



Governance Arrangements

for

**Fife Significant Case
Reviews:**

for

ASPC, CPC and MAPPA SOG

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Introduction

Significant Case Reviews (SCRs) are principally about establishing whether there are lessons to be learned which will better protect children, young people and adults at risk and how to better protect the public from those at risk of offending . The review process uses any learning to improve services and as a means of recognising good practice.

In Fife SCRs are the responsibility of the respective public protection groups: the Adult Support and Protection Committee (ASPC), the Child Protection Committee and the Multi Agency Public Protection Arrangements Strategic Oversight Group (MAPPA SOG). These groups are supported in pursuit of these responsibilities through national and local guidance as follows:

- [National Guidance for Child Protection Committees Conducting a Significant Case Review March 2015](#)
- [MAPPA Guidance 2016](#)
- [Fife Adult Protection Committee Initial/Significant Case Review Protocol 2014](#)

The governance arrangements outlined in this document are pertinent to each public protection arena and should be read in conjunction with the specified guidance for each function, as there are some necessary differences in approach and criteria.

This paper outlines governance arrangements including methodology, identification of lead reviewers, reporting, briefings for senior leaders, publication and quality assurance processes.

Each of the three strategic groups has in place a structure for considering if a case meets the criteria for a Significant Case Review (SCR). Each has a Case Review Group in place to support the decision making process, and to support progressing a case to an SCR where this is agreed.

Where a case is being progressed to a Significant Case Review the relevant Case Review Working Group for ASPC, CPC and MAPPA SOG will consider the areas referenced in this paper giving due regard to the guidance mentioned above in respect of ensuring responsibilities are met.

The Case Review Strategic Oversight Group's (CR SOG) role includes supporting consistency of approach in respect of both Initial Case Reviews (ICRs) and SCRs across the three protection areas. Where respective Case Review Groups are unable to agree decisions then the CR SOG consider and provide direction.

The governance arrangements will be subject to a review following completion of the first Learning Together review to ensure any corporate learning can be included.

Initial Case Reviews

Each of the three strategic groups have agreed processes in place for decision making related to Initial Case Reviews. These processes are not considered in this paper.

Significant Case Reviews

Lead Reviewer/s

The respective Case Review Group will consider whether an SCR should be led internally or externally. Regardless of who leads, the relevant Case Review Group must be satisfied that the Lead Reviewer/s, and the supporting Review Team, have the necessary skills and competence to undertake an SCR. The skills required may differ according to the circumstances of each case.

It is the responsibility of the Case Review Working Group to ensure the lead reviewer has the required knowledge, skills and expertise in the application of the agreed methodology.

Where a SCIE Learning Together Review is the preferred methodology the process to be followed to ensure that the Reviewer/s are accredited is included below.

The Case Review Group should ensure the appropriate level of administrative support is in place for reviewers as well as other aspects of the review. A contract will be required as will agreement regarding payment for the Lead Reviewer.

Methodology

The following evidence based approaches should be considered, however it is acknowledged that the Case Review Group and/or some reviewers may favour a hybrid approach which uses elements from more than one methodology.

Root Cause Analysis Approach/model

Root Cause Analysis (RCA) techniques are used to understand the underlying causes of incidents rather than identifying individual failure. Based on human error theory, the RCA model has been adapted for use in health and social care settings. It takes into account the active failures of frontline staff to follow a prescribed course of action and also considers latent failures, well-intentioned but in hindsight faulty management decisions by senior management, and contributory factors such as staff shortages, poor communication, busy work environment, emotional state of staff member, education and training.

Systems Approach

A systems approach focuses on learning about how local professionals and organisations work together, in order to improve inter-agency working and better safeguard and promote the welfare of children, young people and adults. The

model has been adapted from the systems approach used in other high-risk areas of work and supports analysis that goes beyond identifying what happened to explain why it did so. The central idea of the systems approach is that any worker's performance is a result of their own skill and knowledge and the organisational setting in which they are working.

