

CONTACT WITH FAMILY AND FRIENDS – PART 1:
LEGAL & STATUTORY FRAMEWORK

Leaflet J/9
Revised June
2013

Legal References:

- The Children Act, 1989
- Adoption & Children Act, 2002
- Children & Young Persons Act, 2008
- Children & Young Persons England Care Planning, Placement & Case Review Regulations, 2010 (DRAFT)
- DCSF LA Circular 2004(4) – Overnight stays

[DCSF LA Circular](#)

1. Legal & Statutory Framework

1.1 General Duties (Children & Young Persons Act 2008)

- The welfare of the child or young person remains paramount when making contact arrangements between the looked after child and their family and friends. Due regard must be given to the welfare checklist when accessing and making arrangements for contact.
- The Local Authority has a duty to promote reasonable contact between a looked after child or young person and their parents, others with parental responsibility, relatives and friends unless this is not reasonably practical or consistent with their welfare. This applies whether the child is looked after by voluntary agreement (S.20) or by statutory order (S.31/38).
- The wishes and feelings of the child or young person, and any persons with parental responsibility, must be taken into account. However the overarching consideration is the lifelong welfare of the child or young person.
- The child and their family's culture, ethnicity, religion and language, and any needs relating to a disability, must be taken into account when accessing and making arrangements for contact.
- The Local Authority must take reasonable steps to keep parents and others with parental responsibility informed of the child's whereabouts unless there is a legal order preventing disclosure of this information, or the child is subject to a Care Order/Interim Care Order/Placement Order and the Local Authority has reason for believing that information would be prejudicial to the child's welfare.

1.2 Child or Young Person looked after voluntarily (S.20)

- There are no statutory powers for the Local Authority to restrict or terminate contact when a child is looked after voluntarily (S.20). However there may be a S.8 Order or other legal restriction relating to contact with specific individuals (S.8 Contact Order or Prohibited Steps Order or bail restriction, or condition of licence).

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- Where there is a risk of significant harm through contact to a child who is voluntarily looked after, the Local Authority must work in partnership with those with parental responsibility to make reasonable and safe contact arrangements.
 - If there is no agreement or withdrawal of co-operation from those with parental responsibility, the Local Authority may only alter or terminate contact through an application to the Court to share parental responsibility (S.31/38) and request legal directions relating to contact (S.34).
- 1.3 Child or Young Person subject to a Care Order/Interim Care Order
- When a child is subject to a Care Order/Interim Care Order (S.31/38), the Local Authority is required under S.34 to allow the child reasonable contact with their parents or guardian, any person in whose favour there was a Residence Order or Special Guardianship Order before the Care Order/Interim Care Order was made, or any person who had care of the child by virtue of an Order under the inherent jurisdiction of the High Court.
 - Outline arrangements must be included in the child's Court Care Plan submitted to the Court in care proceedings.
 - Contact arrangements in the Court Care Plan, and subsequent Looked After Care Plan, agreed by the Court should be adhered to providing they continue to safeguard and promote the welfare of the child.
 - If they are not safeguarding the child or promoting their welfare, contact arrangements must be reviewed with the child or young person, those who share parental responsibility and any other person whose wishes and feelings should be taken into account.
 - Contact arrangements may be varied or suspended by written agreement with all relevant parties.
 - Where there is no agreement under S.34(6), the Local Authority may refuse or restrict contact if it is satisfied that it is necessary to do so in order to safeguard or promote the child's welfare. It may only do this as a matter of urgency and the refusal or restriction may only last for up to 7 days. If the refusal or restriction is to last beyond this period and there remains no agreement, the Local Authority must make an application to the Court.
 - If the Local Authority refuses contact under S.34(6), it must immediately send written notification to the child, the

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child's parents/guardian, the Court, the IRO or any other person whose wishes and feelings it considers to be relevant. In so far as the Local Authority considers those persons need to know, it must inform them of the decision, the date, the reasons, the duration (if applicable) and the remedies available in case of dissatisfaction.

- A Contact Order under S.34 specifying contact arrangements may be made on the application of the Local Authority, the child or the child's parents/guardian, or by any other person who has obtained leave of the Court.
- The Local Authority may depart from the terms of any S.34 Contact Order by agreement with the person concerned, provided the child (if of sufficient age and understanding) agrees, and written notification is sent to the child, the child's parents/guardian, the Court, the IRO or any other person whose wishes and feelings it considers to be relevant.
- Any notification must be given in writing, within 5 days, and must specify the responsible Authority's decision; date of decision; the reason for the decision; the duration of the decision if applicable; and remedies available in case of dissatisfaction.
- The Court may make a S.34 Contact Order terminating contact all together, or permitting the Local Authority to terminate contact at a time determined by them.
- Contact Orders (S.34) may be discharged or varied on the application of the Local Authority, the child, or the person named in the Order.
- Any Order under S.34 may be varied and if circumstances change, it is possible for contact to be re-ordered by the Court.

