



Briefing for:	Children's Safeguarding Policy and Performance Advisory Committee
Title:	The decision to undertake a Section 47 investigation
Lead Officer:	Hilary Corrick, Independent Member
Date:	23 rd January 2014

1. INTRODUCTION

At the September 2013 meeting of the Children's Safeguarding Policy and Performance Advisory Committee members were concerned to understand the rationale for undertaking a child protection investigation. This is known as a Section 47 investigation, since the legal basis for such an investigation is to be found in Section 47 of the Children Act 1989. They wondered whether investigations were undertaken too lightly, with insufficient grounds for concern, or whether there were occasions when child protection enquiries should be carried out, but they are not.

It was agreed that the independent member would audit the child protection investigations carried out in the previous week. This was to avoid any change in practice that might occur when looking at future cases.

2. BACKGROUND

Working Together to Safeguard Children (2013) states clearly that safeguarding children is the responsibility of all agencies and individuals. Members are expected to take a clear lead.

The process envisaged within *Working Together*, is that a local authority social worker should make a clear decision within 24 hours of a referral being received, as to the type of response that is required. If there is



reasonable cause to suspect that the child is suffering, or likely to suffer, significant harm, then enquiries must be made and the child assessed under Section 47 of the Children Act 1989.

Whenever there is reasonable cause to suspect the threshold for Section 47 investigation has been reached (ie, it is thought the child is suffering, or is likely to suffer, significant harm) then a Strategy discussion should be held. A local authority social worker and their manager, a police officer and health professionals should be part of the discussion “as a minimum”. In most local authorities, the initial strategy discussion is likely to be between a social work manager and a police officer on the telephone, although there may well be subsequent strategy discussions with a wider range of professional representation.

The strategy discussion should:

- Share available information
- Agree the conduct and timing of any criminal investigation
- Decide whether enquiries under Section 47 of the Children Act 1989 should be undertaken.

When the decision to undertake a Section 47 investigation has been taken then the Strategy discussion should decide

- The assessment process and timescale
- Immediate and short term action to support the child and who will take it and when
- Whether legal action is required.

This makes it clear that the decision to undertake a Section 47enquiries is not for one agency alone. It is a decision that should always be taken in partnership even when it appears to be clear to the original agency that there is reasonable cause to suspect that a child is suffering, or is at risk of suffering, significant harm.

3. HARINGEY’S POSITION

This is based on year end figures (March – March) 2012/13; Haringey’s more recent figures may be different; these are the latest figures available for other authorities:

As you can see, Haringey’s S47 rate is 4th highest in the group, but close to the comparator average, and the range is considerable. They are lower



than Hackney, higher than Waltham Forest. Haringey's rate is reasonably similar to Lewisham.

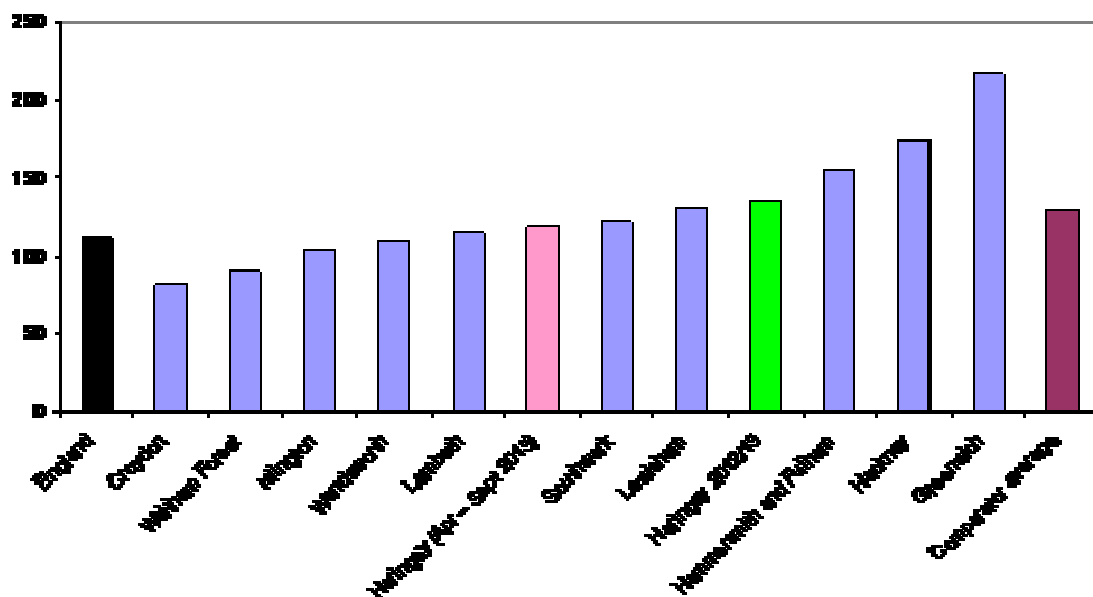
The proportion going to ICPC is high, although this may also have changed. Again, in theory, if Section 47 enquiries are carried out appropriately, there would be an expectation of a high proportion going on to an ICPC.