SCIE Learning Together Review

The Social Care Institute for Excellence (SCIE) Learning Together methodology (*Fish, Munro & Bairstow 2009 Social Care Institute of Excellence*) has been designed specifically to be relevant to cases involving multi-agency working by

- using systems thinking to gain a deeper understanding of current local practice and cultivate an open, learning culture
- building internal capacity by having staff trained and accredited in the Learning Together approach to reviewing
- undertaking rigorous case reviews and audits using a core set of principles and analytical tools
- accessing a pool of accredited independent reviewers as required
- building on the experience and findings of previous reviews as part of the Learning Together community.

The Learning Together model was developed by SCIE, based on evidence from research literature and investigation methods used in engineering, health and social care.

For those conducting an SCR using this methodology, there will be no specific recommendations. Instead, the CPC will have findings and issues to consider.

If a decision is made to proceed to SCR using the SCIE Learning Together approach then the respective Case Review Groups will, through their Lead Officer/Chair of the Case Review Group, contact SCIE (Sarah Peel, Deputy Head Learning Together, SCIE Tel: 020 7766 7413 email: sarah.peel@scie.org.uk) to advise of the decision to undertake a SCR and seek their agreement to support this being undertaken using the Learning Together methodology.

The Case Review Working Group will consider if a Fife accredited Lead Reviewer will lead the review and establish that their service/agency can support them in this.

The following will also be considered;

- Recommendations from SCIE for potential external Lead Reviewers if required.
- Establish the potential for a Fife trainee to be supported towards Learning Together accreditation through full involvement in the SCR.

The Lead Reviewers (normally two) are accountable to the commissioner of the SCR, normally this would be the Chair of the respective Committee unless otherwise agreed at the start of the commissioning process.

It is expected that the Lead Officer/Coordinator will be directly involved in supporting all aspects of the Review, including participation in the Review Team.

When scoping the Review agreement will be required on update reporting by Lead Reviewers to the Chair of the Case Review Group and/or the Chair of the respective Committee/SOG.

The CPC/ASPC/MAPPA SOG Chair may only attend a Learning Together case review meeting which brings together the Review Team and/or Case Group with advance agreement of the lead reviewer. The decision will be based on confirmation that all parties are confident the Chair's presence will be helpful and will not disrupt or inhibit contributions. To avoid any particular agency having a privileged position over other agency chief officers no other person would be able to attend such meetings.

Terms of Reference/Scoping of Review

SCRs require a clear and specified terms of reference (TOR)/scoping in order to ensure clarity of purpose and to assist the expectations of those involved and the wider audience for the SCR report. The TOR/scoping should be agreed where possible in advance of the commencement of the SCR process. This may involve the Case Review Working Group and where necessary the ASPC, CPC, MAPPA SOG and CR SOG. The complexity of the review might not become evident until the review has commenced and consequently the TOR/scoping may need to be revised with agreement of the reviewers during the course of the review.

Where necessary consideration should also be given to the level of involvement of other agencies/services who sit outwith the Fife strategic group.

Consideration should also be given at this stage to any requirement for a summary report as well as a full report.

Review Team

It is important to establish a team to support the review. This will normally be drawn from agencies whose services were involved in the case, however no-one should be involved in a review team if they were directly involved in the case in a professional capacity. The team's role and responsibilities may vary according to the methodology being used and this should be agreed with the team at the outset of the review.

Role of Learning Together Champion

The Learning Together model introduces the role of 'Champion' for a SCR. The Champion facilitates the process.

In most cases the Champion will be the ASPC/CPC/MAPPA SOG Lead Officer/Co-ordinator, however the decision about who will be the Champion for a particular SCR sits with the respective Case Review Group.

Neither the Learning Together Lead Reviewer nor the Learning Together Champion are expected to advise individual Chief Officers of progress. This is important to avoid compromising the independent role of the Lead Reviewers and Champion. It also avoids any single Chief Officer having or being seen to have disproportionate influence of the review/report.

