



The Moray Community Planning Partnership

Child Protection Case Conference Procedure 2016

This document is available in different formats and languages on request.

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1.0 Introduction

All children and young people have the right to be cared for; protected from harm and abuse; and to grow up in a safe environment, in which their rights are respected and their wellbeing needs are met.

Most children and young people (including unborn babies) get all the help and support they need from their parents, carers and families, in addition to the universal services of education and health. However, some children and young people (including unborn babies) may need further help and support to ensure their needs are met; to ensure their health, development and well-being are secured; and to ensure they keep themselves safe from harm and/or abuse.

Within Moray ***child protection is everyone's job and everyone's responsibility***. This is a shared responsibility for all practitioners and managers working across the public, private and third sectors.

All practitioners working with children and young people must play their part in making sure that children and young people are ***safe, healthy, achieving, nurtured, active, respected, responsible and included***.

Parents, carers and children are an integral part of the Child Protection Case Conference process and should be enabled to attend (with appropriate supports as necessary) in order to discuss concerns and positive factors and to be involved in any planning to:

- Reduce the risk of harm and protect the child
- Improve the wellbeing of the child
- Support the adults who care for the child
- Monitor and review progress to ensure the child's needs are met

Moray Child Protection Committee (CPC) has produced procedure for all practitioners and managers working with children, young people and their families within the public, private and third sectors across Moray. This procedure contains information and advice which will help support current practice.

2.0 What is a Child Protection Case Conference?

A Child Protection Case Conference (CPCC) is a forum where the Team Around the Child (TAC) meet to enable decision making and planning. This should be informed by an integrated multi-agency risk assessment and should be conducted in line with Moray's Getting It Right For Every Child (GIRFEC) approach. Action to secure or ensure the child's safety should be integrated with other actions required to meet the child's short or long term wellbeing needs in a single Child's Plan. It **requires** contributions from everyone that has information about the child or family circumstances.

Within Moray, CPCCs are managed by the Local Authority Reviewing Team who convene, chair, and minute all such meetings. CPCCs can be requested by the TAC and from the outcome of an Inter-Agency Referral Discussion (IRD).

Purpose

The purpose of all CPCCs is for the TAC to share and exchange information, in order to collectively evaluate any actual or potential risk of significant harm to the child or young person and to agree the actions by which those risks can be reduced. Each participant should maintain an outcome-focused approach ensuring:

- all relevant information has been shared, exchanged and analysed on an inter-agency basis which include protective factors;
- the degree of existing actual or likely future risk to the child or young person has been assessed appropriately;
- the views of the child or young person and their parents/carers and/or guardian are considered;
- the child or young person's needs are recognised and how these can be met by the TAC;
- the single Child's Plan is informed by the information shared, it is accurately updated, and review dates are set;
- a Lead Professional is identified
- a decision is made whether to place, or not to place; or to retain a child or young person's name on the Child Protection Register (CPR); and
- a decision is made whether a referral to the Reporter to the Children's Hearing is needed, if this has not already been done.
- where other Legal measures may be needed, a decision is made that legal advice and assistance is sought

There are 4 types of CPCC –

1. *Pre Birth CPCC*

The purpose of a Pre Birth CPCC is to decide whether concerns exist regarding the likelihood of significant harm through abuse or neglect of a child when they are born, taking

into account the history through pregnancy. The TAC need to prepare the Child's Plan in advance of the child's birth, which will then be enacted on the child's birth.

A Pre-Birth CPCC will also need to consider actions that may be required at birth and they include:

- whether it is safe for the child to go home at birth
- whether there is a need to seek legal advice and assistance for formal protective measures
- whether the child's name should be placed on the Child Protection Register (CPR). (Where an unborn child is identified as requiring targeted intervention and is at risk of significant harm, their name will be placed on the CPR); and
- whether there should be a discharge meeting and a handover to community-based supports

2. Initial CPCC

The purpose of an Initial CPCC is to allow the TAC to share and exchange information about a child or young person for whom there are Child Protection concerns. They must jointly assess that information and the risk to the child or young person and determine whether the child or young person may have suffered or is at risk of significant harm through abuse or neglect that needs to be addressed through targeted intervention. It normally takes place after the Team around the Child (TAC) has made an initial assessment of the situation.

A decision must be made as to whether the child's name is placed on the CPR and what supports are required. Where there is a consensus that a child or young person is at risk of significant harm from abuse or neglect, their name should be placed on the CPR. Those attending the Initial CPCC are responsible for informing and agreeing the Child's Plan then identifying the Core Group responsible for implementing, monitoring and reviewing that plan (this normally consists of the TAC).

Note - A comprehensive risk assessment, case chronology and interim Child's Plan must have been initiated by this stage using the National Risk Assessment Framework (NRAF) and this will inform the Child's Plan.

The participants need to take account of all the circumstances leading to the Initial CPCC and the initial risk assessment. Due to the timescales for calling an Initial CPCC, there may only be time for an interim Child's Plan to be put in place to safeguard a child's wellbeing before the meeting. A more comprehensive Child's Plan will be informed and take shape by the information shared at the Initial CPCC.

3. Review CPCC

The purpose of a Review CPCC is to review:

- the risks to the child
- the decision to continue registration or deregister a child or young person's name from the CPR
- consider the need for a further period of registration

- whether there are significant changes in the child or young person's circumstances
- evaluate the effectiveness of the Child's Plan

The participants will review the progress of the Child's Plan to ensure it is meeting the child's needs and will also consider all new information provided by the TAC. That information will help practitioners inform and update the Child's Plan accordingly, and decide whether the child or young person's name should remain on the CPR or not.

