

# Pre-Proceedings Protocol

Version 1 2021

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## **1. Purpose of the Pre-Proceedings Protocol**

### **1.1 Purpose of pre-proceedings**

- To work with and support families in attempting to reduce risks to children and avoid care proceedings being commenced.

### **1.2 When it can be used?**

- The Pre-Proceedings process can be utilised when the threshold for a public law order is met.
- On assessing a case there are a number of different options to first consider within this PLO process, to safely manage the risk of significant harm to children and prevent the need for having to apply to the Court to share PR via a care order.

### **1.3 Benefits**

- The parents and Local Authority receive legal advice
- Further support can be identified and implemented
- Key assessments are completed
- Extended family members can be assessed (NB: timescale may be an issue)

### **1.4 Types of cases, which should NOT be in pre-proceedings**

- Allegations of non-accidental injuries (NAI)
- Allegations of sexual abuse
- Allegations of physical abuse
- Factitious induced illnesses (FII)
- Fatalities

A summary of the Pre-Proceedings Protocol is set out in the [Flowchart](#) included in section 7 below.

## 2. Legal Planning Meetings

A Legal Planning Meeting takes place when the Local Authority requires legal advice on a particular case.

Legal Planning Meetings are held via Microsoft Teams every Tuesday, Wednesday and Thursday. There are 6 appointments on each of these days which are available to all social work teams on a county-wide basis.

### 2.1 Prior to the meeting:

2.1.1 Prior to a Legal Planning Meeting, the social worker will have completed a Legal Planning Meeting Document, which must be provided to Legal at the time of the LPM request. This document, in turn, is provided to the legal rep in advance of the LPM.

2.1.2 The social worker must fully complete parts 1 and 2 of the Legal Planning Meeting Document, which will provide Legal with the following information:

#### Part 1

- The preferred LPM date and time
  - Is the case related to any other current or concluded case?
  - Social work team details
  - Children and family details
  - Others to be invited to the LPM
  - What other supporting documents have been provided to Legal to consider
    - Chronology
    - Genogram (three generational)
    - CP Plan
    - CIN Plan
    - Child and family assessment
    - S.47 report
    - Pre-birth assessment
    - Draft schedule of expectations
    - Family Group Conference Report
    - Birth Certificate
- NB: Multiple C&Fs and s47 assessments, CP Minutes not necessary. Just the most recent ones and/or those that contain information that is going to be relevant to the issues to be discussed at the meeting.

## Part 2

- A brief case history – this should summarise the history of the case and should include:
  - What are the strengths in the case?
  - What are the key issues in the case?
  - What are the significant incidents that have occurred?
  - Details of any related cases and expert assessments
- Impact on the child of the situation
- Reason for seeking legal advice
- Parenting capacity – what progress has been made? What are the strengths? What are the gaps in parenting capacity? To include the key needs of the child(ren) and details of any direct work with them to date
- Wishes and feelings of the child(ren) and views of the parents/significant others. Where do you see yourself on the cycle of change?
- Proposed care plan and plan of work with the family
- Managerial comment
- Specific legal advice required

2.1.3 By the social worker completing parts 1 and 2 of the LPM Document, in full, the legal rep will be equipped to provide full legal advice. The legal rep can only advise on the evidence presented by CSC.

2.1.4 Once the LPM has been arranged, CSC will receive confirmation of the details via email, followed by a Microsoft Teams invitation. It is essential that all proposed attendees at the LPM are included in part 1 the LPM Document to ensure the invitation is circulated appropriately by Legal.

## **2.2 At the meeting:**

2.2.1 The Legal Planning Meeting takes place via Microsoft Teams and is attended by the social work team and the legal rep. The legal rep will provide CSC with verbal legal advice on the issues presented.

2.2.2 As part of the discussions during the Legal Planning Meeting, the following points must be considered:

- Why has this meeting been called?
- What are the strengths in this case?
- What are the main issues arising?
- Is s20 appropriate and if so for how long and when will this be reviewed? Please document the findings around this.
- Is threshold met?
- Even if threshold is met what support can be offered to the family to prevent escalation? – Please document the findings around this.

