# CONTROLLED

# **Locality Scrutiny Panel Terms of Reference May 2019 updated April 2022**

## **Purpose**

The purpose of the Scrutiny Panel is to ensure scrutiny and agreement of key decisions for children entering care, at the edge of care and at other specified 'crunch' points in care planning.

The Head of Service is required to provide agreement for children to become looked after or to commence Public Law Outline (PLO) and legal proceedings, the legal advisor present at each Panel will provide the required legal advice to inform decision making.  Key issues for Panel to consider at each meeting are:

* A decision for a child to become looked after rests with the Head of Service and is actioned via the Panel process.
* All children who have entered care in an emergency should be presented to the next Panel. Every Panel should also review ALL admissions to care since the last Panel and provide validation that they have been fully considered.
* Head of Service agreement to enter PLO/PLO Tracker
* Head of Service agreement to commence legal action/care proceedings Tracker
* DOLs
* Placement with Parents
* Supervision orders
* Section 20 accommodated children
* CP Plans 18 months+
* Children placed in B&B and unregulated accommodation

It is essential that Derbyshire has an approach to decision making which ensures rigour and accountability. The decision to bring a child into care or to commence care proceedings should only be taken where the assessment clearly evidences that such action is required.

All Heads of Service and Panel members should be cognisant of the role of Panel to provide a gateway for admissions to care. Children should only be admitted to care outside of the scrutiny panel in an emergency child protection situation. ***ALL admissions to care should be determined through the Panel route.***

The Panel will not replace the usual care planning processes for a child, namely Child Protection Conferences or Child in Care statutory reviews. It is not the intention for families to attend Panel meetings.

The Panel will be chaired by the Head of Service Locality and accountable to the Service Director and Assistant Director.

## **The Care Planning Scrutiny Panel Process**

A Care Planning Scrutiny Panel must be established in each Locality.

Panel membership will be:

* Head of Service (Locality) Chair
* Legal Advisor
* IRO Service (The allocated IRO to participate in discussions relating to children already in care)
* Child Protection Manager (The allocated CPM to participate in discussions where children are subject to a child protection plan and where required for child in need cases).
* Children in Care Team Manager
* Business Services (minute taker)
* PAFT Senior Practitioner

The role of the CPM/IRO is to offer knowledge, experience and skills as independent managers to the panel to support the Head of Service decision making providing relevant information and quality assurance, not to be part of decision making.

Care planning decisions including the decision to accommodate a child rests solely with the HoS (Locality) responsible for the service.

Where attendance cannot be facilitated due to service demand; then, as appropriate or specifically requested by the Panel Chair, written input will be provided in relation to children referred to panel. The allocated Independent Managers (CPM/IRO) will provide written information relating to children in care or those subject to a protection plan.

As the disabled children's service covers the whole county attendees may vary slightly depending on the agenda. The Head of Service Disabled children will chair the panel.

All Panels should be chaired by the Locality Head of Service. Substitute arrangements should be arranged with other Heads of Service.

The Panel must be held every 2 weeks and dates established for the year so as to facilitate attendance from key Panel members.

CPMs and IROs will be informed in advance of the allotted panel time for case discussions relating to children in care and children subject to a protection plan.

All cases presented to Panel should be led by the social worker with the Team manager in attendance (practice supervisors are an acceptable substitute by panel agreement).

The criteria for cases presented at panel is:

* A decision for a child to become looked after.
* To commence PLO
* Enter care proceedings or divert to Private Law
* Finance support

*In line with the Public Law reforms there may be an agreement that a case could be dealt with under Private Law. In these situations, the Head of Service can agree to provide financial support to the potential carers in the form of a one off consultation to obtain legal advice. In exceptional circumstances further support/advice may be required and this should be approved by the Head of Service in panel.*

* child accommodated in emergency presented retrospectively
* Placement with Parents
* Identified children subject to plans for 12 mths+

Prior to case presentation a tracker meeting will be held to review:

* Children placed in B&B or unregulated placements
* DOLS
* PLO – tracker exceptions, assessments and intervention dates and progress. Requests to extend post 16 weeks.
* Care proceedings
* Supervision orders
* Children subject to S20
* Unborn Babies
* CIN plans 2 years +

Prior to a case reaching Panel the allocated worker will have completed an up to date assessment and a multi-agency planning meeting held; this would normally take the form of a Child Protection Conference, Child in Need planning meeting or Team around the Child meeting or a Family solutions meeting. This will have considered all best practice options to support the child safely remaining with their family and consider any potential for rehabilitation and family options.