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2. Procedures

2.1 Making arrangements for contact

- Practice Guidance in Part 3 must be followed when assessing, arranging and reviewing contact between the child or young person and their relatives and friends.
- The welfare checklist must form the basis of all assessment within the Framework for Assessment.
- Contact must be considered at every Planning Meeting and Review of Arrangements for a child or young person who is looked after.
- Arrangements for contact contained in the child's Care Plan or Adoption Plan must be aligned with any Court Care Plan at the earliest opportunity through the Review of Arrangements process.
- The Review of Arrangements is a process, not a 'meeting', and alignment may only need to take the form of a written notification of a change to all concerned parties. However, if a change to contact arrangements denotes a significant change to the child's Care Plan or Adoption Plan, then a formal Review must be arranged at the earliest opportunity.
- The Area/CwD Team with case responsibility for the child holds the responsibility for assessing, arranging and reviewing contact arrangements on behalf of the child or young person.
- The child's key worker is responsible for ensuring contact arrangements are safe and meet the welfare needs of the child or young person. The Practice Guidance in Part 3 must be followed.
- The Team Manager or Consultant Social Worker is responsible for deciding when supervised contact is required, and overseeing the commissioning of this from the Family Contact Team.

[J/9 – Part 3](#)

[Framework for Assessment](#)

[J/9 – Part 3](#)

2.2 Supervised contact

- Practice Guidance in Part 3 on the frequency of contact should be followed.
- If the frequency is less than the Guidance, this must be endorsed by the Team Manager and evidence recorded as to the reasons for this, again using the Practice Guidance.
- If the frequency is more than the Guidance, then in addition to the Team Manager's endorsement, the

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Operational Manager must endorse such arrangements before they are agreed by the Court or the contact arrangements agreed with the family as there are resource implications. The evidence and reasons must be recorded using the Practice Guidance.

- On occasions, contact arrangements are directed by the Court contrary to the Local Authority's proposed Care Plan. In such circumstances, the Operational Manager must be notified as soon as possible.
- Supervised contact from the Specialist Support Service can be commissioned to supervise family contact using the following criteria:
 - when there is ongoing assessment, including care proceedings, and where there is a need for independent supervised contact as part of the assessment in order to safeguard the child.
 - a supervised contact service will only be provided for a maximum of 12 months unless care proceedings continue beyond this point and ongoing assessment/safeguarding is required in relation to these proceedings.
 - A supervised contact service will only be provided whilst contact arrangements are kept to by all parties. If there is erratic attendance or non-attendance, the contact arrangements must be reviewed by the Team Manager & Specialist Child & Family Support Manager.

2.3 Practice guidance on levels of contact must be followed:

'Core contact' Levels

- 0-6 months -3 contacts a week every alternative day (e.g. Mon-Wed-Fri) with no contact at the weekend **or** for 2 consecutive days (Sunday-Monday) up to 15 hours
- 6 months – 2 years – up to 3 x 2 hours weekly
- 2 years+ - up to 2 x 1.5 hours weekly

This can be increased with Group Manager (Specialist Support Service) consent **if** reunification is the plan, and the child's routine is established and this is the recommendation of the revised assessment endorsed by the case holding Team Manager

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The evidence-base as set out in Part 3: Practice Guidance MUST be read and taken into account when deciding on the frequency of contact. The above can only be a guide to the maximum amount of contact to be agreed. Less frequent contact may be appropriate in some cases.

- iii) The service is commissioned by making a Service Request to the Specialist Support Services. This must be approved by the Team Manager

All requests must be accompanied by an up-to-date risk assessment. Requests must be made at least one week in advance of the requirement for the service.

[Family Contact Risk Assessment Form](#)

- iv) The child's key worker should observe at least 20% of contact especially during any assessment or before a proposed change of plan.
- v) Once a commission has been accepted, the Specialist Support Service will:
- Liaise with the carer via their link worker to find out what their contribution can be, based on risk assessment and their circumstances
 - Supervise all sessions commissioned with one worker or additional workers as necessary when assessed as high risk
 - Arrange an appropriate venue – this will be close to the child's address. The expectation is that, where possible, the adults will travel to be near the children and not vice versa
 - Make a written record of their actions and observations for the child's case record
 - Inform the Social Worker when the pattern of attendance from parents/significant adult is erratic and needs reviewing with the Team Manager
 - Ensure light refreshments are available for the contact
 - Provide transport to and from the venue if required
- vi) The case-holding Team remains responsible for:
- Arranging and supervising any other contact arrangements outside 'core contact' and not accepted as an additional commission by the Specialist Support Service
 - Ensuring the adults are able to get to and from the contact venue and providing funds for this in line with Practice Protocols & Scheme of Accountability
 - Reviewing contact arrangements that are not

