



Dudley Children's Services

Court Improvement Strategy



Mission Statement

Dudley MBC's Children's Services form part of a comprehensive continuum of support for children and young people who may be facing difficulties at home. These range from family support to intensive social work intervention or seeking permanence through alternative care. In taking this approach we remain committed to ensuring that the right children enter care and that their experiences are positive and their opportunities many.

When children need to come into care we aim to ensure that care proceedings are timely and our care plans appropriately safeguard children and support decisions around permanency which are in the best interest of each child.

We are committed to ensuring all our looked after children and young people are given every opportunity to experience a safe, healthy and happy life in which they achieve their potential.

We will make every effort to ensure they are able to grow up in a stable and supportive environment with a sense of belonging. We will make available the widest range of placements in order to support the individual needs of our looked after children and where they can feel cared for and cared about.

Our role as corporate parents is significant and far reaching and we will exercise this with commitment and accountability across all areas of the council and partnership.

Objectives

- To implement a Court and Care Planning Team who will be responsible for the management of all cases subject to care proceedings.
- To ensure pre-proceedings work is robust and purposeful and necessary work is completed prior to issuing care proceedings.
- All social workers will receive the relevant training in order for them to produce a high standard of oral and written evidence within court.
- Social work evidence will be purposeful, concise and clearly outline a realistic and achievable plan for the child.
- All children accommodated by the Local Authority will have minimal moves in order to promote attachment and secure permanency at the earliest opportunity.
- The timeliness of care proceedings will improve in order to meet the national standard of 26 weeks.
- All children who enter PLO, Care Proceedings, or accommodation into care, will have an Achieving Early Permanency Planning Meeting for adoption/ fostering or special guardianship within 4 weeks and then reviewed every 6 weeks thereafter.
- The permanence plan will identify the appropriate option (or options depending upon the stage reached in any care proceedings) for the child and will be formally endorsed at the second statutory review. Responsibilities for implementing the plan and actions contained within it will be clearly attributed with timescales for outcomes. The plan will include all contingency options.
- All social work directions ordered by the court will be complied with in order to reduce attendance at the Non Compliance Court.

- To track and review all PLO cases in order to reduce drift and delay in progressing permanency plans for children.
- A weekly legal gateway panel will be convened to ensure that best practice and effective planning is followed to reduce delay in identifying the most appropriate plans for children.
- All children accommodated under section 20 Children Act 1989 are reviewed within 5 days of being accommodated. This will be achieved by the protocol of all s20 cases being discussed at Legal Gateway Panel within 5 days of being accommodated.
- To improve relationships between CAFCASS and the Courts. This will be reviewed via quarterly meetings throughout the next 12 months to review progress and share knowledge and expertise.
- Increased use of Family Group Conferences and Family meetings.

The national context

A revised Public Law Outline introduced in April 2014 set out streamlined case management procedures for dealing with public law children's cases. Its aim was to identify and focus on the key issues for children to making the best decisions for them within the timetable set by the Court, and avoiding the need for unnecessary evidence or hearings. Under the revised section 32(1) (a) of the Children Act 1989 (introduced by section 14 of the Children and Families Act 2014), care and supervision proceedings must be completed 'without delay, and, in any event, within twenty-six weeks beginning with the day on which the application was issued'. This places an increased emphasis on pre-proceedings work and the quality of assessments.

PRE PROCEEDINGS AND PLANNING

Gathering and collating evidence starts as soon as a case is opened to a local authority at a high level of risk and concern. Planning for the child's future starts at this stage, initially by ensuring the help a parent needs to keep a child safe and at home is made available. The timescale for improvement in the quality and safety of care a child receives should be set out. Depending on the nature and/or severity of the parents' problems, the help offered may need to be intensive and should be the best possible to address the mix of problems the parents are going through. In some cases, a longer-term less intensive or episodic service may need to be available, e.g. when parents or a child have a disability or a long-term mental health condition.

