

**WRITTEN QUESTION TO THE CHIEF MINISTER
BY DEPUTY M.R. HIGGINS OF ST. HELIER
ANSWER TO BE TABLED ON MONDAY 2nd DECEMBER 2013**

Question

Will the Chief Minister provide members with full details of the adult and children's safeguarding panels, including full details of—

- (a) the powers they possess
- (b) their membership
- (c) the procedures they have adopted
- (d) the Terms of Reference for the panels
- (e) the number of meetings held since their formation
- (f) the number of cases considered by each panel since formation
- (g) the procedure followed for deciding whether serious case reviews should be carried out
- (h) the procedures followed in carrying out serious case reviews
- (i) the policies in respect of conflicts of interest
- (j) the number of independent external reviews of the Departments which have been conducted?

Answer

(a) the powers they possess

The Safeguarding Children Partnership Board, which replaced the Jersey Child Protection Committee, has been established in accordance with the UK statutory guidance *Working Together to Safeguard Children 2013*.

The Safeguarding Adults Partnership Board has been established to reflect UK best practice set out in the *Care Bill 2013* and other relevant legislation, ahead of development of UK statutory guidance on Adults Safeguarding Boards.

The remit and powers of both Boards is clearly set out in a Memorandum of Understanding which will be placed before the Council of Ministers for endorsement before the end of 2013, at which point it will be presented to the States as a Report.

The Memorandum of Understanding, which did not exist under the Jersey Child Protection Committee, has been developed since the appointment of the new Independent Safeguarding Chair and the inception of the new structure of two Safeguarding Partnership Boards, one focusing on adults and one of children. The Memorandum of Understanding articulates how organisations will work together to safeguard children and adults, setting out roles, responsibilities and associated procedures.

(b) their membership

Membership of the Safeguarding Children Partnership Board includes the Independent Chair and representatives from:

Police
Family Nursing and Home Care
HSSD - CAMHS
Education
Housing
HSSD - midwifery
Honorary Police
Youth Service
HSSD - Paediatrics
Probation
NSPCC
Prison
HSSD - Ambulance Service
HSSD - Children's Services
HSSD - Clinical and Corporate Governance
Education
Education Welfare (ESC)
GPs

Membership of the Safeguarding Adults Partnership Board includes the Independent Chair and representatives from:

Family Nursing and Home Care
Prison
HSSD - Adult's Social Services
HSSD - Public Health
Adults PP Chair
Social Security
Housing
HSSD - Hospital
HSSD - Older people Social Services
Honorary Police
Probation
HSSD - Ambulance Services
HSSD - Clinical and Corporate Governance
Police
Primary Care Body

Members are senior managers with sufficient influence to advocate change within their own agency and the Safeguarding Boards; where they represent a group, their role is to act as a

communication link between the Boards and the groups represented (e.g. Voluntary Sector representative)

(c) the procedures they have adopted

As set out in (a) above the Safeguarding Partnership Boards are based on UK best practice. This includes the procedures to which those Boards adhere. These procedures are also set out within the Memorandum of Understanding.

(d) the Terms of Reference for the panels

The two Safeguarding Partnership Boards have a structure of Sub-Groups, as opposed to panels. The Terms of Reference for each sub-group are under development but will be made public once finalised. Those sub-groups include:

Joint Sub Groups:

Core Business Group
Training Group Membership
Serious Case Review (Children + Adults)

Children specific Sub Groups:

Performance, Procedures and Audit
CSE & Missing Children Task & Finish Group

Adult specific Sub Groups:

Performance
Policy and Procedures

The sub-groups that had previously been established under the Jersey Child Protection Committee had their own Terms of Reference, but these are being updated to reflect the new structure of two Boards.

(e) the number of meetings held since their formation

The Boards and each of the sub-groups meet 5 times per year except for the Core Business sub-group, which will meet approximately 10 times per year.

The role of the Core Business Group is to support the Independent Chair on matters relating to management of the Boards and to ensure the business plan is delivered.

(f) the number of cases considered by each panel since formation

The number of cases considered for Serious Case Reviews (SCR) by the Safeguarding Partnership Boards SCR sub-groups since their formation is:

- 4 related to children
- 1 related to adult

Some, but not all of these, are being progressed into full SCRs and information relating to these will be made public at the appropriate point, in accordance with best practise and at the instigation of the Independent Chair.

In addition, consideration was given to another SCR related to an adult prior to the formal establishment of the Adults SCR sub-group. In this instance the Independent Chair consulted with the relevant agencies prior to making the decision in accordance with best practice.

(g) the procedure followed for deciding whether serious case reviews should be carried out

The decision to commission a SCR is that of the Independent Chair, who works in consultation with the SCR Sub-group members in determining that decision. In the event that the sub-groups are not formally established the Chair would consult the relevant agencies.

The criteria for conducting SCRs for children are identified in *Working Together to Safeguard Children*:

A serious case is one where abuse or neglect of a child is known or suspected; and 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 organisation or other relevant persons have worked together to safeguard the child.

The criteria for conducting SCRs for adults are those identified in the *UK Care Bill 2013*:

Safeguarding adult reviews should be arranged by the Safeguarding Adults Partnership Board when: i) there is reasonable cause for concern about how the SAPB, members or other person involved, worked together to safeguard the adult ii) the adult dies iii) an adult with needs for care and support was, or the SAPB suspects that the adult was, experiencing abuse or neglect.

When determining whether a SCR should be conducted it is imperative to consider the core purpose of SCRs; that purpose being to review the practice, knowledge, context and procedures at the time of the death/serious harm. The purpose of SCRs is to look at inter-agency practice to identify learning and to consider whether the death/serious harm could have been predicted and/or prevented.

An SCR is not:

- an inquiry into why people died or were harmed, these are matters for criminal processes, and/or the coroner; nor is it,
- a way to “investigate” incidents or events that people are dissatisfied with, this should be via established complaints, whistleblowing, appeals or legal processes; nor is it,
- a way to seek to blame; apportioning blame creates defensiveness and prevents learning.

It is the responsibility of the Independent Chair to ensure that the SCR process is not misused and that, when determining whether an SCR should be conducted, it is done in accordance with the established criteria and overall purpose of the SCR process.

(h) the procedures followed in carrying out serious case reviews

As set out in (g) the criteria for conducting SCRs is in accordance with *Working Together to Safeguard Children* and the *UK Care Bill*. The principles and practices, which are also in accordance with that UK guidance, are outlined in the Memorandum of Understanding.

(i) the policies in respect of conflicts of interest

SCRs are led by experienced, independent off-island consultants. Their role is to chair the process associated with the development of the SCR and to act as author for the SCR report.

Where consideration is being given as to whether a SCR is required or where a SCR has been commissioned, all agencies nominate individuals who have professional knowledge of the area but who are independent of the particular case under review.

(j) the number of independent external reviews of the Departments which have been conducted?

One SCR has been completed by the Jersey Child Protection Committee.

In addition, a number of external reviews have been conducted, for example the “Williamson Review 2008”, and the “Care Inspectorate Report 2011/2013” These independent reviews have been commissioned outside the structure of the safeguarding partnership boards.