



---

# **SERIOUS CASE REVIEW PROCEDURES**

## **JERSEY**

---

Version 1.0



## Version History

Version	Summary of amendments/changes	Published Date
Version 1.0	Document Created	Nov. 2024

## Contact Information

IGA Office	info@igauk.com / 0345 319 7000
------------	--------------------------------



## Contents

1. Introduction
2. Reviews
3. Serious Case Reviews
4. Procedure for referring an SCR for consideration
5. Initiating a Serious Case Review
6. Consents
7. Involvement of child or adult and family / significant others
8. Serious Case Review Methodology
9. Identifying and implementing learning

## Introduction

The Safeguarding Partnership Board (SPB) is the collaborative multi-agency body tasked with advising the States of Jersey on safeguarding matters concerning both children and adults at risk. Its role is to ensure that effective arrangements are in place to enable services and professionals to work together efficiently.

The SPB has several key responsibilities in safeguarding, which include:

- Coordinating the actions of each organisation participating in the Board to ensure the safeguarding and welfare of children and adults in Jersey are effectively promoted: Raising awareness and understanding of the importance of safeguarding, as well as the strategies required to protect children and adults from harm; Monitoring and evaluating the effectiveness of the safeguarding systems implemented, both within individual organisations and across multi-agency frameworks in Jersey.
- This collaborative approach is essential to providing a robust system of protection and support for vulnerable individuals within the community.

## Reviews

There are various types of reviews, including:

- Serious Case Reviews (SCRs)
- Child Death Reviews: These reviews examine all child deaths up to the age of 18 in order to identify trends and learning opportunities. They are carried out by the Jersey and Guernsey Child Death Overview Panel, which operates as a subgroup of the SPB.
- Reviews of Adult or Child Protection Incidents: These reviews are for incidents that fall below the threshold for an SCR but still warrant investigation to learn from the case.
- Practice Reviews or Audits: These reviews assess the practices of one or more agencies, and can be undertaken by a single agency or through collaboration between multiple organisations.

When conducting reviews for cases that do not meet the criteria for a Serious Case Review, but which can offer important insights into how organisations work together to safeguard and promote the welfare of children and adults, the SPB will adhere to the principles outlined in this guidance.

Serious Case Reviews (SCRs) play a key role within the Safeguarding Partnership Board (SPB) as part of its commitment to being a learning organisation. Their primary aim is to identify areas of learning and good practice. Professionals and organisations involved in safeguarding children and adults should regularly reflect on the quality of their services, learning from both their own practice and the practices of others.



Best practices should be shared to enhance understanding of what works effectively. In instances where things go wrong, a thorough and impartial analysis must be conducted to understand what happened and why. This analysis will allow important lessons to be learned, with the aim of improving services to reduce the risk of future harm to children.

### Procedure for Referring an SCR for Consideration

The decision to undertake a Serious Case Review (SCR) lies with the Independent Chair of the Safeguarding Partnership Board (SPB). The Chair will review the referral for an SCR with the SCR Subgroup and document the decision using Appendix 3. The final decision will then be reported to the SPB and the referrer.

Referrals for SCRs may be made by any professional, partner agency, or other concerned parties who believe there are critical lessons to be learned regarding inter-agency collaboration. These referrals must be submitted in writing to the Independent Chair of the SPB using the referral forms in Appendix 2.

The criteria for conducting an SCR for adults are as follows: The SPB will arrange for a review of a case involving an adult in Jersey with care and support needs (whether or not services have been provided to meet those needs) if: (a) There is reasonable cause for concern about how the SPB, its members, or other relevant individuals collaborated to safeguard the adult, and (b) One of the following conditions is met:

- Condition 1: The adult has died, and the SPB knows or suspects the death was the result of abuse or neglect (even if this was not previously suspected).
- Condition 2: The adult is still alive, and there are concerns that the adult has experienced serious abuse or neglect.

The criteria for conducting an SCR for children are as follows: The SPB will arrange for a review of a case involving a child or young person in Jersey if: (a) There is known or suspected abuse or neglect, and (b) Either:



- The child has died; or
- The child has been seriously harmed, and there are concerns about how the authorities, Board partners, or other relevant parties have worked together to safeguard the child. Cases meeting one of these criteria will always trigger an SCR. Additionally, an SCR should be carried out in cases where:
- A child dies in custody, police custody, on remand, after sentencing, in a Young Offender Institution, or a secure children's home; or
- A child dies by suspected suicide, even if the above criteria are not met.