- If public law proceedings are to be issued, what Order are you seeking and why? Could this be achieved by any other means – if so what? Please document the findings around this.

2.2.3 At the conclusion of the Legal Planning Meeting the key CSC decision maker provides instructions as follows:

- Step down from Legal and continue to work with the family:
  - Continue with Child in Need/Child Protection Plan
  - Placement with alternative carers
  - Provide accommodation and review on s20
  - Other
- Enter Pre-Proceedings
- Issue Public Law Proceedings

2.2.4 If the decision is to enter Pre-Proceedings, the first Pre-Proceedings Meeting must be booked whilst at the Legal Planning Meeting to avoid any delay.

### **2.3 Following the meeting:**

2.3.1 Following the meeting, the legal rep will provide a note of discussion and written legal advice (part 3 of the LPM Document) for CSC to consider.

2.3.2 Senior CSC management will confirm instructions on how to progress the case by completing part 4 of the LPM document and returning it to Legal.

2.3.3 Arrangements for any Pre-Proceedings Meetings will be confirmed by Legal in email.

### 3. The Letter Before Proceedings

- 3.1 The 'Letter Before Proceedings' enables a parent to obtain legal advice and representation during the Pre-Proceedings process.
- 3.2 Once a Pre-Proceedings Meeting is booked, the social worker and the allocated legal practitioner must liaise to prepare and send the Letter Before Proceedings. An individual letter must be sent to all parents involved. This will confirm to the parents that the meeting will be held via Microsoft Teams, and will provide them with the date and time of the meeting along with the reason for the meeting being convened, setting out the key concerns and summary of the background.
- 3.3 The Letter Before Proceedings should set out:
- A summary of the Local Authority's concerns, balancing it out with positives/strengths in the family in simple and respectful language
  - The impact of the identified concerns on the child(ren) should be set out clearly
  - A summary of what support has already been provided to the parents
  - What needs to change and what the parents should do to bring about change
  - What support will be provided by the local authority for them to avoid care proceedings including clear timescales of identified actions to be undertaken
  - Information on how to obtain legal advice (and advocacy where required), highlighting the importance for the parent to get legal representation
  - An invitation to the Pre-Proceedings Meeting, which should be held as soon as practicable following the LPM, clearly indicating the date and time of the meeting
- 3.4 When writing the Letter Before Proceedings social workers should:
- Be honest and respectful
  - Ensure the letter is written clearly and is jargon free
  - Try to engage rather than alienate the parents
  - Be clear about the seriousness of the matter
  - Avoid delay but give reasonable notice of the meeting
  - Provide sufficient detail to inform the parents' legal rep
  - Do not delay the letter by writing more than necessary
  - Make sure the letter links with the child protection plan
  - Identify and locate both parents, where the child is not living with both of them
  - Ensure that the parents understand the contents of the letter and have an opportunity to discuss it prior to the pre-proceedings meeting
  - Where a parent may lack capacity, consideration should be given as to whether a discussion involving an advocate/and or legal rep should take place before sending out this letter
  - Where English is not the first language of one or more parents then

interpretation services may be required.

- 3.5 The Letter Before Proceedings must make clear the need for the parents to contact a solicitor prior to the meeting and arrange for the solicitor to accompany them at the meeting (each SU should have their own independent solicitor). The letter will provide a link to the law society website, which sets out a list of local solicitors. The letter should be sent out 10 working days in advance of the date of the meeting.
  
- 3.6 The social worker must check a week after sending the Letter Before Proceedings that the parents have obtained legal advice. If not then there is time to explore why, encourage them to contact a solicitor and assist them if they are having difficulties doing this.

A template Letter Before Proceedings is included in section 7 below.