Local Authority	All children who were subject to section 47 enquiries which started in the year		Children who were the subject of an initial stage child protection conference which took place in the year		% of S47s going to ICPC
	Number	Rate(per 10,000)	Number	Rate	
England	127,060	112	60,080	53	47%
Croydon	730	81	424	47	58%
Greenwich	1,338	216	529	85	40%
Hackney	994	174	291	51	29%
Hammersmith and Fulham	516	155	197	59	38%
Islington	383	104	164	45	43%
Lambeth	694	115	284	47	41%
Lewisham	836	130	325	50	39%
Southwark	725	122	334	56	46%
Waltham Forest	563	90	228	36	40%
Wandsworth	612	109	188	33	31%
Haringey	773	134	406	71	53%
Haringey (Apr – Sept 2013)	343 (686)	119			
Comparator average		129		51	40%

For the first 6 months of this year Haringey's rate has dropped, putting it now somewhat centrally, alongside Lambeth and Southwark, assuming the rate has not changed in other authorities. The Greenwich rate skews the figures; without them the rate would be 119, which is the rate now achieved by Haringey. There is no "right" rate, as we have discussed in the past. In theory, if the number of children coming into the care system is falling, it might be logical to expect the numbers of children subject to child protection processes to increase, unless the early intervention services has significantly improved.



Rate of Section 47 enquiries



4. THE AUDIT

The September CSPPAC at which the decision was made to undertake an audit was held on 17th September. That week there were 4 Section 47s started; the week before that four. I therefore decided to look at the previous 20 cases in order to get a sample of a reasonable size. Some of those enquiries had started early in August, so that the investigations were further forward than cases referred later. I looked at 19 of the cases on Frameworki on 14 – 18th October, and the 20th, to round up the numbers, on 5th November.

Of the 20 cases

- 15 had strategy discussions and/or visits within 5 working days of referral.
- 10 had a strategy discussion and/or a visit on the day of referral
- 15 cases had recorded permission to share information (or not) (PTS)
- 4 of those cases gave explanations around the PTS decision. This included all the cases where PTS was not given.
- 10 cases gave a rationale for the decision to undertake a Section 47 investigation
- There was evidence of supervision in 11 cases, more than once in some cases.



- In 4 cases a MASH meeting gathered and shared information. One case was Mash'd last year, and a further case had had 2 previous MASHes
- I was concerned in two cases (7 and 13) that the threshold for Section 47 enquiries was not met.
- I was concerned about delays and a lack of urgency in 4 cases (6, 14, 15, 16)
- There was evidence of really good work in all of the other cases. I had planned to commend particular cases, but actually the standard was excellent general.

I have given the case summaries in some detail[included in the exempt part of the agenda] so that members can have an idea about the complexity of some of the cases, and the difficult decisions to be made, as well as how the process works.

The audit was at a particular point in time. I have been through each case with the Acting Head of Service, and am aware that many of the cases have moved on significantly. She will add her own commentary to my report.

5. CONCLUSION

These cases demonstrate the difficult decisions social workers are making every day:

Case 4, for example, which had a very positive outcome for this child, and her family, has some presenting similarities at the point of referral to the subject of the recent judicial review and members may wish to reflect on the differing outcomes.

The complexity of case 12 demonstrates the grey area of protecting a child from a parent who could be seen as overly protective.

I was impressed by evidence of some good work in all cases, and some cases were well managed throughout. However, there were significant delays in 2 cases in which there were quite young children at risk, and poor recording in at least 3 cases, including those 2 cases, and this must be of concern to members.



Haringey Council

As a caveat, it needs to be said that I was reviewing case work that had taken place in August and September, when many staff are on holiday and new staff are often coming into post.



Haringey Council