The situation should be constantly reviewed in line with the National and Local timescales detailed in this procedure. A Review CPCC can also be arranged at the request of any practitioner, service and/or agency when there has been a significant change in the child's circumstances or where there has been a further alleged incident of harm and/or abuse which requires consideration.

Where a child or young person is no longer considered to be at risk of significant harm, and there is evidence of sustained change and outcomes have been met, their name should be removed (de-registered) from the CPR by the Review CPCC. The child or young person and their parents/carers and/or guardian may still require ongoing support and this should be managed through the Child's Plan. Ongoing support should continue for as long as is necessary.

Note – the first Review CPCC after a Pre-Birth CPCC should only take place at least two months after the child is born. This is to allow sufficient time after birth to carry out proper assessments and progress the Child's Plan. The Core Group should continue with the Child's Plan as required and normal Child Protection Procedures apply.

4. Transfer CPCC

The purpose of a Transfer CPCC is to specifically cover the transfer of information (including the Child's Plan) about a child or young person, who is registered on the CPR in one local authority area, and has moved or plans to move to another local authority area. Where a child or young person and their family move from one local authority area to another, the originating local authority will notify the receiving local authority immediately, then follow up that notification in writing.

The originating local authority area needs to assess this change in circumstances. If there is a reduction in risk, the originating local authority area should arrange a Review CPCC to consider the need for ongoing registration, or, if appropriate, de-registration of a child's name from the CPR.

Only a Review CPCC can de-register a child or young person from the CPR. A Transfer CPCC cannot remove a child or young person's name from the CPR.

In such circumstances it would be best practice for an appropriate member of staff from the receiving local authority area to attend the Review CPCC where possible. Where the originating local authority area considers that the risk is ongoing or even increased by the move, the receiving local authority area is responsible for convening the Transfer CPCC.

Where a child or young person and their family move from one Scottish local authority area to another then the Child's Plan and case/file records should be transferred to the receiving authority. If the child or young person is subject to a Supervision Requirement, the case/file should also be transferred to the receiving authority. The transfer of this information should be completed as soon as possible by the originating authority.

Where a child or young person was on the CPR previously in another local authority area, the receiving local authority area should request the child or young person's file from the originating local authority area (if still available). Best practice would be for the originating local authority area to copy, in full, the child or young person's case file notes, retain the original case file notes and send the copied case file notes to the receiving local authority area.

Note – The Originating Authority is the local authority area where the child or young person was initially placed on the CPR. The Receiving Authority is the local authority area into which the child or young person has moved whilst placed on the CPR.

3.0 Child Protection Register (CPR)

What is the CPR?

All local authorities in Scotland have a responsibility to maintain a central register of all children and young people, including unborn children, who are the subject of a multi-agency Child's Plan where there are CP concerns.

The CPR has no legal status, but provides an administrative system for alerting practitioners that there are sufficient professional concerns about actual or the risk of significant harm to a child or young person.

In Moray the pan Grampian Child Protection Partnership (CPP) is responsible for maintaining the CPR and accurately processing the information needed to update it. The decision to put a child or young person's name on the CPR will be based on a multi-agency assessment at an Initial CPCC. The CPR provides a central resource for practitioners concerned about a child or young person's safety or wellbeing.

Placing a Child on the CPR

The decision to place a child or young person's name on the CPR is taken at an Initial CPCC, where there are reasonable grounds to believe, or suspect, that a child or young person has suffered or is likely to suffer significant harm from abuse or neglect.

The Chair, or person nominated by them, should inform the child or young person's parents and/or carers and/or guardians about the information held on the CPR and who has access to it. Where the child or young person has sufficient age and understanding, they should also be informed.

When a child or young person's name is placed on the CPR, they are registered against one or more of the following areas of concern:

- domestic abuse;
- parental alcohol misuse;

- parental drug misuse;
- non-engaging family;
- parental mental health problems;
- children placing themselves at risk;
- sexual abuse;
- forced and dangerous labour;
- child sexual exploitation
- trafficking
- physical abuse;
- emotional abuse;
- neglect; and
- other concern(s).

Removing a Child's name from the CPR

The decision to remove a child or young person's name from the CPR will be made by a Review CPCC, at which TAC are represented, as well as the child, young person and their family. The decision must be based on a sound multi-agency assessment, that the risk of significant harm from abuse or neglect to the child or young person has been sufficiently reduced. When a child or young person's name is removed from the CPR, the child or young person and their family must be informed.

Removal of a child or young person's name from the CPR should not necessarily lead to a reduction or withdrawal of services or support from all of the services/agencies. The risk of significant harm from abuse or neglect to the child or young person may have receded, but the child or young person may continue to require a range of support. It is the responsibility of the Chair of the CPCC to ensure a Child's Plan is in place to ensure the wellbeing of the child or young person.

At the point of removing a child or young person's name from the CPR, consideration should be given to whether a different Lead Professional or Named Person should be appointed and if so, arrangements made for the transfer to be agreed.

Making use of the Child Protection Register

The CPR is held separately from all service/agency records or case files in Grampian and is secure. There is 24-hour access to the CPR for all practitioners, services/agencies who need to make an enquiry about a child or young person.

