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WELSH STATUTORY INSTRUMENTS

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**2012 No. 1712 (W.222)**

**CHILDREN AND YOUNG PERSONS, WALES**

**The Local Safeguarding Children Boards  
(Wales) (Amendment) Regulations 2012**

<i>Made</i>	- - - -	<i>30 June 2012</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>3 July 2012</i>
<i>Coming into force</i>	- -	<i>1 January 2013</i>

The Welsh Ministers, in exercise of the powers conferred on them by sections 32(2) and (3), 34(1) and 66(1) of the Children Act 2004<sup>(1)</sup> make the following Regulations:

**Title, commencement, application and interpretation**

1.—(1) The title of these Regulations is the Local Safeguarding Children Boards (Wales) (Amendment) Regulations 2012.

(2) These Regulations come into force on 1 January 2013.

(3) These Regulations apply in relation to Wales.

(4) In these Regulations “the Principal Regulations” (“*y Prif Reoliadau*”) means the Local Safeguarding Children Boards (Wales) Regulations 2006<sup>(2)</sup>.

**Amendment of regulation 2 of the Principal Regulations**

2.—(1) In regulation 2(1) of the Principal Regulations (interpretation)—

(a) omit the definitions of “overview report” (“*adroddiad trosolwg*”) and “serious case review” (“*adolygiad achos difrifol*”);

(b) insert the following into the list of definitions in the appropriate places in the alphabetical order—

““action plan” (“*cynllun gweithredu*”) means a written plan produced by the Board at the same time as the child practice review report, detailing action to be taken by the representative bodies as a result of the findings and recommendations of a child practice review report;

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(1) The power conferred on the National Assembly for Wales to make regulations under the Children Act 2004 was transferred to the Welsh Ministers under Schedule 11 to the Government of Wales Act 2006.

(2) [S.I.2006/1705 \(W.167\)](#).

“child practice review” (“*adolygiad ymarfer plant*”) means either a concise child practice review as provided for in regulation 4A(3) or an extended child practice review as provided for in regulation 4A(4);

“child protection register” (“*cofrestr amddiffyn plant*”) means a list created and held by a local authority which contains the names of children who are the subject of a child protection plan as a result of a decision of a child protection conference that the child is at continuing risk of significant harm in the form of physical abuse, emotional abuse, sexual abuse or neglect;

“in writing” (“*yn ysgrifenedig*”) means electronically or in manuscript;

“looked after child” (“*plentyn sy'n derbyn gofal*”) means a child looked after by a local authority under section 22(1) of the Children Act 1989(3);

“multi-agency learning event” (“*digwyddiad dysgu amlasiantaethol*”) is an event which forms part of the child practice review process to which the Board invites practitioners and managers from representative bodies and any other bodies or persons deemed relevant by the Chair of the Board and who are or have been involved with the child(4) who is the subject of the review, with the purpose of improving future child protection policy and practice;

“multi-agency professional forum” (“*fforwm proffesiynol amlasiantaethol*”) means a forum, arranged and facilitated by the Board for practitioners and managers from representative bodies and other bodies or persons deemed relevant by the Chair of the Board, with the purpose of learning from cases, audits, inspections and reviews in order to improve future child protection policy and practice.”

(2) In regulation 3(1)(e) of the Principal Regulations (Functions of a Board in relation to its objective) for the words “serious case reviews” substitute “child practice reviews”.

### **Revocation of regulation 4 of the Principal Regulations and insertion of regulations 4A and 4B**

3. Regulation 4 of the Principal Regulations is revoked and substituted by the following regulations—

#### **“Child practice reviews**

**4A.—**(1) A Board must undertake child practice reviews in accordance with this regulation.

(2) The purpose of a child practice review is to identify any steps that can be taken by Board partners or other bodies to achieve improvements in multi-agency child protection practice.

(3) A Board must undertake a concise child practice review in any of the following cases where, within the area of the Board, abuse or neglect of a child is known or suspected and the child has—

- (a) (i) died; or
  - (ii) sustained potentially life threatening injury; or
  - (iii) sustained serious and permanent impairment of health or development; and,
- (b) the child was neither on the child protection register nor a looked after child on any date during the 6 months preceding—

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(3) 1989 c. 41.