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- being kept to with the Team Manager and Specialist Child & Family Support Manager when there is erratic or non-attendance
- Immediately informing all parties to the contact of the arrangements made or any changes to those arrangements
 - Immediately inform the Specialist Support Service via e-mail whenever significant changes to the contact arrangements are requested or whenever other important changes occur, e.g., change of placement address (including respite), change of worker, change to legal arrangements, change to who is allowed to attend contact, change to risk assessment
 - Ensure all parties understand the purpose of contact and expectations before, during and after contact. This must be done using a written contact agreement
- vii) "Non core contact" may be commissioned if the team has sufficient capacity.

Non core contact can include supervised contact continuing over 12 months post end of care proceedings and required for safeguarding purposes; large sibling groups that require high levels of staffing to be facilitated.

In times of high demand, capacity may not be sufficient to cover all "core contact". At such times Managers will work jointly to review the situation and establish priorities. It may be necessary at these times for case holding staff to supervise some contacts

2.3 Varying, restricting or suspending contact arrangements

- Where it is assessed that the contact arrangements made are not safeguarding the child or promoting their welfare, it is the key worker's responsibility, supported if necessary by their Team Manager to address their concerns with the child or young person (if appropriate), the parent or other persons sharing parental responsibility and the person(s) where there are concerns about the contact (if different).
- When a looked after child is voluntarily looked after, if agreement can be reached to vary or restrict contact to ensure the safety and the welfare of the child, this should be put in writing to all concerned.
- If agreement cannot be reached with those concerned when a child is looked after voluntarily, the Team Manager must consider whether legal action is required to

[Refer to 1.3](#)

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safeguard the child, or promote their welfare needs. The Team Manager should seek legal advice about legal options available, and follow the procedures in Part 2.

- If the Team Manager considers that legal action is required, Legal Services and the IRO should be notified and the Team Manager's decision, with the reason, must be recorded in the child's case notes. PLO should be followed where required.
- Where a child is subject to a Care Order or Interim Care Order, then contact arrangements may be varied or restricted by written agreement between the child's parents/guardian and those with parental responsibility. The Children's Guardian, The IRO and Legal Services must be notified immediately of any proposed changes.
- The Local Authority may refuse or restrict contact for a child subject to Care Order/interim Care Order for up to 7 days in circumstances where urgent action is required to ensure the child is safeguarded or to promote their welfare. The Local Authority must confirm this action immediately in writing to the child, the child's parents/guardian, carer and any other person whose wishes and feelings it considers to be relevant. The written notification should inform the person concerned of the decision, the date, the reasons (as far as the Local Authority is able to disclose), the duration (if applicable) and the remedies available in case of dissatisfaction.
- The Social Worker and Team Manager should offer to meet with the person(s) with whom contact has been restricted or suspended within 7 days.
- At the meeting, the Team Manager of the Local Authority should clarify their reasons for restricting or suspending contact and seek agreement from the person(s) concerned to make arrangements that will safeguard the child and promote their welfare.
- Legal Services must be notified immediately of any proposed new agreement relating to contact as the Court and other parties need to be notified and agreement sought.
- The Team Manager should ensure that carers of the child, The IRO and the Children's Guardian (if there is one) are kept informed and consulted on any proposed changes, whether urgent or unplanned.

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- The key worker must ensure that any proposed variation to contact arrangements can be supported and any change is notified in advance to the Specialist Support Service.

2.4 Terminating contact

- Contact may only be terminated between the child and those persons who have a legal right to contact by the Court making a S.34 Contact Order to this effect.
- A Care Plan proposing termination of contact must only be made following a full assessment of the lifelong needs of the child and must demonstrate that ongoing contact would be detrimental to those lifelong needs and the long-term success of the Care Plan. This would normally be in the context of a Care Plan which proposed an alternative permanent family be found for a child (usually adoption).

2.5 Overnight contact

- Where a looked after child is requesting to be allowed to stay overnight with a friend, the child or young person should be able to experience the same opportunities as their peers. Their carers should exercise the same judgements in giving or refusing permission on each occasion as parents normally make, based on a reasonable assessment of any known risks in staying in a particular household or in staying overnight.
- Only when there are exceptional circumstances should the permission of the Local Authority be sought. However the child's Social Worker must be informed, and their parent when the child is LAC under S.20, and the carers must ensure they have the contact details for the household in which the child or young person is staying, should make contact with the household to assist in assessing the request and to confirm arrangements and should ensure that a child staying overnight has their carer's contact details.
- This guidance only applies to overnight stays with friends. It does not amend or relax requirements for assessing long or short-term changes in placement, 'short breaks' or respite stays, for frequent regular or prolonged stays in another household, or for stays with another adult. These arrangements must follow Fostering Regulations.
- Arrangements for overnight stays with parents or others with parental responsibility must follow Placement with Parents Regulations.
- Any arrangements for overnight stays, even with a friend,

[DCSF LA Circular](#)

[K/13 \(17\)](#)

[E/1](#)

[J/6](#)

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should abide by any existing Court Order or any other legal restriction in force.

