

## Letters before proceedings

### How is it decided that pre-proceedings work is initiated

Social worker and Team manager should meet and have a formal discussion in relation to the current worries. It is important that this discussion is recorded on Mosaic as either a case supervision or case management. The Practice Lead would agree for the child/ren case to progress to Legal Gateway Meeting (LGW).

A Legal Gateway Meeting should be held within 48 hours of the decision being made. The meeting should be chaired by a Practice Lead and present should be Team Manager, allocated Social Worker, IRO and Local Authority Solicitor. This meeting should be minute and recorded onto Mosaic.

[https://gatesheadcs.proceduresonline.com/chapters/p\\_legal\\_planning\\_meetings.html?zoom\\_highlight=PLO](https://gatesheadcs.proceduresonline.com/chapters/p_legal_planning_meetings.html?zoom_highlight=PLO)

### What should pre-proceedings work include

When it is decided that pre-proceedings (PLO) work with the family will take place, there are specific things that need to happen from the date of the decision.

**These are:**

#### 1. Formal Invite Letter

This letter has a set format. It is sent/given to the parents who are advised to get a Solicitor who specialises in family law and to get their wider family involved. The Letter allows the parent to have free legal advice. The letter is sent within five working days of the PLO work decision.

**The letter is the formal written notification that proceedings are likely. It should set out:**

- A summary in simple language of the local authority's concerns
- A summary of what support has already been provided to the parents
- What parents need to do what support will be provided for them, to avoid proceedings, including timescales
- Information on how to obtain legal advice and advocacy and make clear how important it is for the parent to seek legal representation

The letter should invite the parents and/or others with parental responsibility to a pre-proceedings meeting to agree proposals for addressing the current problems which have led to concerns about the welfare of the child. Where a parent may lack capacity, consideration should be given as to whether a discussion involving an advocate should take place before sending this letter out.

#### 2. Pre-Proceedings Meeting:

This meeting takes place within ten working days of the letter being received by the parents. The purpose of the meeting is to identify whether it is possible to reach agreement about what needs to happen to protect the child from harm, so that court proceedings can be avoided.

The meeting involves parents (and/or anyone else with parental responsibility), their legal representative, the local authority and the local authority legal representative. The safeguarding concerns are highlighted, what support is being offered, what can be done differently to reduce the risk and what the parent needs to do to reduce the concerns these are sometimes called the 'bottom line' actions. These actions now form the priority actions of the Child Protection Plan.

The meeting must be recorded in minutes and should be distributed within 7 working days and should be a clear plan completed with the parents. Setting clear expectations and timescales for improvement will reduce the potential for delay, while also providing an opportunity to avoid proceedings, where this is deemed appropriate by the local authority, informed by the views of the other professionals involved with the case. Review arrangements for identifying potential family carers, and/or for assessments with the parents, particularly where these require letters of instruction to assessment services.

[https://gatesheadcs.proceduresonline.com/chapters/p\\_care\\_supervis\\_plo.html#pre\\_proc](https://gatesheadcs.proceduresonline.com/chapters/p_care_supervis_plo.html#pre_proc)

### 3. Period of change and Pre-Proceedings Review

This is the time for the parents to make the necessary agreed changes to reduce the concerns. Support is provided by the local authority and progress is monitored by way of Child Protection core group meetings and conferences.

#### Pre-Proceedings Reviews

- This is a meeting held within six to eight weeks of the initial Pre-Proceedings Meeting.
- The purpose of the meeting is to review progress made against the bottom line actions.
- These meetings can be held several times during the process to allow for progression to be reviewed.

### 4. What are the possible outcomes of the Pre-Proceedings Review

The possible outcomes of the Pre-Proceedings review are:

#### PLO ends as progress has been made.

If the parents have achieved the 'bottom line' actions that are needed to reduce the concerns, it may be decided that the local authority is no longer considering care proceedings and thus pre-proceedings work ends. The work to progress the child protection plan will continue unless so much progress has been made that this plan is no longer required to safeguard the child and a child in need plan is more suitable, or indeed that the social work service no longer needs to be involved. A recommendation for PLO to end (and to which plan the child will be subject to) should be made to the relevant Service Delivery Manager who will make the decision via a Decision-Making Meeting (DMM).

#### PLO further period of change.

If it is felt that further progress can be made through pre-proceedings work, a recommendation could be made to allow a further period for change and to hold a second pre-proceedings review. This review should be held within 6-8 weeks of the first review. There is no procedure that tells us about a timescale around how long PLO should go on for however best practice guidance indicates no longer than 16 weeks.

Any case that reaches 12-week timescale a review of the case should be made by the relevant Service Delivery Manager by way of a Decision-Making Meeting (DMM).

#### Pursue care proceedings.

If the parents have made insufficient progress against the agreed actions, in exceptional circumstances the relevant Children's Service Delivery Manager can agree a further period of change and will record the rationale for this. Otherwise the case should be presented to the relevant Children's Services Delivery Manager by way of a Decision-Making Meeting (DMM) to consider care proceedings being initiated.