# Document Seizure Guidance

**Introduction**

Occasionally it will be necessary for a young person’s record to be seized and secured as part of an investigation where there is a need to establish what actions have been taken regarding a case and what has been recorded.

Document seizure will only occur in situations where there is a requirement to undertake a significant review of actions (e.g. serious case review, judicial review or disciplinary processes). This process will only be enacted in exceptional circumstances and can only be triggered by an Assistant Director or higher.

In these situations it is important that the records are secured immediately, and that there is a clear record of actions taken from a given point in time.

The following procedure will ensure a consistent approach and clarify what action should be taken, by whom, and when.

It is important to apply these procedures rigorously to ensure that any investigation is fair and transparent, the procedure also ensures that all parties are fully protected from any future accusations.

This procedure also explains how ongoing work can continue with a child or young person and be appropriately recorded.

# Initiating a Document Seizure

The process will be initiated whenever an Assistant Director or above is notified that a serious incident, which may lead to a serious case review, has occurred

1. the serious injury or death of a child).

At this notification stage the appropriate manager (Assistant Director and above) will decide whether a child’s record should be seized and request the following actions:

* + ICS records be restricted from all users immediately
  + All paper records to be brought to their office by an agreed time
  + Electronic records to be closed down.

The appropriate officer will decide in consultation with the investigating officer who can have access to the seized records, how that access occurs and when.

The appropriate officer will decide with the service manager responsible for the management of the ongoing case work who can have access to that record to enable ongoing recording of work with a child or young person to continue.

# The following are detailed actions to achieve these requirements: Electronic Records

**CareFirst/Liquid Logic (ICS)**

The Assistant Director should contact the ICS team by email (or if urgent a phone call followed up in written form) to request that access restrictions be placed on the ICS record of the child or young person. There is also an Access Restriction Form on ICS for this purpose.

All records in ICS that have been **authorised** are automatically locked. Any assessments that are still open, including any abandoned will be closed down by the ICS team immediately on notification.

The Assistant Director will take a decision as to whether work needs to continue on any of the open assessments while the investigation is undertaken. If it is necessary for work to continue then a duplicate of the assessments should be made e.g. core assessments, court statements.

The Assistant Director and Investigating Officer should agree who should continue to have access to the record and inform the ICS team of this.

Following this request the ICS Team will lock down the file and close it to all except those with permission to continue to have access. The file will be flagged on ICS to alert ICS workers and support officers to the fact that the file is restricted (these workers have the ability to override the restrictions and so it is important that they are aware that they are in place). This ensures that no requests to change or any deletion of records are undertaken.

The ICS team will then generate a report that will give a time stamped snapshot of the child’s record from the date the snapshot of the child’s ICS Record is required, the report will highlight the following:

* All assessments and relationships recorded on the system at the seizure date and current status of assessments.
* Dates of access to assessments, by whom, and reason given.
* Dates and details of added relationships or changes to current/past relationships.
* Any assessments or relationships backdated to before the snapshot date.

# Paper Records

The Assistant Director will ensure that all paper records forming part of the child’s record are collated and then stored securely.

Any decision on access to records and continued file seizure will be reviewed by the appropriate officer every 3 months as a minimum but may be reviewed more frequently if appropriate. The ICS team will issue an email reminder to the named responsible officer to review the restriction status of the record. The investigation may identify remedial work that is needed to put the case file in order from the period prior to seizure.

It is important that this work is completed as quickly as possible; however, it must be stored in a safe electronic file until a decision has been made by the appropriate officer that it can then be added to the file in date order.

There must be a record of what information was added, when and by whom within the file. The ICS team can rerun the seizure report at the request of the Assistant Director or Investigating Officer which will identify any changes to the record since the original seizure report was run.

The remedial records will be made available to the investigating officers and staff as part of any investigation to ensure that a fair and thorough process occurs.

Any requests for access to these records after they have been secured should be agreed between the Assistant Director and the Investigating Officer.