

## **Constitutional and Legislative Affairs Committee Draft Report**

**CLA166**

### **Title: The Local Safeguarding Children Boards (Wales) (Amendment) Regulations 2012**

These Regulations amend the Local Safeguarding Children Board (Wales) Regulations 2006 which provide for functions of Welsh Local Safeguarding Children Boards in relation to the objective set for them by section 32 of the Children Act 2004. These Regulations introduce child practice reviews which replace serious case reviews in Wales which were provided for in regulation 4 of the Local Safeguarding Children Board (Wales) Regulations 2006.

#### **Procedure: Negative**

#### **Technical Scrutiny**

No points are identified for reporting under Standing Order 21.2 in respect of this instrument at this stage.

#### **Merits Scrutiny**

The following points are identified for reporting under Standing Order 21.3 in respect of this instrument:

- These regulations revoke the requirement that Local Safeguarding Children Boards undertake a Serious Case Review, where abuse or neglect is known or suspected in the death or serious harm of a child, in order to identify steps to prevent similar harm occurring.
- The regulations replace the Serious Case Review procedure with a new Child Practice Review framework (which is described in the Explanatory Memorandum accompanying the Regulations).
- The policy intention behind the Regulations does not appear to have been considered in any recent depth by Assembly Members either in Committee or in Plenary.

The Committee agreed:

- that the decision to revoke the requirement for Serious Case Reviews is a significant matter of public policy; and
- to report to the Assembly under Standing Order 21.3(iii) that the regulations gives rise to a matter of public policy likely to be of interest to the Assembly.”

#### **Legal Advisers**

Constitutional and Legislative Affairs Committee  
**June 2012**

## Response to the Merits Report from the Welsh Government

### Explanation

1. The Explanatory Memorandum accompanying the Regulations sets out the context of the public consultation on the Child Practice Review framework – *Protecting Children in Wales, Arrangements for Multi-Agency Child Practice Reviews* – the workshops to engage key stakeholders and the considerable practitioner based involvement in both developing the framework and in testing it in pilot projects. The results of this public engagement will feed into the preparation of the final guidance.

2. Work on the operational detail of the new Child Practice Review framework started following the publication in October 2009 of the Care and Social Services Inspectorate Wales (CSSIW) report *Improving Practice to Protect Children in Wales: An Examination of the Role of Serious Case Reviews*. On **20 October 2009**, in her oral statement to the Assembly, the Deputy Minister for Children and Social Services welcomed the report and its recommendations, and two others published by CSSIW and the Healthcare Inspectorate Wales on safeguarding children. The Deputy Minister announced that she had asked for specific proposals to be developed to implement the ideas in the report and that she would give Assembly Members a further opportunity to debate the reports on 17 November 2009.

3. A number of Assembly Members contributed to the debate on **17 November** – *Safeguarding and Protecting Children in Wales* – and the Deputy Minister reaffirmed that she had commissioned further work, which would determine how the future framework could be delivered in practice, and set out a timetable for the completion of that work.

4. On **1 February 2011**, the Deputy Minister made an oral statement to the Assembly – *Future Framework for Learning from Serious Case Reviews* - in which she set out progress in the work and the Welsh Government's plans to implement a new national programme for reviewing and learning to help improve child protection arrangements. The Deputy Minister set out the main planks of operational detail on which the framework was to be built and said that, supported by practitioners, the Welsh Government was preparing detailed practice guidelines to support the new framework. This work would help determine the quality of future reviews, and would be subject to public consultation later. The approach being proposed by the Deputy Minister was welcomed by all parties in the discussion that followed this statement.

5. The Deputy Minister also set out her intention to ensure that the new arrangements were evaluated fully a year or so after implementation. While some matters of operational practice, and terminology, have changed, the policy and detail of the arrangements which were consulted upon in early 2012 were set out by the Deputy Minister during the debate.

6. On **17 February 2011**, the Welsh Government published *Sustainable Social Services for Wales: A Framework for Action* which set out the

programme of change for social care services in Wales. The development of the new Child Practice Review framework was one of the key actions outlined in the document and an oral statement was made by the Deputy Minister on **1 March 2011**.

7. On **18 October 2011**, the Deputy Minister made a written statement to the Assembly setting out her broader arrangements for safeguarding and protection – *Safeguarding and Protection of People at Risk* – to be taken forward in the Social Services (Wales) Bill. The development and implementation of the new Child Practice Review framework is fundamental to those arrangements.