## 4. Pre-Proceedings Meetings

Pre-Proceedings Meetings are held via Microsoft Teams every Tuesday, Wednesday and Thursday. There are 5 appointments on each of these days which are available to all social work teams on a county-wide basis.

### 4.1 Prior to the meeting:

- 4.1.1 The social worker and legal will liaise with regards the appropriate drafting and sending of the Letter Before Proceedings 10 working days in advance of the meeting.
- 4.1.2 The social worker must complete the Microsoft Teams Contact Sheet and provide this to the allocated legal practitioner to enable calendar invitations to be circulated to the parents and their legal reps prior to the Pre-Proceedings Meeting.
- 4.1.3 Break out rooms will be created within Microsoft Teams to enable confidential discussions to take place prior to the Pre-Proceedings Meeting.
- 4.1.4 The social worker must send to Legal the draft Schedule of Expectations no later than 3 working days prior to the meeting. This will enable the legal rep to prepare a draft Pre-Proceedings Plan for consideration in advance of the meeting.
- 4.1.5 The draft Schedule of Expectations may need to be developed and amended, at the meeting. We need to engage with parents and ask them what they see as the expectations. It is essential that the main expectations/assessments that the social workers want the parents to agree to are identified before the meeting and preferably sent to the parents' solicitor in draft format in advance (if one is identified). This will ensure that the meeting can start promptly.
- 4.1.5 If the date of the Pre-Proceedings Meeting has to be altered or cancelled for any reason, CSC must liaise directly with the allocated legal practitioner, who has conduct of the case, so that the appointment slot is freed up in time to reallocate for another meeting, if needs be.

**4.2 At the meeting:**

- 4.2.1 At the start of the meeting, the social work team and the parents/service users will have some time with their legal reps via break out rooms within Microsoft Teams. This will be used to take updating instructions, complete the draft Schedule of Expectations and Pre-Proceedings Plan and for the parents/service users to go through the same with their solicitor.
- 4.2.2 Within the meeting, the social worker will give a summary as to the reason for pre-proceedings or an update as to progress since the last Pre-Proceedings Meeting.
- 4.2.3 As a matter of good practice, the Pre-Proceedings Plan should be co-produced as much as possible. The social worker will go through the Schedule of Expectations and Pre-Proceedings Plan with the parents/service users and check if they are agreed or if any amendments are sought. Once agreed, the Schedule of Expectations and Pre-Proceedings Plan will be updated and signed. (NB: this is not a short process hence the necessity of full instructions in advance of the Pre-Proceedings Meeting so that a useful and sufficiently detailed draft document can be prepared in advance of and not at the meeting).
- 4.2.4 During the meeting, a review date must be set for the next meeting. Review Pre-Proceedings Meetings must be arranged and booked with Legal during the first Pre-Proceedings Meeting.
- 4.2.5 Any requests for a third Pre-Proceedings Meeting must require written approval from CSC senior management prior to being sent to Legal.
- 4.2.6 A date for the pre-proceedings process to be completed must be fixed and recorded in the Pre-Proceedings Plan during the first Pre-Proceedings Meeting.

**4.3 Following the meeting:**

- 4.3.1 Once agreed, both the finalised Schedule of Expectations and Pre-Proceedings Plan must be provided to the allocated legal practitioner.
- 4.3.2 Copies must be provided to the parents and their legal representatives.
- 4.3.3 Copies will be provided to CSC for future dates to be diarised, and for the document to be saved to the system.
- 4.3.4 A Legal review with CSC will take place in good time prior to the date of the Review Pre-Proceedings Meeting.

- 4.3.5 If the date of the Review Pre-Proceedings Meeting has to be altered or cancelled for any reason, CSC must liaise directly with the allocated legal practitioner, who has conduct of the case, so that the appointment slot is freed up in time to reallocate for another meeting, if needs be.
- 4.3.6 Upon conclusion of the pre-proceedings process CSC will provide instructions to Legal who will then confirm the outcome to the parents and their legal reps.