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PRACTICE GUIDANCE**

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3. Practice Guidance

Please read any relevant sections of research you use in assessing and planning contact arrangements

Practice References:

- The Framework for Assessment for Children in Need & Their Families (DoH – 2000)
- A Child's Journey Through Placement – Vera Fahlberg (BAAF 1991)
- The Child's World – Jan Horwath
- 'Concurrent planning: a retrospective study of the continuities and discontinuities of care and their impact on the development of infant and young children placed for adoption by the Coram Concurrent Planning project'_-Jenny Kenrick (Adoption & Fostering 33:4, pp 5-18, 2009)
- Contact for infants subject to care proceedings-Gillian Schofield & John Simmonds (Family Law (a publishing imprint of Jordan Publishing Ltd) in the June 2011 issue of the journal Family Law, at [2011] Fam Law 617)
- High-frequency family contact: a road to nowhere for infants,-Humphreys C and Kiraly M, (Child & Family Social Work 16:1, pp 1-11, 2011)

[Framework for Assessment](#)

<http://www.thefreelibrary.com/Contact+for+infants+subject+to+care+proceedings.-a0277270794>

[http://www.cfecfw.asn.au/sites/www.cfecfw.asn.au/files/High_freq_ency_family_contact%20\(Journal%20Article\).pdf](http://www.cfecfw.asn.au/sites/www.cfecfw.asn.au/files/High_freq_ency_family_contact%20(Journal%20Article).pdf)

3.1 The welfare of the child is paramount.

- Contact is important for:
 - Assessment of:
 - Parent-child attachment
 - Parenting skills
 - The nature of family interactions
 - Other attachments e.g., siblings/grandparents
 - Tasks necessary for reunification
 - Facilitating the grieving process
 - Decreasing loyalty conflicts
 - Strengthening attachments and bonds
 - Facilitating changes in family relationships
 - Facilitating reunification
- Evidence and research indicates that for most children, their lifelong welfare needs will be met best through being

cared for within their own family. Where this is the plan for the child, then contact arrangements should promote and facilitate this plan.

- For some children their welfare will not be able to be safeguarded or their needs met within their own family and they need an alternative permanent family. Evidence and research indicates that for most of these children, it is important to maintain some contact with their family to enable them to have a secure identity to maintain lifelong positive attachments and/or to reduce fantasy thinking.
- For a very few children, contact with some individuals from their family will not be in their interests and it needs to be restricted or terminated. Children who have suffered significant harm through the actions of an abuser, or whose attachments to their former care givers are insecure or avoidant, may continue to relive that trauma through direct or indirect contact.
- Children who need a permanent home away from their birth family need to be able to make and maintain secure attachments with their new family. To do this, difficult choices are needed to weigh up their primary need for this against the likelihood of contact with birth family preventing such attachments being made, or undermining the placement.

3.2 Evidence-based ongoing assessment is essential for child-focussed contact arrangements

- Any assessment of the child's needs should include assessment of contact arrangements. The Practice Guidance in Permanence Planning (J/5) should be used to aid this assessment, alongside the dimensions of the Framework for Assessment. The Practice Guidance Notes 'Contact – General Principles of Assessment' are particularly written to ensure the child's needs remain paramount.
- There is also a useful tool devised by BAAF as a checklist to assess contact arrangements. This should be used in conjunction with this guidance and the guidance in Permanency Planning.
- Ensure contact arrangements alter to meet the changing needs of the child, or changing circumstances, as shown by the evidence.
- Gather evidence from all sources:

[J/5](#)

[Framework for Assessment](#)

[Checklist](#)

[J/5](#)

- Direct observation of contact/interaction
 - Wishes and feelings demonstrated by child
 - Behaviour demonstrated by child
 - Wishes and feelings of those wanting contact
 - Wishes and feelings of those with parental responsibility
 - Actions of those wanting contact
 - Information from other professionals/agencies
 - Knowledge of child development and attachment
 - Any contributing factors resulting from culture, race, ethnicity, religion, language, or the nature of any disability
- Analysis and plans for contact arrangements should demonstrate the evidence used.
- 3.3 Always consider the purpose of contact
- Assessment
 - Reunification
 - Maintaining attachments
 - Reduce fantasy thinking
 - Maintaining links
- The purpose of contact must be taken into account when planning contact arrangements.
 - When the purpose changes, then it is likely that contact arrangements need to change or at least be reviewed.
- 3.4 Always consider all forms of contact arrangements
- For all types of contact arrangements, the following should be addressed and clarified with all parties by the allocated worker for the child:
- Purpose of contact
 - Who is involved
 - Who is responsible for making the arrangements
 - Any restrictions/negotiations required when it will take place
 - Any restrictions/negotiations required where it will take place
 - Who is responsible for transport/cost of activities or sustenance
 - Is any financial or other support required from the Local Authority for transport/activities or sustenance (guidance in

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the Practice & Resource Guide must be followed)

- Who is responsible for agreeing/notifying of any alterations to arrangements
- Who needs to be notified

A written agreement/letter clarifying arrangements should always be used.