CPR enquiry line - 01224 523232

Email - NECPR@aberdeencity.gcsx.gov.uk

Web enquiries - <https://cpr-nspcpc.aberdeencity.gov.uk>

Keeper of the Register - Bernadette Oxley
Head of Children's Social Work/CSWO
Marischal College
Business Hub 13

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Level 2 North
Email - boxley@aberdeencity.gov.uk
Tel No - 01224 522110

Note – It is the responsibility of the Reviewing Team Admin Support to forward the relevant information coming from the CPCCs to the CPP, so that the CPR is kept up to date and accurate. The Reviewing Team Admin Support should have sufficient guidance and processes in place to ensure the information forwarded is both accurate and completed within agreed timescales.

4.0 Who attends a CPCC?

The number of participants at the CPCCs should be limited to those with a need to know, who hold information in relation to the circumstances, and those who have a relevant contribution to make. All persons invited to a CPCC need to understand its purpose, functions and the relevance of their particular role, responsibility and contribution. This may include a support person or advocate for the child, young person and their parents/carers or guardian.

The Chair

Within Moray, a member of the Reviewing Team will Chair CPCCs. Where that is not possible, a suitable member of staff will be identified by the Manager of the Reviewing Team to Chair the CPCC.

The role of the Chair of the CPCC is to:

- Ensure their availability to chair within local timescales or arrange for an alternative person to chair the conference;
- Ensure that an experienced minute taker is available and fully briefed;
- Draw up the agenda and read all the reports before the conference;
- Ascertain if a closed session is required and ensure that any request is justified;
- Meet with the child or young person and their parents/carers and/or guardians shortly before the CPCC meeting takes place, to explain the purpose of the meeting, who will be attending the meeting, how the meeting will be conducted, what the possible outcomes of the meeting will be and to answer any questions they may have about the CPCC (this should be been done by the team around the child and is good practice);
- Ensure the CPCC is quorate in terms of having a minimum of three services represented and remind those attending that confidentiality/data protection must be observed after the conference within the bounds of multi-agency working;
- Facilitate information sharing, exchange and analysis at the CPCC, making sure that each practitioner, service and/or agency and the child or young person and their

parents/carers and/or guardians and/or any other of their chosen representatives have an opportunity to fully participate and meaningfully contribute to the CPCC in a meaningful and constructive way;

- Ensure that the views, wishes and intentions of parents, children and young people are heard by those attending, taken into consideration in making decisions and recorded in the conference minute.
- Make sure that the risks, needs and protective factors regarding the child are recorded. Facilitate joint/shared decision-making so a consensus is reached about placing the child's name on the CPR, under which categories, and that the reasons for this are recorded,
- Ensure that all views on registration are recorded including any disagreement and ensure that **ALL** professionals in attendance make a decision whether to place the child's name on the CPR or not (unless they are a trainee shadowing another professional with the permission of the Chair and the child/family in attendance);
- Ensuring that the National Risk Framework (NRAF) is updated and progressed accordingly to inform and be a component part of the Child's Plan
- Ensure the CPCC agrees how they contribute to improving outcomes which are recorded in the child's plan, using SMART objectives which aim to reduce the risk of future harm and promotes the child's health and wellbeing;
- Identify the Lead Professional and agree the membership/tasks of future Core Group meetings (including the child or young person and their parents/carers where appropriate);
- Challenge any delay in action being taken by services/practitioners to improve outcomes for the child and ensure that local timescales are adhered to, including review dates, core groups, and distribution of accurate minutes/copies of the child's plan;
- Ensure that all recommendations made for a child to be accommodated, compulsory measures of care being sought, or seeking legal advice and assistance for formal legal measures to secure a child's care are fully recorded in the child's plan and appropriate action taken;
- Make a date for the next review in accordance with local timescales:
- Help facilitate the Reviewing Team to monitor and review CPCCs through Self Evaluation and submit reports to the Moray Child Protection Co-ordinating Group on an annual basis.

Participants who attend the CPCC

Professionals who attend CPCCs can include:

- Local Authority Social Worker(s) and/or Support Workers;

- Education staff where any of the children or young people in the family are of school age and/or attending pre-five establishments;
- NHS staff, including Midwife/Health Visitor/School Nurse/GP as appropriate, depending on the child or young person's age and the child's Paediatrician where applicable; and
- A representative from Police Scotland

Other participants can include other health practitioners (including Allied Health Professionals AHPS etc), adult services, housing staff, local authority legal representatives, addiction services, educational psychologists, relevant third/voluntary sector organisations, representatives of the Procurator Fiscal, and armed services staff, where children of service personnel are involved.

On occasions, students/trainees may request to attend a case conference as part of their professional training. This should be discussed and agreed with the Chair before the case conference as long as the parents and child's permission have been sought in advance. When students/trainees are to attend all those invited should be informed in advance. The Chair will have the final decision.

On some occasions, the family may request that their legal representative/solicitor should be invited. However, given the non-statutory basis of CPCCs (they have no legal status in Scottish Law); legal representatives/solicitors can attend, but can only act as a supporter to the child or young person and their parents/carers and/or guardian. Whilst they can act as an observer, they cannot be involved in the decision-making as CPCCs are not adversarial meetings.

There may be occasions when it is appropriate to invite foster carers, home carers, childminders (they will not be involved in the decision making), volunteers or others working with the child, young person or family to the CPCC. The practitioner most closely involved with the person to be invited should brief him or her carefully beforehand. This should include providing information about the purpose of the CPCC and their contribution, the need to keep [information sharing](#) confidential (data protection) and advice about the primacy of the child or young person's interests over that of the parents/carers and/or guardian where these conflict.