## 5. Microsoft Teams for Legal Planning Meetings and Pre-Proceedings Meetings

- 5.1 All Legal Planning Meetings and Pre-Proceedings Meetings take place remotely via Microsoft Teams.
- 5.2 Enhanced use of Microsoft Teams within Pre-Proceedings Meetings enables separate breakout rooms to be created by the meeting organiser.
- 5.3 Breakout rooms enable confidential discussions to take place between the parties and their legal reps prior to the meeting commencing.
- 5.4 Breakout rooms will be available for the first 30 minutes of each Pre-Proceedings Meeting. Participants will then return to the main Pre-Proceedings Meeting for the remaining 60 minutes of the allotted time slot.

A summary of this process is set out in the [Flowchart](#) included in section 7 below.

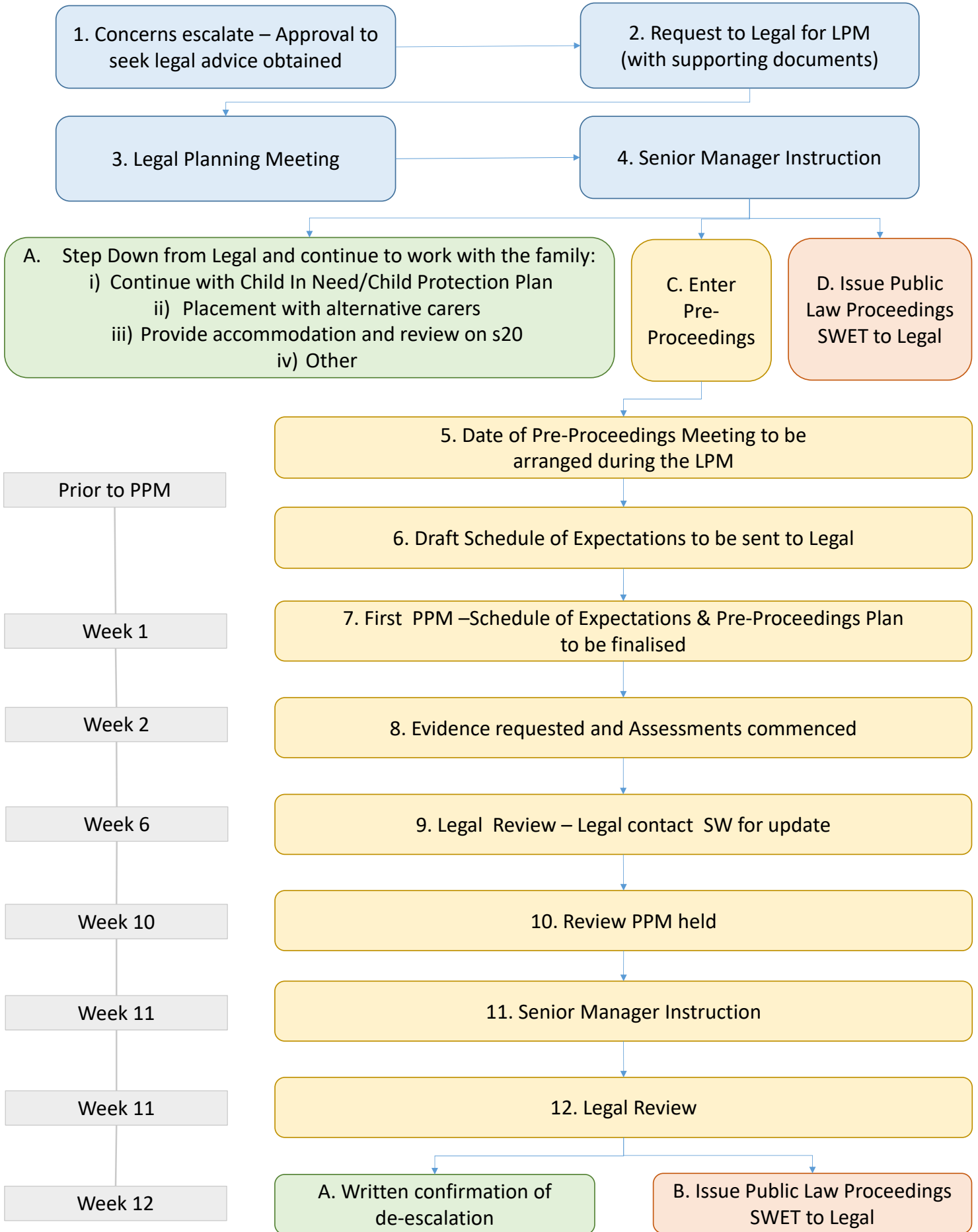
**6. Gathering Evidence**

<b>PRE-PROCEEDINGS PLAN</b>	<b>TO BE ACTIONED BY</b>
DNA Testing	CSC instructs Legal
Cognitive Assessments	CSC instructs Legal
Other Expert Assessments (Psychological/Psychiatric)	CSC instructs Legal
PAMS or ISW Reports	Children's Social Care (after liaising with Legal about letter of instruction)
Assessment of Alternate Carers	Children's Social Care
Hair stand drug testing	CSC instructs Legal
Alcohol Testing	CSC instructs Legal
Obtaining Medical Records and GP Reports (Adult)	Legal upon receipt of signed consent provided by CSC
Obtaining Medical Records (Child)	Legal upon receipt of signed consent provided by CSC
Police Disclosure	Legal
School Reports	Children's Social Care
Sure Start/Children's Centre Reports	Children's Social Care
Other reports	Dependent upon nature

## 7. Documentation

1. Pre-Proceedings Flowchart
2. Legal Planning Meeting Document
3. Letter Before Proceedings
4. Microsoft Teams Contact Sheet
5. Microsoft Teams Flowchart
6. Schedule of Expectations
7. Pre-Proceedings Plan