Changes to arrangements should always be notified to all parties as soon as possible, taking account of legal and procedural guidance.

Contact arrangements are of 4 main types:

- Direct contact – supervised
 - This contact is best suited to children where assessment for their permanence plan is ongoing and/or they need to be safeguarded.
 - The contact may be supervised by a relative or family friend if this is assessed as a safe arrangement for the child and the person is willing to be part of any assessment or monitoring process.
 - On occasions it is necessary for the Local Authority professional staff to supervise contact, this is where professional monitoring and feedback is required to ensure children are safeguarded and/or to inform an ongoing assessment of parental ability/attachment.
 - The Procedures (Part 2) must be followed if commissioning the Family Contact Team to assist with this.
 - In all cases where contact needs to be supervised, the expectations of the supervisor must be clarified in writing. The people taking part in the contact must be told why contact is being supervised and what the expectations of them are.
- Direct contact – supported
 - Sometimes contact needs to be facilitated or supported in some form to ensure the needs of the children are met. This is not the same as supervised contact.
 - Supported or facilitated contact may be needed when there has been friction between family members or residual or open animosity between carers and family, or between the child or young person and family members.
 - Supported or facilitated contact may be needed when the child or family members require support to meet the child's needs during contact because of a disability, or

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through a language, cultural or religious need, or to facilitate learning or practicing of parental skills.

- Supported or facilitated contact may be needed when a number of family members are having contact and for health and safety reasons additional adults are required to transport the children and/or monitor the needs of the children (e.g., large sibling group).
 - Sometimes support is only required for a specific tasks (e.g., interpreter, transport) or at particular times (e.g., beginning and end of contact).
 - In all cases where supported contact is required, this should be aimed at achieving the purpose identified. This should be clarified with all parties.
 - Those supporting or facilitating contact may be the child's carers or family members, or a Family Support Worker, Social Work Assistant or Social Worker. On all occasions, the Family Contact Team may be commissioned to undertake certain tasks on behalf of the Team. In all case their role should be clear and recorded.
- 2.2 (vii)
- Direct contact – unsupervised or unsupported
 - There are many contact arrangements that do not need supervision or additional support because the assessment indicates no risk to the child, and the family are able to meet their needs during contact. However, these arrangements do require co-ordination and clarity to avoid confusion.
 - Indirect contact
 - Indirect contact may supplement direct contact or be used to maintain links with a child's birth family where face-to-face contact no longer meets their needs.
 - Indirect contact can be:
 - By phone
 - By letter
 - Video/tape
 - Cards and gifts
 - Exchange of information
 - There is specific support for children who have been adopted to maintain links with their birth family through Letterbox contact. The guidance for this should be followed.
- M/5

3.5 Knowledge of child development should underpin planning for contact arrangements

- Use the evidence-base relating to child development to ensure contact arrangements are right for the child's age and stage of development.

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- Practice Guidance on supervised contact is based on this and should be followed:
 - Babies 0-6 months have very short-term memory and require frequent contact with those people with whom they need to form a secure attachment. However the baby needs a stable and secure home-base and a routine established, and contact should be part of the routine not a disruption to it. There needs to be opportunity and encouragement of close physical, face-to-face contact with those who are the primary care-givers or where there is a plan for them to be the primary care-giver. Their basic needs and routines must be met and maintained during any contact arrangements.
 - Babies and toddlers 6 months-2years will usually have started, or established, their primary attachments and have some memory of those people. They continue to need a stable and secure home and familiar routines and contact arrangements must complement and not obstruct these needs.
 - Children over 2 years will normally know and remember the people with whom they have a primary attachment and will begin to distinguish and demonstrate their feelings for those people. They continue to need a stable and secure home-base, but as they grow older contact arrangements need to be balanced with other factors. Children can have busy lives around nursery and school, activities and friendships and contact arrangements should be compatible with these.
- Other factors relating to infant and child development need to be taken into account when planning the frequency, duration, type of contact and venue:
 - the nature of any disability or psychological factor that may have disrupted or impeded the child's physical, emotional or social development, or may require support or different contact arrangements to meet the child's needs
 - the nature of their attachment to those with whom contact is being considered and especially previous history of abuse/care by them
 - length of transport and mode of transport to avoid extensive time where the child receives no stimulation or is tired

A Child's Journey
Through Placement
(Vera Fahlberg 2000)

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- involvement of various professionals already in the child's routine and possible impact of new people supervising contact leading to higher level of anxiety for the child

- the quality of the contact itself -poor parenting skills, parents not relaxed/guarded due to being observed, poor commitment of parents resulting in late arrival/not attending, distractions such as mobile phones, impact of substance misuse, aggressive threatening behaviour to child/other adults

All affect the benefit of the contact for the child and the difficulty, after contact, for the child to settle back into their placement.