### Initiating a Serious Case Review

Where the Chair of the SPB receives a referral for consideration, they will bring this to the attention of the SCR Subgroup for discussion.

When reviewing a referral with the SCR Subgroup, the Independent Chair has several possible outcomes to consider, including:

- Commissioning a Serious Case Review (SCR)
- Undertaking a Partnership Review
- Requesting single agency audits or reviews
- Taking no further action

The Chair of the SPB is responsible for deciding whether an SCR should be conducted. They will appoint an Independent Chair for the SCR Panel to oversee the review process and an Independent Overview Author to compile the final report, which should be suitable for publication. The proposed Overview Author will provide a CV, and the names of both the Independent Chair and the Overview Author will be shared with the SCR Subgroup before their appointment. The SPB Chair will ensure that formal contracts are agreed for the Independent Panel Chair and Overview Author.

If a child or adult dies, the Independent Chair will notify the Viscount's Office of the commissioning of an SCR.



## Consents

Under the Data Protection (Jersey) Law 2005, consent must be obtained from the data subject before sharing personal sensitive data, with certain exceptions.

The "Data Protection Principles" in the 2005 law must be adhered to when handling personally identifiable information. Additionally, the "Caldicott Principles for Professional Standards and Good Practice" (2013) should be followed when sharing information.

**Adults:** Consent should be sought from adults with capacity before accessing their medical records. If consent is refused, the request should not be repeated. Care must be taken to ensure the request is made by the most appropriate and trusted agency representative. For individuals aged 16 or older, it is presumed that they are capable of consenting.

**Children under 18:** For children under the age of 18, there is an expectation that information will be shared in the best interests of safeguarding. Alternatively, consent may be sought from a responsible individual, such as a parent or guardian, depending on the situation. Parental responsibility can consent or the young person can consent for themselves if they are believed to be 'Gillick Competent.'

**Where an Individual May Lack Capacity:** If it is determined that an individual lacks the capacity to consent for themselves (as defined in the SPB Multi-Agency Capacity Policy), decision-making must follow a 'best interests' process. This ensures that decisions are made in the individual's best interests, considering their needs and circumstances.

**Deceased Individuals:** The common law duty of confidentiality remains in place for deceased individuals. Any decisions regarding the sharing of information will be made on a case-by-case basis, with the person's representatives considering what is in the public interest when making such decisions.

SCRs Involving a Child Subject to a Care Order: In cases where an SCR is being conducted concerning a child subject to a Care Order, the SPB Chair, via the Minister for Health, will apply to the court for access to any relevant documents submitted during the Care Order application. The court will seek the views of all parties involved in the care proceedings before making a decision.

Court Consent and Document Handling: If the court grants consent for the disclosure of documents, there will be strict adherence to the court's directions regarding how the documents are handled and shared, ensuring that all legal and ethical standards are followed.

### Involvement of child or adult and family / significant others

Following the decision to undertake a Serious Case Review (SCR), the SPB Chair will, where appropriate, inform the subject and family members of the decision. This communication ensures they are aware of the process, its purpose, and the principle of publication. While their agreement is not required for the SCR to proceed, their support and cooperation can significantly enhance the review's effectiveness. Family involvement is crucial, as it can provide valuable insights that contribute to the learning from SCRs. Each case will be considered individually, guided by the principles of clarity, transparency, negotiation, and inclusivity.

Phases of Family Involvement:

1. **Phase One** – Initial Contact: This includes providing information about the review's purpose, remit, and its relationship to other processes. It also involves identifying any specific support needs, such as the use of interpreters or advocates.
2. **Phase Two** – Negotiation: Efforts will be made to agree on the Terms of Reference, the type and process of involvement, and map out family members who will participate. This phase includes preparing the family by explaining how their information will be used.
3. **Phase Three** – Information Gathering: This involves collecting information, including the family's descriptions of their experiences, and agreeing on ongoing contact and feedback arrangements.





- **Phase Four** – Feedback: This phase fulfils commitments relating to reporting actions and sharing outcomes, ensuring clarity and transparency.

It is vital to keep the subject, family, and other relevant parties informed throughout the review. They should have the opportunity to speak with the Overview Author and share their views on the services received. Before the Overview Report is finalised, it will be shared with the subject, family, and others for their comments. Their views on the publication of the report will be carefully considered.