Subject/Family/Carer/Perpetrator Involvement in Review

Either the Case Review Working Group or the Review Team must establish at the outset of the SCR the form and degree of involvement of the subject/s, family/carers and perpetrator. The level of involvement will be linked to the circumstances of the SCR. Consideration should also be given to the extent of involvement in terms of areas such as publication.

Staff Involvement in Review

All reviews will involve contact with staff directly involved in the case in terms of conversations regarding their involvement and views on the case. This should be considered at the onset of the SCR.

During the review process staff should feel informed and supported by their agency. Each agency must have processes in place to ensure their duty of care is met in this regard.

Consideration must be given to any parallel processes which staff may be involved in as a consequence of the case e.g. disciplinary proceedings.

During the course of the review concerns may emerge regarding staff conduct in the case. Where this occurs this information must be conveyed by the agency representative on the Case Review Team to the appropriate manager in that agency.

Briefings for Chief Officers

The process of briefing Chief Officers on the review must be equitable across all agencies and not seen to compromise the independence of the process.

In most cases briefings would follow the current reporting process via Chief Officers Public Scrutiny Group meetings.

The Learning Together process does not produce a report before the draft findings report. Prior to the draft findings report all productions are 'fluid', or 'working out' documents, serving to enable participants to check, challenge and amplify analysis as it progresses. The process facilitates a rich contribution from staff and a degree of confidentiality is required to support this. Consequently there will be no interim written reports for Chief Officers.

Chief Officers will be verbally briefed on the nature of findings from the review and what is being asked of them in responding to the findings prior to the presentation of the report. The Chair of ASPC/CPC/MAPPA SOG will agree with Chief Officers the most appropriate way to do this.

The Lead Reviewers will, if appropriate and agreed during commissioning, be expected to support a briefing to Chief Officers.

Internal Quality Assurance

In SCIE's Learning Together model checks and challenges to the analysis are integral to the process. The process is designed to enable challenge across agencies through the working of the inter-agency Review Team, and across levels of seniority through the review team's engagement with the staff who were involved in the case as this may well involve managers at different levels.

The Lead Reviewer receives professional/clinical supervision from SCIE which brings associated challenge to the analysis.

SCIE supervision of the lead reviewer can impact on and support:

- finessing headlines of findings to match the strength of evidence presented
- identifying any additional data that supports or contradicts the finding
- feeding back on accessibility of language
- providing a sensitivity check on use of language

In a review using another methodology consideration should be given to the involvement of a 'critical friend' who may provide a degree of similar support and challenge. This should be considered at the onset of the review by the Case Review Group with the role and responsibilities clearly defined where this is agreed to be necessary.

Final Reports

Reports may be presented in a variety of formats depending on the case, the methodology and the reviewer. Consideration must be given to any national and local guidance. For example, CPC reports must include the front sheet as provided in the national guidance for CPCs.

To support internal quality assurance the Case Review SOG will consider the final findings report (Learning Together Reviews) or full final Review report, following sign off by the Review Team. If necessary additional members may be invited to join the Case Review SOG, in some cases to represent a specific section of a service/agency e.g. voluntary sector agency senior representative. The Lead Reviewers, and the Champion (SCIE Reviews) /Lead Officer would participate in such a meeting. The initial meeting of the Case Review SOG may include a presentation by the Lead Reviewer and the Review Team in respect of the report findings.

Final reports should be presented in a style and degree of detail which is suitable for publication to all audiences. There should be no or very limited reliance on redaction.

Final reports must be data protection and human rights legislation aware and compliant and take account of relevant national and local guidance. Close liaison with Fife Council Legal Service at final draft stage is likely to be required and is available as necessary to support the reviewer to achieve the required legislative compliance.

The Case Review SOG will agree the format of feedback and engagement with CPC, ASPC and MAPPA SOG in respect of findings and next steps in responding to the findings.

The Case Review SOG would also consider other key areas such as feedback to staff, family and subject/victims/perpetrator (if relevant/appropriate) on findings, publication, data protection and media strategy (key areas will vary depending on the individual review). These considerations would lead to recommendations on key areas which would be made to Chief Officers.

Recommendations regarding publication will be agreed by the Case Review SOG and signed off by Chief Officers.