Participants attending are there to represent their service and/or agency and to share information to ensure that all risks and needs can be identified and addressed. They have a responsibility to share and exchange information and clarify other information shared and exchanged as necessary.

Note – CPCCs are a priority meeting. If you are invited to a CPCC you MUST attend. The needs of the child or young person are paramount, if you can't attend a suitable deputy, briefed by you, should attend on your behalf.

If you are invited to a CPCC as a participant your role is to:

- understand why you have been invited to attend and to participate in the CPCC;
- make every effort to attend and/or send a suitably briefed deputy on your behalf, authorised to represent you and/or your service/agency and inform the Chair of this change;
- understand what is expected of you before, during and after a CPCC;
- gather all relevant information pertaining to the child and their family from your service/agency cases files and/or databases; prepare and submit your contribution to the Child's Plan and/or assessment within agreed timescales prior to the CPCC;
- ensure that your contribution to the Child's Plan and/or assessment is shared with the child, young person and their family prior to the CPCC taking place;
- ensure that the child, young person, and their family understand your contribution to the Child's Plan and/or assessment and that their views, in their own words, are reflected in any plan and/or assessment;
- ensure that the child, young person and his/her family are supported to express their views and consider Advocacy;
- consider if any individual should be excluded and alert the Chair of the CPCC in advance; identify any information that should be classed as restricted and alert the Chair of the CPCC in advance;
- fully participate in, and meaningfully contribute to, discussions and the decision making at the CPCC;
- share your professional opinion within the discussions and decision making at the CPCC;
- make a decision as to whether a child's name should be placed on, retained on, or removed from the CPR
- check the accuracy of the CPCC minute, highlighting any substantive amendments that change the overall meaning/content and/or changes within the timescales agreed; as minutes are not a verbatim record;
- where appropriate, take part in developing the Child/Young Person's Plan;
- where appropriate, participate in the Core Group Meetings and the implementation and monitoring of the Child/Young Person's Plan; and
- if you are not satisfied with the decision making process at the CPCC, follow the Dispute Resolution process detailed below, advise the Chair in the first instance then alert your Line Manager

Involving Parents/Carers/Guardians at CPCCs

Parents/Carers/Guardians and/or others with parental rights and responsibilities should, where appropriate, be invited to attend CPCCs. If they are to attend, they must be properly prepared, briefed and supported beforehand and empowered to participate. In the majority, if not all of the cases, this role will be undertaken by the Social Worker.

The Chair should encourage the Parents/Carers/Guardians to express their views, while bearing in mind that they may have negative feelings regarding the intervention in their family. The Chair should make sure that they are informed in advance about how the information and discussion will be presented and managed. Parents/Carers/Guardians may want to bring someone to support them when they attend a CPCC. This may be a friend or another family member and agreeing to this request is at the discretion of the Chair.

Involving Children/Young Persons at CPCCs

Consideration should be given to inviting children and young people to CPCCs and making them feel as comfortable as possible within the process. CPCCs can be an uncomfortable environment for children and young people to attend and the child or young person's age, capacity, developmental stage and the emotional impact of attending a CPCC should be considered.

A decision not to invite the child or young person to a CPCC should be verbally communicated to them, unless there are legitimate reasons not to do so.

Children and young people attending CPCCs should be prepared beforehand so that they can participate in a meaningful way and thought should be given to making the CPCC meeting as child and family friendly as possible. In the majority, if not all of the cases, this will be the role undertaken by the Social Worker. If it is decided not to invite the child or young person, or they don't attend, this should be accurately recorded in the CPCC Minute.

Prior to a CPCC taking place, the Chair should meet with the child or young person to explain the process and answer any questions the child or young person may have. Consideration should also be given to the use of an Advocate for the child or young person. It is crucial that the child or young person's views are obtained by the team around the child, presented, considered and recorded during the CPCC, regardless of whether or not they are present.

Where the child or young person has additional support needs and/or is disabled, consideration should be given to whether they will need support to express their views. Where English is not their first language, the use of an Interpreter should also be considered.

Reasons for agreeing that older children and young people should or should not attend a CPCC meeting should be noted, along with details of the factors that led to the decision. These should be recorded in the CPCC Minute.

5.0 Closed Sessions and Exclusions

Closed Sessions

Any professional, or the child involved may ask for a closed session, during which time they may share information with other professionals, which they cannot share with the parents or other representatives. They should inform (or, in the case of the child asking, be enabled to inform) the Chairperson before the CPCC if they want a closed session and give clear justification as to the reasons why.

The Chair will then consider the request carefully and decide if a closed session is required. If the closed session is approved by the Chair, the information that is shared in the closed session is **not** to be shared with any other person without the explicit permission of the provider.

Closed session information can include:-

- sub-judice information that forms part of legal proceedings and which could compromise those proceedings;
- information from a third party that could identify them if shared;
- information about an individual that may not be known to others, even close family members, such as medical history and intelligence reports; and
- information that, if shared, could place any individual(s) at risk, such as a home address or school which is unknown to an ex-partner.