There is no correlation between the frequency of contact and the likelihood of return home. It is the quality of contact that is more important to the child's welfare and outcomes than the frequency.

When the quality of contact is poor and cannot be improved with support, there should be a re-assessment of the frequency. Research indicates that when contact is reduced in these circumstances , children start to make progress in their development.

This research into infant contact suggests that less frequent contact and more appropriate length of contact, taking into account the development needs of very young children, contribute to the child being able to form secure attachment which will help them achieve better outcomes in future.

It may be appropriate for some babies to start by offering at least one week or two without any contact (particularly for infants coming straight out of hospital having gone through detox as these children need extra time to settle and appear very vulnerable to frequent changes). This time would allow them to settle in their new environment and into their routine and offer the peace and quiet environment they require.

The time of contact during the day needs to address the child's needs and not to make it easier for the parent.

Contact arrangements must look at individual needs and routines and allow for changes to the time and length of contact to meet the development needs of the child (e.g. sleeping pattern of a baby or activities that are important for a child)

3.6 The purpose of contact arrangements should be clear to all parties

- All efforts must be made to work in partnership with the birth parents or others with parental responsibility.

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- However, it should always be clear that, whilst the wishes and feelings of those with parental responsibility will be taken into account, the needs of the child are paramount. This may not always accord with the child's own expressed wishes and feelings.
 - In addition, the views and needs of siblings may also differ.
 - Where the birth parents or those with parental responsibility are not acting with the child's welfare as paramount in contact arrangements, every effort should be made to work with them to enable a focus on the child's needs.
 - It is important to do this work with the family as soon as concerns are identified to avoid the drift and ongoing trauma for the child.
 - The child or family may identify barriers that can be overcome or support needed to facilitate successful contact. The Social Worker should use this as an opportunity to clarify, responsibilities and expectations.
 - A written agreement is always helpful to clarify the purpose, expectations and arrangements. This should be in an understandable format.
 - Adjustments should be considered in contact arrangements when it is identified that an arrangement is not meeting the child's needs. Unsatisfactory arrangements should not continue unaddressed.
 - Where the needs of the child remain unmet through contact arrangements then legal guidance must be sought to determine whether contact can be altered, restricted or terminated without the agreement of those with parental responsibility. It is important to ensure the evidence is clearly presented and available for scrutiny. The child should not be left to continue experiencing contact arrangements that are not meeting their needs.
- 3.7 Contact arrangements should be reviewed regularly
- The child's developmental needs will change over time as will the circumstances of their birth family and sometimes their alternative family:
 - Contact that may have met an immediate need for reassurance about the child's birth family when first looked after, may now be a barrier to them forming a

- secure attachment with an alternative family.
 - Contact that may have required intensive supervision during an assessment phase may not require this degree of scrutiny once the plan for the child is agreed.
 - Parents or relatives who may have been highly oppositional and emotional, creating anxiety for the child, during contested legal proceedings may come to terms with their feelings and be able to support a future placement.
 - A parent who poses no risk to a child when well, may experience mental illness that is a risk to the child when unwell.
 - The plan for the child may alter due to a change in circumstances and contact arrangements may need to alter accordingly.
- When considering changing contact arrangements after reviewing them, all parties should be consulted and agreement sought:
 - The child
 - The parents
 - Those with parental responsibility
 - The child's carers
 - Other involved professionals
 - The Court (if relevant)
 - The IRO
- 3.8 Take account of research about what contributes to successful contact arrangements
- The complexities of contact for children should not be underestimated. Children should be encouraged to talk about their feelings and relationships with their birth family.
 - The aim of all contact should be to reduce anxiety and promote security for the child. This should be reflected in the frequency and duration of contact, the supervision and the venue chosen.
 - Anxiety will be reduced when there is a degree of overlap or continuity between the child's current carers and the people with whom the child is having contact.
 - Efforts should be made to facilitate a positive working relationship between the child's current carers and their birth family. Children are more likely to share their complex feelings and anxieties with their carers when this is the case, and the carers are more able to be emotionally available for the child when they need this.