Progress should be kept under regular review, with the assessment of a child's needs evolving over time and as the evidence base for the standard and level of parenting accumulates. If the local authority considers it may have to apply to court to remove a child from home on either a short-term or permanent basis, it is essential to explore alternative care options for the child other than remaining at home. Parents should be fully involved in that discussion and decision. Consideration should always be given to holding a family meeting or a family group conference that involves all potential alternative family carers being explored. Parents should be supported to engage with their wider family for this purpose, even if they intend to contest the local authority application. Engagement with the family remains crucial, even if the programme of early help has not resulted in a better outcome for the child.

At varying points the local authority concern can be reflected in a written agreement drawn up with the parent/s, a child protection plan or, in cases where the local authority feels the threshold for a care application is met, through deciding – usually after legal gateway panel - whether to step involvement up to formal pre-proceedings status by issuing a letter before proceedings, so that the parent/s can obtain their own legal advice. The local authority should resource any advocacy one or both parents and/or wider family members needs in order to participate. They should also carry out viability assessments of each alternative family carer identified. Should the local authority's concerns remain high, legal advice

should be sought and care proceedings should be considered as one possible action when the child's needs are being reviewed.

At this stage, whenever it comes, sufficient assessment work should have been completed to inform this decision. The social worker must evaluate all realistic options for the child's future. The advantages and disadvantages of each option should be listed, with reasons for the preferred option being given. The proposed care plan for the child should be the one most likely to achieve positive long-term outcomes for the child. The care plan set before the court must include how the child's array of needs are going to be met in the future. The Court care plan should, in accordance with Section 31(3B) of the Children Act 1989, be clear about the 'permanence provisions to the child setting out the long term plan for the upbringing of the child' being concerned with the following –

- a) the child to live with any parent of the child or with any member of, or any friend of, the child's family;
- b) adoption;
- c) long term care not within a) or b)'.

When adoption is the care plan, it must be because 'nothing else will do'. To arrive at this conclusion, social workers must analyse the discounted options giving a brief summary of why other realistic options should be discounted in favour of adoption.

Dudley's commitment moving forward

1. We will retain a dedicated 'case progression function' within the department to pre-empt challenges and support the timeliness of court proceedings.
2. We will implement the Social Work Evidence Template so that this is used consistently throughout the Department.

3. The introduction of a court team consisting of experienced and motivated staff. This team will provide familiarity of workers for the courts and CAFCASS and will assist in implementing the SWET document. The court team will additionally enable the court social workers to support and mentor area workers during pre-proceedings.
4. Mandatory training for all social workers around courtroom skills and completing the Social Work Evidence Template (SWET).
5. The court manager will continue to track PLO cases and ensure that the teams are prioritising tasks and completing the necessary work.
6. A weekly meeting will be held between the court progression manager, senior legal executive and court team manager to review all directions for the coming week to ensure that all work is completed in timescales.
7. In respect of complex cases the area team and court team will convene a meeting with solicitors prior to any case going into care proceedings to ensure the plan is robust, evidential and clear.
8. The court team manager and court social worker will convene a meeting with legal prior to the filing of final evidence to ensure the care plan is robust, clear and evidential.
9. Permanency Panel Meetings will take place every Monday and it will be expected that all cases in PLO will book an appointment at the earliest opportunity to ensure permanency options have been considered.
- 10.** Dudley MBC will appoint a Permanency Co-ordinator. This worker will work with the child's social worker to ensure that early planning for adoption is progressed and there is urgency in achieving panel for all children who can benefit from adoption at the earliest possible stage
- 11.** The court team manager and adoption manager will communicate on a weekly basis to review all cases where adoption is viable in order to ensure all of these cases are on track within the court timescales.

- 12.** The court team manager and fostering manager will communicate on a weekly basis to review all cases where long-term fostering, special guardianship, connected persons is viable option in order to ensure all of these cases are on track with the court timescales.
- 13.** We will continue to improve pre-proceedings work by developing clear processes which ensure that as much activity as possible is front-loaded. This includes robust care planning, the coordination of viability assessments, expert assessments and parenting assessments. The challenge is to ensure services are joined up and there is close, integrated working across key teams.
- 14.** We will continue to track cases from the 'notice of intention' stage to avoid unnecessary drift.
- 15.** We will continue to review cases which go over 26 weeks to ensure that lessons are learnt and practice improved.