Cases presented to Panel should always be accompanied by an assessment completed within the last 45 days alongside the genogram, chronology and current plan and be provided two working days before Panel.

Cases presented for Head of Service agreement to enter PLO should have a draft PLO letter and a PLO assessment and support plan. The Panel, with the support of legal attendance should review the PLO letter for fairness and clarity for family members and that it reflects Derbyshire’s model of practice.

Cases presented for Head of Service agreement to commence proceedings should have a completed draft SWET and care plan.

Cases should **not** be heard at Panel without the required paperwork. In the absence of the correct papers, the Panel chair will invite the Team Manager to consider the immediate risks in the case and whether it is appropriate to hear the matter at the next Panel. If an urgent decision is required the Team Manager and Head of Service will meet prior to the next Panel where the relevant paperwork must be presented. The case should subsequently be presented at the next Panel.

A short referral form (Appendix 1) must be completed prior to Panel. This would need to be completed for all case referrals and be signed off by the Team Manager. The referral form will confirm the decision required from Panel and support the evaluation of impact for children by providing a clear rationale for referral and the subsequent Panel outcome.

The Panel will have the remit to review cases if plans have not progressed as expected.

The final decision to 'accommodate' a child continues to rest with the Head of Service (Locality) responsible for the service. This decision should only be taken following presentation to this Panel.

Minutes should be consistently recorded using the template attached (appendix 2) with skilled business support in place to administer the Panel process.

Legal Services must provide a written legal note during the Panel for each case presented, this will be added to the minutes

A copy of the minutes in relation to specific children should be uploaded to the child's records and a case note added.

Any issues which require escalation should be facilitated via the relevant Head of Service to the Assistant Director and Service Director as required.

Pete Lambert

Assistant Director

April 2022

*Appendix 1 – Panel Referral Form*

Care Planning Scrutiny Panel

Referral

|  |
| --- |
| Panel date: Date of panel  Locality: |

Name of child(ren): List all children to be considered at panel

Decision required from Panel: state clearly with reference to the Panel Terms of Reference.

Documents filed to panel: (NB all documents need to be filed 2 days before panel)

|  |  |  |
| --- | --- | --- |
| Document | Dated | Reason if not enclosed |
| An up to date assessment |  |  |
| Last multi-agency minutes |  |  |
| An up to date plan |  |  |
| Genogram |  |  |
| Up to date chronology |  |  |
| Supervision note from the previous 2 weeks which outlines why we are coming to panel, the safety plan in the interim, actions required, summary of risk issues. |  |  |
| Relevant legal documents as required e.g. draft PLO letter or SWET |  |  |

Signed: Dated:

Social Worker:

Signed: Dated:

Team Manager:

Appendix 2 – scrutiny panel case minutes.

**Care Planning Scrutiny Panel Meeting**

**Held:**

**Chair Person:**

**Panel Members Present:**

**Apologies:**

|  |  |  |
| --- | --- | --- |
|  |  | **Action** |
| **1.0** | **Minutes/Matter Arising** |  |
| **2.0** | **Locality Trackers:**   1. **PLO** 2. **Supervision Order** 3. **Care Proceedings** |  |
| **3.0** | **Children in the locality subject to Child Protection plans for over 12 months** |  |
| **4.0** | **Children on the Edge of Care or who require Head of Service agreement to become looked after.** |  |
| **5.0** | **Children in the Locality who been subject to Section 20 Accommodation for over 9 months.** |  |
| **6.0** | **Children placed in Bed & Breakfast or unregulated placements** |  |
| **7.0** | **Children that have been accommodated in an emergency** |  |
| **8.0** | **Placement with Parent Regulation Applications.** |  |
| **9.0** | **DoLs** |  |