CONTACT WITH FAMILY AND FRIENDS – PART 3:
PRACTICE GUIDANCE

Leaflet J/9
April 2010

- Account must be taken of the child's words and behaviour. Behaviour may indicate reawakened feelings associated with early trauma and the benefits of any contact may be outweighed by this.
- It is important to listen and respond to the views of carers who are attuned and sensitive to the way the child thinks and feels. This is not necessarily the same as carers expressing their own feelings of anxiety or stress around contact arrangements, and care needs to be taken to ensure it is the child's feelings and thoughts that are the focus.
- Contact arrangements should be reviewed regularly and adjusted to meet changing needs and circumstances.
- When making arrangements for contact in permanent, alternative families, the positive developmental benefit of contact is of greater significance. Contact arrangements must support the care arrangements made for the child. When a child is being provided with a secure, permanent family, any contact with their birth family must promote this and not undermine it.

CHECKLIST OF INDICATORS FOR CONTACT PROGNOSIS

Part A: Children	
Positive Indicators	Evidence
Infant Placement No established pre-placement relationship with birth parent Secure attachment Secure placement Healthy psychosocial development Emotional intelligence Absence of severe behavioural/positive or neutral relationship with contact birth parent	
Indicators of Difficulty	Evidence
Insecure attachment Insecure placement Major behavioural/mental health problems Troubled relationship with birth parent Contact re-traumatizes Child does not want contact Multiple attachments: risk of confusing the child	
Part B: Birth Relatives	
Positive Indicators	Evidence
Never been primary carer Accepts new carers as new psychological parents Affirms new carers Can work constructively with new carers Relinquishes parenting role Relates positively to the child Contact validates placement Decreases anger, guilt, anxiety	
Indicators of Difficulty	Evidence
Does not accept placement Child is discouraged from new attachments Serious abuse/trauma of the child Rejecting of the child Serious personal difficulties, e.g. drugs/alcohol Any threat of harm	

Part C: The Carers	
Positive Indicators	Evidence
Good level of sensitivity/openness Empathy, reflective capacity Recognition of benefits for child Accepting of child's curiosity Conveys positively regarding birth parent Resolved feelings of 'ownership'/attachment Collaborative capacity Early involvement in contact Direct involvement in contact	
Indicators of Difficulty	Evidence
Fixed anxiety about contact Low levels of sensitivity child openness, empathy, reflective capacity Unresolved feelings of 'ownership'/attachment Lacks collaborative capacity No direct involvement	
Summary of changes needing to be made	
Timescale:	
Action by whom?	

REQUEST FOR FAMILY CONTACT

Date:	Referrer: Tel.	Team: Fax:	Cost Centre Code:	
Names	DoB	Current Address & Telephone numbers.	Ethnic origin/ first language	Who has PR?
Children				
Parents				
Supervised Contact is requested between: (please indicate if specific/separate sessions are needed for different family members) Also please state who can/cannot come to contacts.				
Illnesses/disabilities/essential medication of anyone involved in the contact sessions. We particularly need to be aware of epilepsy, diabetes, hepatitis, HIV.				
Outline of reasons and / or the history for need to supervise contact. Include details of legal status.				
Contact requested: specify preferred days, time, location of children immediately prior to contact (e.g. school), location for contact. Please specify amount of flexibility around the times and any times contact cannot take place.				
Family's view of supervised contact (e.g. accepting, hostile)				
How many of our staff are needed for each session?				
<p>Risk Issues: <i>If risks are deemed to be high, please discuss with us directly.</i></p> <p>1. Are there risks to the child, e.g. abduction, MSbP/fabricated induced illness, covert messages? Please specify.</p>				

2. Are there risks to staff, e.g. violence, threats, verbal aggression, infectious disease, use by client of hypodermic needles. Please specify.
3. Alcohol/drug misuse?
4. Venue, where would you like contact to take place and any issues e.g. are there dark, remote or dangerous areas/buildings?
5. Can the group go 'out and about' for contacts? how much? Where can / can't they go? Who is responsible for the payments of activities and what is the limit if it is the department paying.
Reason for Referral
1. Aims of intervention e.g. monitoring, protection, assessment, parent training etc.
2. Do you want the supervisor to sit back and observe or to be more proactive?
3. Please state the level of supervision / monitoring (e.g. Who toilets whom? do we follow into toilet? do we stay with the child or parents as priority e.g. if it's a family contact do we watch food preparation done by one parent or the child with the other parent)
4. Specific points we need to look for/be aware of
5. Level of recording required/what we need to observe
<i>Even though this is the main/initial referral form we would find it helpful to also have any/all relevant case conference notes, assessments etc.</i>
<i>It is expected that all Social Workers do 20% of the contacts or 1 X month whichever ever is the greatest.</i>
Contacts already arranged by you (SW/FSW) and any other relevant information.

