



# Children Act 2004

## 2004 CHAPTER 31

### PART 2

#### CHILDREN'S SERVICES IN ENGLAND

#### *[<sup>F1</sup>Child Safeguarding Practice Review Panel*

#### Textual Amendments

- F1** S. 16A and cross-heading inserted (29.6.2018) by [Children and Social Work Act 2017 \(c. 16\)](#), ss. 12, 70(2); S.I. 2018/497, reg. 3(a)

#### **16A Child Safeguarding Practice Review Panel**

- (1) The Secretary of State must establish a panel to be known as the Child Safeguarding Practice Review Panel.
- (2) The Secretary of State may make any arrangements that the Secretary of State considers appropriate for the establishment of the Panel in accordance with this section.
- (3) The Panel is to consist of a chair and members appointed by the Secretary of State.
- (4) A person may be appointed for a particular period or otherwise.
- (5) The Secretary of State may remove the chair or a member of the Panel if satisfied that the chair or member—
  - (a) has become unfit or unable to discharge his or her functions properly, or
  - (b) has behaved in a way that is not compatible with continuing in office.
- (6) The arrangements that may be made by the Secretary of State under subsection (2) include arrangements about—
  - (a) the Panel's proceedings;
  - (b) annual or other reports.

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*Changes to legislation: There are currently no known outstanding effects for the Children Act 2004,  
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- (7) The Secretary of State may provide staff, facilities or other assistance to the Panel (and the arrangements that may be made under this section include arrangements about those matters).
- (8) The Secretary of State may pay remuneration or expenses to the chair and members of the Panel.]

**[<sup>F2</sup>16B <sup>F2</sup>Functions of the Panel**

- (1) The functions of the Child Safeguarding Practice Review Panel are, in accordance with regulations made by the Secretary of State—
  - (a) to identify serious child safeguarding cases in England which raise issues that are complex or of national importance, and
  - (b) where they consider it appropriate, to arrange for those cases to be reviewed under their supervision.
- (2) The purpose of a review under subsection (1)(b) is to identify any improvements that should be made by safeguarding partners or others to safeguard and promote the welfare of children.
- (3) Where the Panel arrange for a case to be reviewed under their supervision, they must—
  - (a) ensure that the reviewer provides a report on the outcome of the review;
  - (b) ensure—
    - (i) that the reviewer makes satisfactory progress, and
    - (ii) that the report is of satisfactory quality;
  - (c) provide the report to the Secretary of State.
- (4) The Panel must publish the report, unless they consider it inappropriate to do so.
- (5) If the Panel consider it inappropriate to publish the report, they must publish any information relating to the improvements that should be made following the review that they consider it appropriate to publish.
- (6) Regulations under this section may include provision about—
  - (a) criteria to be taken into account by the Panel in determining whether serious child safeguarding cases raise issues that are complex or of national importance;
  - (b) eligibility for appointment as a reviewer;
  - (c) the selection process for appointment of a reviewer;
  - (d) the person who is to select a reviewer;
  - (e) the supervisory powers of the Panel in relation to a reviewer;
  - (f) removal of a reviewer;
  - (g) payments of remuneration or expenses to a reviewer by the Secretary of State;
  - (h) the procedure for a review;
  - (i) the form and content of a report;
  - (j) the time when a report is to be provided to the Secretary of State, or published.
- (7) The Panel must have regard to any guidance given by the Secretary of State in connection with functions conferred by this section.
- (8) Guidance given by the Secretary of State may include guidance about—

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- (a) circumstances in which it may be appropriate for a serious child safeguarding case to be reviewed;
  - (b) matters to be taken into account in deciding whether a review is making satisfactory progress or whether a report is of satisfactory quality.
- (9) In this section—
- a “reviewer” means any one or more persons appointed to review a case under the supervision of the Panel;
  - “safeguarding partners” means persons who, under section 16E, are safeguarding partners in relation to one or more local authority areas in England (see subsection (3) of that section);
  - “serious child safeguarding cases” means cases in which—
    - (a) abuse or neglect of a child is known or suspected by a local authority or another person exercising functions in relation to children, and
    - (b) the child has died or been seriously harmed;
  - “serious harm” includes serious or long-term impairment of mental health or intellectual, emotional, social or behavioural development.]

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**Textual Amendments**

- F2** S. 16B inserted (19.3.2018 for specified purposes, 29.6.2018 in so far as not already in force) by [Children and Social Work Act 2017 \(c. 16\), ss. 13, 70\(2\)](#); S.I. 2018/346, reg. 3(a); S.I. 2018/497, reg. 3(b)

**[<sup>F3</sup>16C Events to be notified to the Panel**

- (1) Where a local authority in England knows or suspects that a child has been abused or neglected, the local authority must notify the Child Safeguarding Practice Review Panel if—
  - (a) the child dies or is seriously harmed in the local authority's area, or
  - (b) while normally resident in the local authority's area, the child dies or is seriously harmed outside England.
- (2) A local authority in England must have regard to any guidance given by the Secretary of State in connection with their functions under this section.
- (3) In this section “serious harm” has the meaning given by section 16B(9).]

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**Textual Amendments**

- F3** S. 16C inserted (29.6.2018) by [Children and Social Work Act 2017 \(c. 16\), ss. 14, 70\(2\)](#); S.I. 2018/497, reg. 3(c)

**[<sup>F4</sup>16D Information**

- (1) The Child Safeguarding Practice Review Panel may, for the purpose of enabling or assisting the performance of a function conferred by section 16B, request a person or body to provide information specified in the request to—
  - (a) the Panel,
  - (b) a reviewer, or

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- (c) another person or body specified in the request.
- (2) The person or body to whom a request under this section is made must comply with the request.
- (3) The Panel 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 Panel, reviewer, or other person or body to whom it is provided only for the purpose mentioned in subsection (1).
- (5) In this section “reviewer” means any one or more persons appointed to review a case under the supervision of the Panel.]

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**Textual Amendments**

- F4** S. 16D inserted (29.6.2018) by [Children and Social Work Act 2017 \(c. 16\)](#), **ss. 15**, 70(2); S.I. 2018/497, reg. 3(d)

**Changes to legislation:**

There are currently no known outstanding effects for the Children Act 2004, Cross Heading:  
Child Safeguarding Practice Review Panel.