

SCOTTISH GOVERNMENT

CHILD PROTECTION SYSTEMS REVIEW:

Child Protection Committees, Child Protection

Registers & Case Conferences, and Initial and

Significant Case reviews

TERMS OF REFERENCE

Scottish Government

Revised October 2016



CHILD PROTECTION SYSTEMS REVIEW

BACKGROUND

1. The Scottish Government is committed to ensuring all children have the best start in life and are ready to succeed (National Outcome 5) and that the life chances for children, young people and families at risk are improved (National Outcomes 8).
2. The Care Inspectorate's [Triennial Review](#) (2015) and the [Brock report](#) (2014) highlighted areas of improvement needed in assessing and responding to evolving risk for those children and young people within the child protection system.
3. On 25th February 2016, former Cabinet Secretary for Education and Life Long learning, Angela Constance MSP announced a National Child Protection Reform Programme for Scotland in a statement to Parliament. This programme consists of: a review of the formal structures and processes that underpin child protection (this review); practice in the Children's Hearings system; steps to promote and support leadership; the role of inspection agencies; improving data and evidence; and action to address the impact of neglect on children. This complements ongoing work on addressing child sexual exploitation; child trafficking and internet safety.
4. This review will focus on three key areas of the formal child protection system:
 - Child Protection Committees;
 - Child Protection Registers and case conferences
 - Significant Case Reviews & Initial Case Reviews
5. The purpose of review is to examine what changes or improvements may be needed to these underpinning processes and structures in order to protect children effectively. This review aims to strengthen the steps taken when children have experienced, or are at risk from, harm.

4. The Review should be completed by the end of December 2016.

TERMS OF REFERENCE

6. The Child Protection Systems Review (herein 'the Review') will examine what changes or improvements may be needed to these underpinning processes and structures in order to protect children effectively. Our overarching objectives are:

- Our child protection system works effectively to support families to keep children safe
- Our child protection system protects and promotes the rights and wellbeing of children
- Our child protection system is a consistent, transparent and learning system

7. The review will focus on three key areas of the child protection system:

- Child Protection Committees
- Child Protection Registers and case conferences
- Significant Case Reviews & Initial Case Reviews

8. The purpose of this review is to examine what changes or improvements may be needed to these underpinning processes and structures in order to protect children effectively. This review aims to strengthen the steps taken when children have experienced, or are at risk from, harm.

9. The review will address following questions and any other relevant questions which the review group identify:

- What do we know about children and families' views and experiences of the child protection system and how can they inform the work of the review group?
- What would improve children and families' experiences of child protection processes of these 3 aspects of the child protection system?
- How far do existing processes and structures improve the child's wellbeing and uphold their rights?

- How well does the child protection system identify children and families who are in need of support and protection, and how could this be improved?
- How does the child protection system interact with adult services? What could be done to improve this?
- How well does the system support children and families once they have been identified?
- How do these elements of the system work for children experiencing different types of concerns - e.g. neglect, abuse? How do we ensure an appropriate response to all concerns?
- How do we ensure systems and processes are able to respond effectively to the changing nature of risk?
- How far is there consistency of practice across the country and what are the advantages and disadvantages of this?
- What role does, or should, leadership, play?
- How can the child protection system be a learning system and balance accountability and learning?

The Review group will consider and make recommendations on:

- For each element of the existing system what would need to change in order to deliver that? Is this about practice, legislation, policy or systems? Do we need to retain these elements of the system or is there a better way of doing this?
- What would we need to do to implement any proposed changes? What are the challenges?
- Do any elements of the system need to be put on a statutory basis?

10. On the basis of the Review's conclusions, the Scottish Government will consider any changes required to guidance or legislation. Any suggested changes in law or regulation will be subject to public consultation. The Scottish Government will be responsible for drafting any consultation paper.

MANAGEMENT OF REVIEW

11. The Review will be chaired by Catherine Dyer (former Head of the Crown Office and Procurator Fiscal Service). The chair will be supported by Katherine Hudson (Scottish Government - the 'Review Manager') and Dr Louise Hill (CELCIS). The review group will be made up of sector experts. The Review group will follow a programme of structured working meetings, with each meeting considering structured questions around an element of the review informed by inputs such as evidence and option papers.
12. Options for engaging a wider group of stakeholders in the work of the review will be developed.
13. The Review will meet at least five times between August and December 2016. The agenda will be set by the Review's chair and manager, to ensure that all relevant issues are adequately addressed. The chair and Review members will direct discussion at each meeting and will determine final recommendations based on the outcome of discussions at each meeting. The Review's recommendations will be presented to Scottish Government Ministers, and a response prepared by Scottish Government officials.
14. The permanent membership of the Review will be made up of representatives from:
 - Child Protection Committee Chairs
 - Child Protection Lead Officer Group
 - Office of the Chief Social Work Adviser
 - Social Work Scotland
 - Scottish Association of Social Workers
 - Police Scotland
 - National Chair of the Child Protection Committee Scotland
 - NHS Lothian
 - Scottish Children's Reporter Administration (SCRA)
 - Children and Young People's Commissioner Scotland
 - Scottish Government

- Local Authorities
- COSLA
- Care Inspectorate
- Centre for Child Wellbeing and Protection, University of Stirling
- Coalition of Care and Support Providers in Scotland
- Children in Scotland
- Royal College of Paediatrics & Child Health
- Association of Directors of Education in Scotland (ADES)

15. Input from other relevant organisations and universities will be requested on specific issues as required. The group will consider how best to ensure the experiences and views of children, young people and families with experience of child protection are reflected in the Review.