FAMILY CONTACT RISK ASSESSMENT FORM

A new assessment is not needed each time an activity happens. However, it must be reviewed annually or earlier if there are any changes to an activity.

Name of Establishment, Unit Office:

Activity/Individual:

Job Title:

Assessed by:

Review Date:

Signature:

SEVERITY OF HARM	Superficial	Minor	Major	Death	<p align="center">MATRIX</p> <p>This matrix is to help and guide your assessment of risk. You should use your discretion to adjust the results using the matrix where appropriate. It is important that the level of risk sets your priorities and timescale for action. For example, tackle high level risks first, and obviously do so immediately.</p>
LIKELIHOOD					
VERY LIKELY	Medium Risk	Medium Risk	High Risk	High Risk	
LIKELY	Low Risk	Low Risk	Medium Risk	High Risk	
REMOTE	Insignificant Risk	Insignificant Risk	Insignificant risk	Low Risk	

Task / Equipment / Materials / Activity / etc.	<u>1. Hazards</u> What parts of the activity could cause harm?	<u>2. People</u> Who might be harmed?	<u>3. Severity of Harm</u> How badly could they be harmed? (Choose one only assuming worst case scenario).	<u>4. Likelihood</u> of harm occurring with present controls.	<u>5. Risk Level</u> Please refer to matrix on page 1.	6. Preventative Measures What preventative measures are in place?	<u>7. Further Action</u> Are the present measures adequate? If not, what else needs to be done, by whom and by what date?
TRANSPORT OF CHILDREN							
SUPERVISING CONTACT							
VENUE							
SPECIAL NEEDS							

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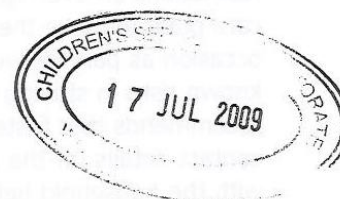
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13 July 2009

Ms Gail Quinton
Director of Children's Services

Worcestershire County Council
County Hall
Spetchley Road
Worcester
Worcestershire WR5 2YA



Dear Director

OVERNIGHT STAYS FOR LOOKED AFTER CHILDREN

Many children and young people living in children's homes and foster care continue to raise concerns about being prevented from staying overnight with friends for 'sleepovers' because their friends' parents have not been checked through the Criminal Records Bureau (CRB). This is an issue that has frequently been raised by children in our consultations with them, with the Children's Rights Director, and with Government.

In response to children's concerns on this matter, I am writing to reinforce the guidance on overnight stays given by the then Department for Education and Skills in Local Authority Circular 2004(4). This circular remains in force as guidance under section 7 of the Local Authority Social Services Act 1970, which requires Local Authorities to act under the general guidance of the Secretary of State.

In summary, the guidance contained in circular LAC(2004)4 was that:

- There is no statutory duty for CRB checks to be carried out on adults in a private household where a child may stay overnight.
- CRB checks should not normally be sought as a precondition of an overnight stay.
- Decisions on overnight stays should in most circumstances be delegated to foster carers and residential care staff, and arrangements for such decisions written into the Placement Plan or Foster Placement Agreement.
- Looked After Children should as far as possible be granted the same permissions to take part in normal and acceptable age appropriate peer activities as would reasonably be granted by the parents of their peers.



INVESTOR IN PEOPLE

- Only where there are exceptional reasons should the permission of the responsible authority be required or restrictions placed on overnight stays.

The guidance expects foster carers or residential staff, other than where there are exceptional reasons for referring the matter to the Local Authority or where restrictions on overnight stays follow from a court order or are included in the child's care plan, to make the same judgements in giving or refusing permission on each occasion as parents would normally make, based on a reasonable assessment of any known risks in staying in a particular household or in staying overnight. The guidance recommends that foster carers and residential staff should ensure that they have contact details for the household in which the child is staying, should make contact with the household beforehand to assist in assessing the request for an overnight stay and to confirm arrangements, and should ensure that a child staying overnight has their foster or residential home's contact details.

The guidance only applies to overnight stays with friends. It does not amend or relax requirements for assessing long or short term changes in placement, for relief care stays, for frequent, regular or prolonged stays in another household, or for stays with an adult rather than a friend of a similar age.

In short, looked after children should experience the same opportunities to stay overnight with friends when their carers consider the arrangements appropriate, as children with their parents do when their own parents consider it appropriate, and there is no requirement for friends' parents to be checked through the CRB for normal overnight sleepovers.

I am asking all authorities to clarify this guidance to residential staff and carers, and to ensure that it is followed in practice. In inspecting social care provision, Ofsted Inspectors may monitor the adherence of individual establishments or services with this statutory guidance and take this into account in their assessments of both establishments and authorities.

I appreciate your attention to this issue.

Yours sincerely

ROGER SHIPPAM HMI
Director, Children

cc Chief Executive