If the report is to be published, all parties will be informed of the publication date and where it will be accessible (e.g., on the SPB website). They will also be provided with a copy of the report.

In cases where a family member declines to participate, a discussion will take place between the Overview Author and the Independent Chair of the SPB. A decision regarding future communication will then be made and documented.

## Serious Case Review Methodology

### Principles for SCRs

When deciding on the approach for undertaking an SCR, the following principles will be adhered to:

- **Timely:** Priority will be given to meeting agreed timescales, aiming for completion within six months.
- **Impartial and Objective:** The SCR will be conducted fairly and without bias.
- **Thorough:** The process will thoroughly explore all elements of the Terms of Reference.
- **Open and Transparent:** The review and its findings will be shared appropriately, including publication where suitable.
- **Confidential:** All information gathered will remain confidential and disclosed only when necessary.
- **Proportionate:** The approach will reflect the specific circumstances present at the time of the case.



## **SCR Oversight**

Each SCR will be overseen by an SCR Panel, chaired by an independent individual (the SCR Panel Chair). The panel will include the Overview Author and an officer from the SPB. The Panel Chair may, in some cases, also act as the Overview Author.

## **Role of the SCR Panel**

The SCR Panel is responsible for managing the review process and supporting the SCR Panel Chair and Overview Author in their work.

## **Responsibilities of SCR Panel Members**

Panel members represent their organisations and are expected to:

- Appoint a reviewer for their agency's contribution, ensuring this person has up-to-date professional knowledge, no prior involvement with the case, and the ability to produce an accurate chronology or an Independent Management Report (IMR) if required.
- Ensure the agency's submission addresses all Terms of Reference and identifies reasons for actions or omissions.
- Obtain sign-off from the chief officer of their organisation before submitting the IMR to the Panel.
- Meet submission deadlines and ensure high-quality information is provided.
- Act promptly to implement identified organisational learning, with actions supported by clear plans that the SPB can monitor.
- Keep senior managers informed of relevant issues, provide feedback on drafts of the Overview Report, and ensure comments are shared with the Panel and Overview Author within deadlines.

## **Key Responsibilities of the SPB Panel**

The SPB Panel will address the following:

- Determine the method and scope of the SCR, including the review period and family involvement.
- Draft clear Terms of Reference.
- Consider any parallel processes, such as criminal investigations.



- Secure legal advice via the Law Officers Department, if necessary.
- Identify any specialist advice needed for the Panel.
- These decisions will be reported to the Independent Chair for approval.

### **Purpose of the SCR**

The primary aim of an SCR is to independently review information provided by all involved agencies to:

- Assess the effectiveness of safeguarding procedures and practices.
- Identify lessons to be learned from the case circumstances.
- Evaluate inter-agency collaboration among local professionals.
- Determine whether the incident could have been predicted or prevented.
- Recommend actions to improve local inter-agency practices.
- Present findings and recommendations to the SPB.

## **Serious Case Review Methodology**

### **Implementation of Learning**

The primary purpose of an SCR is to identify and act upon learning as it emerges. Any insights gained during the review process should be implemented without delay, and these updates will subsequently be reflected in the Overview Report.

### **Key Considerations**

When managing the outputs of an SCR, several important points must be noted:

- **Ownership of IMRs:** Individual Management Reports (IMRs) belong to the agency that produces them. While the decision to share IMRs lies with the respective agency's Panel representative, it is generally expected that they will be shared with the SCR Panel and other IMR authors to facilitate informed discussions.
- **Overview Report Circulation:** The Overview Report is owned by the SPB and should only be circulated once it has been finalised and, if applicable, published. The management of this report's circulation, particularly prior to completion and anonymisation, is critical to avoid misuse or premature disclosure.



- **Publication Decisions:** Extra care must be taken with reports that are not intended for publication to ensure confidentiality and appropriate handling.
- **Sharing Learning During the Review:** Emerging learning can be shared with strategy or multi-agency groups during the review, provided this is done cautiously and with the agreement of the Independent Chair.
- **Quality Assurance:** All reports, including summaries, must be cross-checked against the Quality Markers provided in Appendix 7 to ensure accuracy and compliance.

### **Learning Summaries**

Upon the completion of an SCR, whether the Overview Report is published or not, an SPB officer will produce a learning summary. These summaries will be designed for safe distribution to ensure the insights gained can inform practice improvements across agencies.