Exclusions

A decision to exclude someone from all, or part of a CPCC, rests with the Chair of the CPCC. The reasons for deciding to exclude someone from all or part of a CPCC can include the following:

- there is strong risk of violence or intimidation at or following the CPCC;
- the Police and/or the Procurator Fiscal (if criminal proceedings have begun) are concerned by an alleged perpetrator's attendance;
- confidential information regarding another person needs to be discussed;
- there are serious concerns about the well-being of the family member should they attend;
- someone is clearly under the influence of drugs or alcohol to the extent that their participation in the CPCC would be disruptive;
- a parent/adult has a bail legal restriction order; and
- it is not in the child's best interest for them to attend i.e. alleged perpetrator

In every instance, where someone has been excluded, the Chair of the CPCC should record their reasons in the minutes and the exclusion should only be for as long as is necessary.

Any practitioner can request the exclusion of an individual from the CPCC. Such a request must be made directly to the Chair of the CPCC. The Chair should discuss the request with the relevant practitioner and if necessary with his/her Supervisor/Line Manager, before coming to a decision about whether to exclude.

Where a Parent/Carer/Guardian has been excluded from the CPCC, the Chair must make arrangements to ensure they are informed of the decisions of the CPCC, within 24 hours of the decisions being made.

Note – there is a Zero Tolerance approach to aggression or intimidation at CPCCs. The Chair will exclude any person who exhibits this type of behaviour and the Police may be called if required. It is expected that the Chair AND all the professionals at CPCC will act accordingly to respectfully manage the situation (a break may be required). The Chair will then make an informed decision, with the views of those present, as to continue with the CPCC or promptly re-schedule.

6.0 Quorum and Decision Making

Quorum

It is important to remember that if you are invited to attend a CPCC, you **MUST** attend. If you are unable to do so, you may wish to consider sending a deputy, suitably briefed and authorised to represent you and/or your service/agency.

All CPCCs must remain quorate at all times. There should never be a single service or agency CPCC.

Ideally, at least **three** individual services or agencies should be present, before a CPCC proceeds. However, situations may arise whereby only two services or agencies are present. In these circumstances, the Chair of the CPCC has the discretion to decide whether or not the CPCC should go ahead. It should only go ahead if he or she is satisfied that all the essential information is available, particularly from the key services and agencies involved. The Chair will contribute to the decision about registration in these circumstances.

Decision Making

All participants at a CPCC have a responsibility to contribute to the decision as to whether or not to place or retain the child or young person's name on the CPR. All participants at a CPCC have an equal part to play in this decision making process. The Chair must ask each participant individually for their decision on registration which will be recorded in the minute.

The Chair will also seek the views of the child/young person and the parent/carers/guardians and ensure they are recorded. The Chair must ensure that the decision letter is sent, within **one** working day, to the child/young person (where appropriate) or their parents/carers/guardians and/or representatives.

Where there is no clear consensus in decision making process, the Chair of the CPCC will use his or her professional judgement to make the final decision, based on an analysis of the risks, the evidence, and/or the issues raised.

In these circumstances, the decision making process needs to be subjected to independent scrutiny from a senior member of staff with no involvement with the child or young person, their family, in the case of the CPCC meeting. In the first instance this should be referred to the Head of Integrated Children's Services.

What possible outcomes are there from CPCCs?

At a Pre-Birth or Initial CPCC, participants will decide whether to place, or not to place, a child or young person's name on the CPR.

At a Review CPCC, participants will decide whether to retain, or remove a child or young person's name on the CPR or change the categories of registration.

The decision to do so is based on the level of significant risk of harm and/or abuse and/or of the likelihood of future significant harm from abuse or neglect.

Dispute Resolution

CPCCs are non-statutory meetings and have no legal status. Dispute resolution is a way of managing:

- challenges about the multi-agency child protection process;
- challenges about the decision making and outcomes generated at CPCCs;
- challenges by children/young people or their parents/carers/guardians and/or representatives about the CPCC meeting decisions; and
- complaints about practitioner behaviour.

Q. What if a practitioner wishes to make a complaint about the CPCC process, the decision making or the behaviour of another practitioner?

All services and/or agencies involved in child protection work have clear complaints procedures, which should be followed where there is a complaint about an individual practitioner.

Where a member of staff wishes to raise an issue about the CPCC process or disagrees with the decision making at the CPCC meeting, they should go through their normal service and/or agency Line Management/Supervision arrangements.

Q. What if a child/young person or their parents/carers/guardians and/or representatives wish to make a complaint about the CPCC process, decision making or the behaviour of another practitioner, service and/or agency?

If the complaint is about a specific practitioner, or their service and/or agency, then they should follow that service and/or agency's complaints procedures.

Children and young people and/or their parents/carers/guardians who are subject of CPCCs may request the Head of Integrated Children's Services review the decision making process of the CPCC, where they do not accept or agree with that decision.

Any child/young person or their parents/carers/guardians and/or representatives, wishing such a review should write to the Head of Integrated Children's Services within 14 days of the CPCC taking place.

The Head of Integrated Children's Services may appoint an independent and suitable senior member of staff (from across Children's Services) to carry out this review on his or her behalf. The decision of CPCC will only be reviewed where one or more of the following criteria apply:

- relevant information was not available to the original CPCC;
- there are reasonable grounds to suggest that inaccurate or insufficient information was presented to the CPCC; and
- there are reasonable grounds to suggest that the decision reached by CPCC was unreasonable in light of the evidence provided to the CPCC.

Review Stage 1

Where it appears to the Head of Integrated Children's Services that the complainant is unclear about the basis of a decision making of the CPCC, he/she may request the Chair of

the CPCC to meet with the complainant in order to clarify the reason for the decision and attempt to seek a resolution.

