



Children and Social Work Act 2017

2017 CHAPTER 16

PART 1

CHILDREN

CHAPTER 2

SAFEGUARDING OF CHILDREN

Child death reviews

24 Child death reviews

After section 16L of the Children Act 2004 (inserted by section 23 of this Act) insert—

“Child death review partners for local authority areas

16M Child death reviews

- (1) The child death review partners for a local authority area in England must make arrangements for the review of each death of a child normally resident in the area.
- (2) The child death review partners may also, if they consider it appropriate, make arrangements for the review of a death in their area of a child not normally resident there.
- (3) The child death review partners must make arrangements for the analysis of information about deaths reviewed under this section.
- (4) The purposes of a review or analysis under this section are—
 - (a) to identify any matters relating to the death or deaths that are relevant to the welfare of children in the area or to public health and safety, and

Status: This is the original version (as it was originally enacted).

- (b) to consider whether it would be appropriate for anyone to take action in relation to any matters identified.
- (5) Where the child death review partners consider that it would be appropriate for a person to take action as mentioned in subsection (4)(b), they must inform that person.
- (6) The child death review partners for a local authority area in England must, at such intervals as they consider appropriate, prepare and publish a report on—
 - (a) what they have done as a result of the arrangements under this section, and
 - (b) how effective the arrangements have been in practice.”

25 Information

After section 16M of the Children Act 2004 (inserted by section 24 of this Act) insert—

“16N Information

- (1) Any of the child death review partners for a local authority area in England may, for the purpose of enabling or assisting the performance of functions conferred by section 16M, request a person or body to provide information specified in the request to—
 - (a) the child death review partner or any other child death review partner for the area, or
 - (b) another person or body.
- (2) The person or body to whom a request under this section is made must comply with the request.
- (3) The child death review partner that made the request may enforce the duty under subsection (2) against the person or body by making an application to the High Court or the county court for an injunction.
- (4) The information may be used by the person or body to whom it is provided only for the purpose mentioned in subsection (1).”

26 Funding

After section 16N of the Children Act 2004 (inserted by section 25 of this Act) insert—

“16O Funding

- (1) The child death review partners for a local authority area in England may make payments towards expenditure incurred in connection with arrangements under section 16M—
 - (a) by making payments directly, or
 - (b) by contributing to a fund out of which payments may be made.
- (2) The child death review partners for a local authority area in England may provide staff, goods, services, accommodation or other resources to any person for purposes connected with arrangements under section 16M.”

27 Combining child death review partner areas and delegating functions

After section 16O of the Children Act 2004 (inserted by section 26 of this Act) insert—

“16P Combining child death review partner areas and delegating functions

- (1) The child death review partners for two or more local authority areas in England may agree that their areas are to be treated as a single area for the purposes of sections 16M to 16O and subsections (3) and (4) of this section.
- (2) References in sections 16M to 16O and in subsections (3) and (4) of this section to a local authority area are to be read in accordance with any agreement under subsection (1).
- (3) Where a local authority is a child death review partner for the same local authority area as another local authority (as a result of an agreement under subsection (1)), the authorities may arrange for one of them to carry out functions under sections 16M to 16O on behalf of the other.
- (4) Where a clinical commissioning group is a child death review partner for the same local authority area as another clinical commissioning group, the groups may arrange for one of them to carry out functions under sections 16M to 16O on behalf of the other.”

28 Guidance and interpretation

After section 16P of the Children Act 2004 (inserted by section 27 of this Act) insert—

“16Q Guidance and interpretation

- (1) The child death review partners for a local authority area in England must have regard to any guidance given by the Secretary of State in connection with functions conferred on them by sections 16M to 16P.
- (2) In this section and sections 16M to 16P “child death review partners”, in relation to a local authority area in England, means—
 - (a) the local authority;
 - (b) any clinical commissioning group for an area any part of which falls within the local authority area.”