Publication considerations will include the sensitivity of personal data and the degree to which the findings report may need redaction. Full consideration must be given to data protection legislation and related national and local guidance.

The Chief Officers Public Safety Group will then meet to receive the report and findings/recommendations from the Case Review SOG. Part of this will involve a presentation by the Lead Reviewer and the Review Team. Chief Officers will hold ultimate responsibility for signing off the findings/full report as well as agreeing aspects of publication, feedback and media strategy.

Data Ownership and Retention of Key Documents

Once a review is completed and signed off the final report, and any summary report, together with all associated documents, becomes the property of the ASPC/CPC/MAPPA SOG.

The various 'working out' documents produced by the Lead Reviewer and the Review Team referred to earlier under SCIE Learning Together Reviews should be destroyed within 3 months of the final report being finalised. This will also apply to any 'working out' papers produced in Reviews using other methodologies. This includes notes kept of meetings with staff, family and subjects/victims/perpetrator. If there are particular sensitivities regarding a Review then any change to this timescale should be agreed at end of the SCR by the Case Review SOG. For example if a review has been undertaken prior to criminal proceedings being concluded following agreement with COPFS then discussion should take place with them regarding destruction of any materials which may relate to the proceedings. This will equally apply to 'working out' documents produced during a review where another methodology is used.

Discussions are currently ongoing locally and nationally in terms of records management and retention of key documents, in particular any review reports. Until such times as these discussions are concluded all documentation related to a

Significant Case Review should be retained. This section of the Governance paper will be updated in due course.

Publication

The ASPC, CPC and MAPPA SOG are committed to the principles of learning and improvement through self-evaluation which includes ICRs and SCRs. Ensuring both professionals and the public have access where appropriate to learning from Reviews is an essential aspect of the process. To this end, publication of final reports will always be considered, initially by the Case Review SOG, and then by the Chief Officers Public Safety Group.

Publication considerations will include;

- the protections within the Data Protection Act 1998
- any necessity to restore public confidence
- the sensitivities of the case and balancing interests in terms of the right to respect private and family life detailed in Article 8 of the European Convention on Human Rights
- the need for transparency and the overall purpose of the SCR in the identification of learning
- any potential negative or harmful impact on the subject, his or her siblings or on another family member or relative e.g. where the subject or a sibling/other family member could be identified and subject to media interest
- awareness of significant dates when agreeing publication dates; birthdates or anniversary of death may be upsetting for family so should be avoided
- the need for a communications strategy to be developed
- feedback to family/victims/perpetrator as required

Where a full report is not being published then consideration must be given regarding who the full report should be shared with. National and local guidance must be referred to where available.

Decision to Publish

Where a decision is made to publish then the report will be posted on the relevant website on an agreed date/time. It will remain on the website for a minimum of 12 months unless otherwise agreed by the Chief Officers Public Safety Group.

The learning from most SCRs relates to the context of practice within the individual case and to the guidance and legislation current at the time of the review. SCR reports therefore reflect the structures and frameworks in which agencies and services are currently operating. For most agencies and services, guidelines and procedures are continually evolving to reflect changes to legislation and government guidance and findings from self-evaluation activity, so that over time, legislative and practice frameworks applicable at the point of conducting an SCR may change. As learning becomes embedded therefore, the report, findings and actions arising out of historical reviews may become less relevant.

Following removal from the website and for the benefit of national and shared learning published reports will be made available on request via the ASPC, CPC or MAPPA SOG.