Where information is presented to the Head of Integrated Children's Services, which was apparently not available to the original CPCC, or where inaccurate information appears to have been presented, the Head of Integrated Children's Services will:

- confirm whether this was the case;
- assess the potential impact of this information against the decision making taken at the CPCC and liaise with the Chair of the CPCC; and
- determine whether, in light of the above, it may be appropriate to refer the matter back to a CPCC for a further review.

Only where the decision/recommendations of the CPCC do not appear to have been informed by key information presented to CPCC, the Head of Integrated Children's Services may remit the matter back to the Chair of the CPCC for their comments and, exceptionally, may thereafter ask them to convene another CPCC and ask it to review its decision.

Whichever route is followed, the Head of Integrated Children's Services will write to the complainant within 14 days of receipt of their request for review of the CPCC decision and will advise them of the review process to date and the proposed course of action, if any. Where the Head of Integrated Children's Services remits back to the Chair of the CPCC with their comments, they shall advise the child/young person or their parents/carers/guardians and/or representatives within 14 days, in writing, of the outcome of the review process. Practice issues that are highlighted should be forwarded to the Child Protection Co-ordinating Group.

Review Stage 2

Where the child/young person or their parents/carers/guardians and/or representatives do not accept the outcome of the review process undertaken by the Head of Integrated Children's Services at Review Stage 1, it shall be open to the Head of Integrated Children's Services to call a Review Panel Meeting in order to consider the decisions/recommendations reached by the CPCC.

This will only take place if a child/young person or their parents/carers/guardians and/or representatives does not accept the outcome of Stage 1 of the review process and it appears to the Head of Integrated Children's Services that either:

- inaccurate or misleading information was provided to CPCC which impacted significantly upon its decision making; and
- there are clear grounds for believing that the decisions made were not warranted by the information presented to the CPCC.

It is suggested that the Review Panel may comprise of:

- the Head of Integrated Children's Services;
- a senior Health Professional in Child Protection;

- a senior member of Education Staff in Child Protection;
- a senior Police representative in Child Protection;
- the Partnership Officer for Child Protection; and
- the Voluntary Sector representative who sits on the Moray CPC.

Decision by Review Panel

The decision by the Review Panel will be final.

Should the child/young person or their parents/carers/guardians and/or representatives still not accept the outcome of this review process, it will be open to them to pursue the formal statutory complaints procedure which should be communicated to them by a member of the Review Panel.

7.0 Minutes of CPCCs

Written or typed minutes are an essential part of all CPCCs and should be noted by a suitably trained clerical worker. The minute taker should perform no other role at the CPCC.

Minutes should be presented in a consistent format and in keeping with the Agenda. Minutes should initially be checked by the Chair of the CPCC for accuracy, before being circulated to all the participants for **within 15 calendar days of the CPCC**.

Minutes should be watermarked appropriately prior to any circulation. Copies should be placed appropriately in the child or young person's service and/or agency case file notes and where relevant, stored securely on their respective service and/or agency electronic files.

Minutes should also be provided to the child or young person and their parents/carers/guardians and/or representatives who attended the CPCC. Where they did not attend, failed to attend or only attended part of the CPCC, the Chair will ensure they receive a copy of the minutes.

Any inaccuracies in the minute should be reported to the Chair by those who attended the CPCC **within 21 calendar days of the CPCC**. The Chair should arrange for the minute to be amended and re-circulated as the final minute **within 28 calendar days of the CPCC**. Only those who attended the CPCC can ask the Chair to amend and re-circulate the minute. This can only happen if the minute does not accurately reflect the discussion, statements made, or information provided to the CPCC. The Chair will sign the final agreed minute.

Minutes should, as a minimum, record the following (this is not considered to be an all-inclusive and/or exhaustive list):-

- time, date and place where the CPCC took place;
- who chaired the CPCC;
- those invited to attend, those who attended, those who were absent and those who were excluded;

- whether the child or young person and their parents/carers/guardians and/or other representatives were invited to attend, attended and/or were absent (where appropriate);
- reasons why the child or young person and their parents/carers/guardians and/or other representatives were not invited to attend (where appropriate);
- written reports and assessments requested and actually received;
- a concise but accurate **summary** of the information shared, exchanged and discussed at the CPCC;
- the risks, needs and protective factors identified;
- the views of the child or young person and the views of their parents/carers/guardians and/or other representatives;
- the decisions, reasons for the decisions and note of any disagreement and/or dissent;
- any recommendations made at the CPCC;
- any decision to place (register), not to place, or to remove (de- register) the child or young person on/from the CPR;
- the risk indicators for a child or young person being registered or retained on the CPR (this must be recorded clearly through agreement at the CPCC);
- the outline of the Child's Plan agreed at the meeting, detailing the required outcomes, timescales and contingency plans (first Core Group Meeting can explore fully);
- the name of the Lead Professional;
- initial membership of the Core Group and
- suggested date and/or timescales for the Review CPCC to take place on/by.

If there has been a closed session a minute should be taken and held in the restricted section of the child's case file, should any professional wish to access this section of the minute they should contact the Lead Professional.

All draft copies of minutes must be destroyed upon receipt of the final, agreed minute. All minutes should be stored in accordance with local policy and data protection regulations.

8.0 Written Reports and Administration of CPCCs

Written Reports

All those attending a case conference have a duty to prepare thoroughly. Agency reports and contributions to the Child's Plan provided should organise the information that has informed the assessment in a succinct way to help those attending to contribute more effectively.

