. The majority of consultees felt that the appointment of two reviewers was appropriate and viable and one respondent suggested that agencies should not use the same reviewer all the time to avoid familiarity. The need for a database or resource of reviewers was highlighted as something that could be helpful. Another suggestion for consideration was that there should be the opportunity to co-opt with other LSCBs regarding the additional reviewer.

## **Questions relating to both Concise and Extended Reviews**

### ***Review panel***

31. Most respondents agreed that the responsibilities set out for the Review Panel in setting up and managing Concise and Extended Reviews through to completion were clear and logical, however, it was considered helpful if there could be a separate heading and section for panels. With this in mind, it was considered useful to have a written agreement setting out the role of the panel and reviewers.

### ***Family involvement***

32. Although the consensus was that the involvement of family was welcomed further advice would be helpful on how to include them effectively and how to agree the relevant family members. It was also suggested that there should be written information available for family members and the management of family expectation should be more clearly addressed.

## **Child Practice Review Reports**

33. Whilst the consensus was that there were no difficulties foreseen with the principles of transparency and accountability to publish anonymised reports of Concise and Extended Reviews, there were a few thoughts around these matters.

34. One such point was that there may, on occasion, be circumstances which would predicate against publication such as negative impact on family members or where there is potential for identifying the child involved. There must be scope to consider not publishing in these circumstances.

35. The Welsh Government has considered these suggestions and will take them into account when finalising the guidance.

## **Annex**

36. The Annex was considered by the majority to be very helpful. Consultees provided helpful suggestions to enhance the information provided such as inserting hyperlinks to correlating information and flow charts to outline the process. There were also some typographical errors highlighted which the Welsh Government will amend in the final guidance.

## **Next steps**

37. We have considered carefully the responses and revised the draft guidance accordingly. The Welsh Government believes that it is essential that the new framework is properly supported and that appropriate training is provided. Therefore, to ensure proper implementation arrangements are developed to support LSCBs we are currently considering what support we can put in place to ensure that the integrity of the new framework is not compromised. Alongside this work, we will amend the *Local Safeguarding Children Boards (Wales) Regulations 2006* to support the new framework. It is anticipated that implementation of the new framework and regulations will occur on 1 January 2013. The Welsh Government will write to stakeholders to update them on implementation arrangements.

## **Full list of respondents content to be identified**

1. Aneurin Bevan Health Board
2. Bridgend County Borough Council
3. British Association for Adoption and Fostering Cymru
4. Buddeg Nelson
5. Cardiff and Vale University Hospital Board
6. Cardiff Local Safeguarding Children Board
7. Carmarthenshire Safeguarding Children Board
8. Dyfed – Powys Police
9. Flintshire & Wrexham Local Safeguarding Children Board

10. Merthyr Tydfil & Rhondda Cynon Taf Local Safeguarding Children Boards
11. NASUWT Cymru
12. NEWFOCUS – Foster Care Service
13. Powys County Council
14. Safeguarding Children Service, Public Health Wales
15. South Wales Police
16. Swansea Safeguarding Children Board
17. The Children’s Commissioner for Wales
18. Welsh Ambulance Services NHS Trust

(3 respondents wished to remain anonymous)