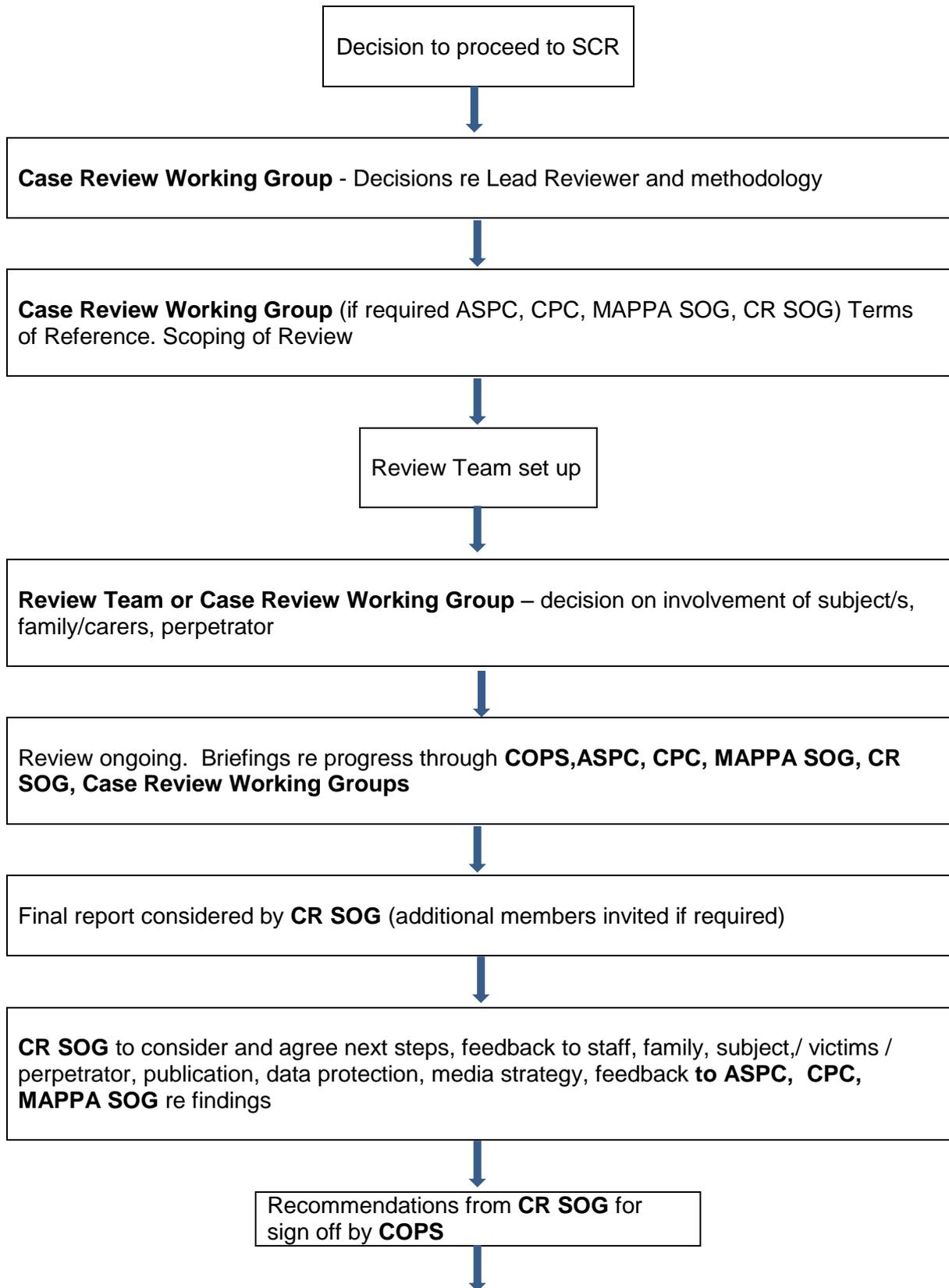
Dissemination of Learning

Regardless of the decision of whether or not to publish, the CR SOG, in the first instance, must give full consideration to the means/method of dissemination of learning at a local and national level. This may include dissemination of a 7 minute briefing by relevant agencies, bespoke staff briefings by managers, briefings to agreed relevant national groups.

Action on Findings

The ASPC, CPC and MAPPA SOG must consider the findings and develop and agree an action plan in response. Action plans should include reference to proposed outcome evaluation activity to measure the success of the learning from the SCR findings.

SCR Governance Flow Chart



ASPC, CPC, MAPPA SOG to consider findings/recommendations and agree action plan