These should include information pertaining to significant adults in the child or young person's life and provide a clear overview of the risks, needs, vulnerabilities, protective factors and the child or young person's views.

Other siblings, children and young people in the household or extended family should also be considered. The CPCC needs a clear recommendation as to whether registration on the CPR is required and suggestions or recommendations for the Child's Plan. These need to be clearly communicated to the child or young person and their parents/carers/guardians before the CPCC.

The conference will be more effective if the chair, child, parent, carers and others invited have time to read and consider reports beforehand. Therefore they **must be received** by the Chairperson at least **two** working days before an Initial CPCC and, in the case of a Review CPCC, **five** working days. – under review from Child's Planning meeting February 2016.

Reports should be made available to those attending the CPCC at least **one** working day in advance. The child/young person or their parents/carers/guardians and/or representatives should have the opportunity to see, and make comment on, reports, recommendations and Child's Plan in advance of the CPCC. All reports to the Chair will be sent by email. Agency reports, signed by the author, will be stored in the child's file.

In very exceptional circumstances, when an agency report cannot be circulated in advance, it is the responsibility of the agency worker attending the case conference to ensure that they provide a sufficient number of reports for those attending (including child/young person or their parents/carers/guardians and/or representatives) the on the day. The Chair must ensure that everyone attending has had the opportunity to read and understand all reports tabled. If this is not possible then the reasons why should be recorded in the Minute.

The author of a report should discuss the content with the parent and child prior to the CPCC. Their views on the accuracy and relevance of the report and any recommended actions will be crucial to the discussion that takes place in the CPCC.

Administration

The Chairperson is responsible for making sure that administration (as detailed in this guidance) of case conferences is adhered to. They are also responsible for making sure that the decisions from case conferences and reviews are recorded clearly, noting any major issues or disagreement, and that the minutes are sent out.

A decision letter detailing the outcome of the CPCC will be sent to the child/young person or their parents/carers/guardians and/or representatives **the next working day** after the CPCC. Full decisions of the CPCC with any recommendations will be sent to all participants within **five** calendar days of the CPCC.

The minute of the CPCC will be sent out within **fifteen** calendar days after the CPCC to all those invited to the conference, whether they attended or not. The Chair of the CPCC must ensure that they sign the minute, and if this is not possible the responsibility will rest with the Corporate Parenting Manager.

Cancellation

It is the responsibility of the Chairperson to ensure that all parties are informed, as soon as possible, in the event of a CPCC being cancelled or rearranged. It may be necessary for the chairperson to request assistance and tasks may be delegated to area teams.

9.0 Child's Plan and Core Group Meetings

Child's Plan

Prior to attending a CPCC all professionals should have discussed and considered their contribution to the Child's Plan and what outcomes for children they hope to achieve. Where there is a recommendation to the CPCC that a child's name should not be placed on the Register, a Child's Plan may still be required to address any wellbeing concerns.

The Child's Plan should:

- make provision to protect the child from safe and protected harm;
- make sure that the child's wellbeing needs are met;
- identify any further assessment necessary and who is responsible for completing this;
- incorporate any work currently ongoing with the family that can contribute to meeting the child's needs and ensuring his/her safety;
- clearly state what SMART objectives need to be achieved in order to improve outcomes for the child;
- be designed to help bring about changes in the family so that risk is reduced;
- recommend the services to be offered to the child, family members and carers by each agency, naming who in each agency will carry out specific pieces of work and set out timescales for these;
- set out clear arrangements for communication between agencies;
- identify who will co-ordinate and constitute any core group of staff who will meet with the child, family, and carers to set out the detailed plan of how risk will be reduced and the wellbeing of the child promoted.
- set the date of the Core Group meeting and any team around the child (TAC) meetings.

All parents and carers and the child (if appropriate) will be sent the decisions and Child's Plan. Those parents and carers and children at the CPCC will also be sent a copy of the minutes. The final minute will be sent to parents regardless of whether they have or have not attended, excluding information from the closed session where appropriate.

Core Group Meeting

What is the purpose of a Core Group Meeting?

The purpose of a Core Group Meeting is for a small group of identified professionals (TAC), including the Lead Professional, the child/young person (where appropriate) or their parents/carers/guardians and/or representatives, to implement, monitor and review the Child's Plan, and their respective roles/tasks following the Initial CPCC and registration on the CPR.

The Core Group is responsible for ensuring that the Child's Plan remains focused on improving outcomes for the child or young person by reducing the risks.

The functions of a Core Group include:

- ensuring the NRAF is regularly reviewed and updated as a component part of the Child's Plan;
- implementing, monitoring and reviewing the Child's Plan so that the focus remains on improving outcomes for the child or young person. This will include evaluating the impact of work done and/or changes within the family in order to decide whether risks have increased or decreased;
- maintaining effective communication between all practitioners, services and/or agencies involved with the child or young person and the parents/carers and/or representatives;
- activating contingency plans promptly when progress is not made or circumstances deteriorate;
- discussing re-registration and/or de-registration prior to a Review CPCC taking place;
- reporting to the Review CPCC on progress; and
- referring any significant changes in the Child's Plan, including non-engagement of the family to the CPCC Chair.

