

# **PROTOCOL FOR SITUATIONS WHEN REPORTER DECISION ON REFERRAL DIFFERS FROM LOCAL AUTHORITY RECOMMENDATION**

**BETWEEN  
SCRA GRAMPIAN LOCALITY  
AND MORAY COUNCIL  
Version 1 August 2018**

## **Key Principles**

1. SCRA is independent of the local authority and Reporters are independent decision-makers entitled to make a decision on a referral that differs from the recommendation of the local authority.
2. Timeous decision-making on referrals is important and nothing about this protocol should lead to unnecessary delay in decision-making.
3. Where the Reporter's decision differs from the recommendation of the local authority there may be a number of different reasons for that and it is important that the reasons are effectively communicated.
4. In many cases, where the Reporter's decision differs from the recommendation of the local authority, there is an opportunity for learning or increased understanding. That can and should take place by good direct communication between the case social worker and the Reporter.
5. In rare cases it will be appropriate to escalate such cases for a further review.
6. The learning that arises from the operation of this protocol and from such reviews should be disseminated and embedded into practice. The learning shall be identified and incorporated into PRISM learning events 3 times per year.

## **Actions Prior to Reporter Making the Decision**

7. Where the Reporter initiates an investigation into a child that has previously been referred and the local authority are re-referring the child, the Reporter shall highlight any gaps or missing information from the previous assessment to allow the local authority to focus the provision of information and address the gaps where possible.
8. When the Reporter is considering a final decision that differs from the recommendation of the local authority, the Reporter shall make reasonable efforts to contact the case social worker / report writer or their manager to advise of the decision and reasons prior to making the final decision. However, the Reporter is not to unnecessarily delay making a decision when the social worker is not available.

9. Where the decision is not to refer the child to a hearing, in communicating the reasons for their decision to the local authority, the Reporter shall address whether there was lack of evidence for a ground or no case for compulsion.

### **Re-referral**

10. It is open to the local authority to re-refer a child at any time. When the local authority are considering making a re-referral for a child where the decision has previously been not to refer to a hearing they should consider the previous gaps in information / evidence and address these so far as possible in making their new referral.

### **Procedure to Escalate for Review**

11. Where, despite the communication referred to above at para. 7-9, there is no resolution between the local authority and the Reporter regarding the decision, the following is the procedure to escalate for review:-
  - a) Cases should be escalated for review very rarely and only after going through the steps outlined in this protocol at 7-9.
  - b) The case social worker should approach their Line Manager in the first instance and seek approval to escalate.
  - c) Once the line manager agrees, notification should be given to the Head of Integrated Children's Services and Chief Social Work Officer.
  - d) Where deemed appropriate, the Head of Integrated Children's Services will notify the Locality Reporter Manager for a review to take place.
  - e) The Head of Integrated Children's Services and Locality Reporter Manager will review the information available and a discussion will take place between them about any learning points and actions identified.
  - f) The learning points will be addressed with individual staff where appropriate and, where there is wider learning, this will be addressed in accordance with para. 6 of the protocol.

### **Monitoring and Review**

12. The operation of this protocol will be monitored and reviewed on a quarterly basis via the Moray multiagency Liaison Group.

Roma Bruce Davies,  
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