(4) Section 65(1) of the Children Act 2004.

- (i) the date of the event referred to in sub-paragraph (a)(i) or (a)(ii); or
  - (ii) where sub-paragraph (a)(iii) applies, the date on which a local authority, person or body referred to in section 28 of the Children Act 2004<sup>(5)</sup> or body mentioned in section 175 of the Education Act 2002<sup>(6)</sup> identifies that a child has sustained serious and permanent impairment of health and development.
- (4) A Board must undertake an extended child practice review in any of the following cases where, within the area of the Board, abuse of a child is known or suspected, and the child has—
  - (a)
    - (i) died; or
    - (ii) sustained potentially life threatening injury; or
    - (iii) sustained serious and permanent impairment of health or development; and,
  - (b) the child was on the child protection register and/or was a looked after child on any date during the 6 months preceding—
    - (i) the date of the event referred to in sub-paragraph (a)(i) or (a)(ii); or
    - (ii) where sub-paragraph (a)(iii) applies, the date on which a local authority, person or body referred to in section 28 of the Children Act 2004<sup>(7)</sup> or body mentioned in section 175 of the Education Act 2002<sup>(8)</sup> identifies that a child has sustained serious and permanent impairment of health and development.
- (5) In undertaking a child practice review the Board must—
  - (a) ask each representative body to provide the Board with information in writing about its involvement with the child who is the subject of the review;
  - (b) ensure that the perspective of the child who is the subject of the review is obtained and that the child's perspective contributes to the child practice review process, so far as practicable and appropriate to the circumstances of the case;
  - (c) ensure that the perspectives of members of the family of the child who is the subject of the review are obtained and that these perspectives contribute to the child practice review process, so far as practicable and appropriate to the circumstances of the case;
  - (d) hold a multi agency learning event following receipt of the written information referred to in sub-paragraph (a);
  - (e) in the case of a concise child practice review, ensure that the multi - agency learning event referred to in sub-paragraph (d) is organised and facilitated by a single reviewer appointed by the Board;
  - (f) in the case of an extended child practice review, ensure that the multi - agency learning event referred to in sub-paragraph (d) is organised and facilitated by two reviewers appointed by the Board;
  - (g) ensure that any reviewer referred to in sub-paragraph (e) or (f) is independent of direct involvement in case work or case management in respect of the child who is the subject of the review;
  - (h) produce a child practice review report which recommends action to be taken following the multi - agency learning event;

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<sup>(5)</sup> 2004 c. 31.  
<sup>(6)</sup> 2002 c. 32.  
<sup>(7)</sup> 2004 c. 31.  
<sup>(8)</sup> 2002 c. 32.

- (i) ensure that the child practice review report does not reveal the identity or whereabouts of the child who is the subject of the review or the child's family;
- (j) produce an action plan detailing action to be taken by the representative bodies to implement the recommendations of the child practice review report;
- (k) provide the child practice review report and action plan to the Welsh Ministers;
- (l) make the child practice review report publicly available;
- (m) undertake periodic progress reviews on the implementation of the action plan;
- (n) provide a written report to the Welsh Ministers following any progress review referred to in sub-paragraph (m), reporting on progress in implementing the action plan and the impact on child protection policy and practice in Wales;
- (o) have regard to any guidance given to it by the Welsh Ministers, in exercising its functions under this regulation.

**Multi-agency professional forums**

**4B.** The Board must arrange and facilitate an annual programme of multi-agency professional forums.”

*Gwenda Thomas*  
Deputy Minister for Children and Social  
Services under the authority of the Minister for  
Health and Social Services under the authority of  
the Welsh Ministers

30 June 2012

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the Local Safeguarding Children Board (Wales) Regulations 2006 which provide for functions of Welsh Local Safeguarding Children Boards in relation to the objective set for them by section 32 of the Children Act 2004.

These Regulations introduce child practice reviews which replace serious case reviews in Wales which were provided for in regulation 4 of the Local Safeguarding Children Board (Wales) Regulations 2006.

Regulation 3 replaces serious case reviews with child practice reviews.

Regulation 4 makes provision for the carrying out of child practice reviews.

Regulation 5 makes provision for an annual programme of multi-agency professional forums.