Where appropriate and agreed, the child or young person should be part of the Core Group. Consideration of the involvement of the child or young person should take cognisance of their age, capacity and the emotional impact of attending a meeting to discuss the risks to them. Children and young people attending must be prepared beforehand to allow them to participate in a meaningful way. It is crucial that their views are obtained, presented and considered during the meeting.

The Child Protection Core Group should provide a less formal way for children, young people and their parents/carers and/or representatives to interact with practitioners, service and/or agency providers. Where parents or children are unable or unwilling to attend the meetings, their views should be sought and represented within the meeting, either in written form or through their views being presented verbally. These views should be recorded within the minutes of the meeting.

Members of the Child Protection Core Group should be kept to a minimum, without compromising the planning or protective process. Too many practitioners at the Core Group can adversely affect parental attendance and contribution. Only relevant people should be invited.

All Core Group Meetings should have a designated minute taker and these minutes should be agreed and distributed within **fifteen** calendar days of each meeting. These minutes should also be stored in the child's file and a copy sent to the reviewing team.

10.0 Timescales

Notification of Concern to Initial Case Conference	The Initial Conference should be held no later than 21 calendar days from the notification of concern where a decision has been made to convene a case conference. Where a decision to convene a conference arises from an accumulation of concerns the conference should be held no later than 14 calendar days of the decision to convene .
Invitations	Participants should be given a minimum of 5 working days notice of the decision to convene a CPCC whenever possible.
Review CPCC	The First Review CPCC must be held within 3 months from the Initial CPCC. Thereafter Reviews should take place six monthly or earlier if circumstances change.
Transfer CPCC	The Transfer CPCC must be held within 21 calendar days from notification that the child has permanently moved into the area.
Pre-birth CPCC	The CPCC should take place no later than at 28 weeks pregnancy , or in the case of late notification of pregnancy as soon as possible from the Notification of concern and in any case within 21 calendar days .
Core Group	The Initial Core Group meeting should be held within 15 calendar days from the Initial CPCC and at a minimum, every 6 weeks following that meeting .
Minutes	Participants should receive the Minutes within 15 calendar days of the CPCC.
Child's Plan	Participants should receive a copy of the agreed Child's Plan within 5 calendar days of the CPCC.
Changes to Child's Plan	Where a Core Group identifies the need to make significant changes to the Child's Plan they must notify the CPCC Chair of this within 3 calendar days .

NOTE - Failure to adhere to the timescales detailed in this guidance must be reported to the Chair of the CPCC without delay.

11.0 Equalities Statement

The Equality Act 2010 imposes a duty on public authorities to have due regard to the need to eliminate unlawful discrimination, promote equality of opportunity and to foster good relations between groups who share a protected characteristic and those who don't. The protected characteristics under the Act are: sex, race, disability, pregnancy and maternity, religion or belief, sexual orientation, marriage and civil partnership and gender reassignment.

Partners in the Moray Community Planning Partnership (CPP) will not and do not discriminate on any grounds. They advocate and are committed to equalities and recognises their responsibilities in this connection. They will ensure the fair treatment of all individuals and where any individual feels that they have been unfairly discriminated against, that individual shall have recourse against the partner to whom the concern relates to in line with that partners grievance and harassment procedures.

In relation to equality of information provision, partners will ensure that all communications with individuals are in plain English, and shall publish all information and documentation in a variety of formats and languages. Where required, partners will use the services of their translation team to enable effective communication between them and the individual. Where an individual has sight, hearing or other difficulties, the partner will arrange for information to be provided in the most appropriate format to meet that individual's needs. The partner will also ensure that there are no physical barriers that could prohibit face to face communications.

12.0 Data Protection

The Data Protection Act 1998 governs the way information is obtained, recorded, stored, used and destroyed. The Moray CPP partners comply with all the requirements of the Act and ensure that personal data is processed fairly and lawfully, that it is used for the purpose it was intended and that only relevant information is used. The Moray CPP partners will ensure that information held is accurate, and where necessary kept up to date and that appropriate measures are taken that would prevent the unauthorised or unlawful use of any "personal information".

13.0 Freedom of Information

The purpose of the Freedom of Information (Scotland) Act 2002 is to "provide a right of access by the public to information held by public authorities". In terms of section 1 of the Act, the general entitlement is that a "person who requests information from a Scottish public authority which holds it is entitled to be given it by the authority". Information which a person is entitled to is the information held by the public authority at the time that the request is made. This is a complex area of the law that can overlap with the Data Protection Act and other legislation.

All Freedom of Information requests are to be sent to the relevant partner.

14.0 Human Rights Act

In October 2007 the three equalities commissions: Racial Equality, Disability Rights and Equal Opportunities were merged to form one Commission: The Equality & Human Rights Commission (Scotland).

The main aspects covered in the Human Rights Act 1998 are:

Right to life; protection from torture; protection from slavery and forced labour; right to liberty and security; right to a fair trial; no punishment without law; right to respect for private and family life; freedom of thought, belief and religion; freedom of expression; freedom of assembly and association; right to marry; protection from discrimination; protection of property; right to education and right to free elections.

Public authorities must ensure that they don't act in breach of the Human Rights Act. All parts of this policy and associated procedures will comply with the Human Rights Act.

15.0 Performance Monitoring

In order to comply with its service commitments, the Moray CPP sets performance standards in relation to its policies' and will monitor its achievement of these standards.

16.0 Review and Feedback

This policy will be reviewed on 1 June 2018 and every 3 years after that. Feedback can be sent to Stuart Lamberton, Partnership Officer for Child Protection, and will be included in the next review.