
Report To:	Health & Social Care Committee	Date:	27 February 2020
Report By:	Louise Long Corporate Director (Chief Officer), Inverclyde HSCP	Report No:	SW/25/2020/SMcA
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Subject:	Update on Significant Case Review		

1.0 PURPOSE

- 1.1 This report updates the Committee on the actions taken to initiate the Significant Case Review (SCR) in respect of Ms Margaret Fleming, deceased.

2.0 SUMMARY

- 2.1 Relative to the circumstances of the death of Ms Margaret Fleming, a Significant Case Review has been commissioned by the multi-agency partnerships for child and adult protection within Inverclyde, the Child Protection Committee and the Adult Protection Committee. In the circumstances, the Adult Protection Committee is the lead Committee for this SCR
- 2.2 The arrangements for SCRs have a clear statutory framework and follow set procedures as established by Scottish Ministers. It is a requirement and an essential necessity of due process that any SRC be commissioned through the partnership agency, above.
- 2.3 In terms of this multi-agency approach, both the Child and Adult Protection Committees made a recommendation to the Inverclyde Chief Officers' Group (comprised of the senior officers from each of the partners) to appoint an independent Chair to complete the critical work of the SCR and Professor Jean MacLellan OBE has confirmed her acceptance of this post and on 6 February 2020 the first meeting took place. The SCR has now formally commenced.

3.0 RECOMMENDATION

That the Committee:-

- 3.1 Note the formal commencement of the Significant Case Review for the death of Ms Margaret Fleming, chaired by Professor Jean MacLellan; and
- 3.2 Notes that the outcome of the Significant Case Review will be reported to the Committee in public and to the Inverclyde Integration Joint Board as soon as is practicable.

4.0 BACKGROUND

- 4.1 The Committee will be aware of the criminal prosecution that has taken place of Edward Cairney and Avril Jones in connection with the death of Ms Margaret Fleming. The criminal proceedings concluded on 11 July 2019 and an appeal against both conviction and sentence was thereafter lodged by Mr Cairney.
- 4.2 Prior to events last year, on 17 April 2018, an initial case review process was initiated in respect of the, at the time, alleged death. Advice was received by the multi-agency partners that any initial case review/significant case review process should be deferred until such time as the criminal trial in respect of the matter had been concluded.
- 4.3 On 5 September 2019, a joint meeting of the Adult Protection Committee and the Child Protection Committee was convened to formally conclude that the threshold to proceed with a Significant Case Review had been reached and that the review should be conducted by an independent Chair with experience in the fields of both adult and child protection and that of individuals with additional support needs.
- 4.4 A Significant Case Review is a multi-agency process for establishing facts and for learning lessons from a situation where a person has died or has been significantly harmed. The Care Inspectorate is the central collation point for the evaluation of all Significant Case Reviews and the Care Inspectorate is required to report publicly on any findings from Significant Case Reviews in order to provide independent public assurance on the quality of multi-agency services for child and adult protection. Significant Case Reviews are intended to assist the sharing of any lessons and to promote improvements in child and adult protection across the country.
- 4.5 On 8 January, Professor MacLellan intimated her acceptance of the role of independent chair of the SCR. Professor MacLellan met with the review team on 6 February. Stage 1 of the review has been scoped and commenced. The outcome of the review will be reported to this Committee and to the Inverclyde Integration Joint Board with as much information as is possible in the public domain. The Committee will have the opportunity as part of that process to review all issues arising from the outcome of the Significant Case Review.

5.0 IMPLICATIONS

5.1 Finance

Financial Implications:

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (if Applicable)	Other Comments
N/A					

5.2 Legal

The legal implications are set out in the report.

5.3 Human Resources

None.

5.4 Equalities

Equalities

(a) Has an Equality Impact Assessment been carried out?

x

YES

NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required

(b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

x

YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.

NO

(c) Data Protection

Has a Data Protection Impact Assessment been carried out?

x

YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.

NO

5.5 Repopulation

None.

6.0 CONSULTATIONS

6.1 The Head of Legal & Property Services has been consulted on the drafting of this report.

7.0 BACKGROUND PAPERS

7.1 None.