# Pre-Proceedings Flowchart – CSC and Legal



## Legal Planning Meeting Document

Children's Social Care
<input type="checkbox"/> CSC to tick if requesting LPM
Send to – Generic Legal Gateway Meetings mailbox: <a href="mailto:ocecssg.legalgatewaymeetings@lancashire.gov.uk">ocecssg.legalgatewaymeetings@lancashire.gov.uk</a>

=====

Legal Rep
<input type="checkbox"/> Legal Rep to tick if returning Note of Discussion and Legal Advice
Return to – Generic Legal Gateway Meetings mailbox: <a href="mailto:ocecssg.legalgatewaymeetings@lancashire.gov.uk">ocecssg.legalgatewaymeetings@lancashire.gov.uk</a>

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LPM File Ref: 892. Name: CSC Locality: (Completed by Legal)
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**PART 1 – Request for Legal Planning Meeting via Microsoft Teams**

Name of Senior Manager authorising LPM	
Preferred Meeting Date	
Preferred Time Slot (Lunch Break – 12.30pm to 1.30pm)	<input type="checkbox"/> 9.30am <input type="checkbox"/> 11.30am <input type="checkbox"/> 10.30am (Lunch Break – 12.30pm to 1.30pm) <input type="checkbox"/> 1.30pm <input type="checkbox"/> 2.30pm <input type="checkbox"/> 3.30pm
CSC Locality:	<input type="checkbox"/> North <input type="checkbox"/> East <input type="checkbox"/> Central <input type="checkbox"/> South
<u>It is important that we connect all related cases</u> Is this case known to legal or are there any related cases, current or concluded, linked to this matter?	
<input type="checkbox"/> Yes (please give details, below) <input type="checkbox"/> No	
Details:	

CSC Team				
Name				
Role	Social Worker	Consultant Social Worker	Team Manager	Senior Manager
Telephone No				
Email				

Others to be invited to Legal Planning Meeting			
Name	Role	Telephone No	Email

Child(ren)		
Name	DOB	SU NUMBER

Family						
Name	DOB	Relationship to child(ren)	Address	Contact Number	E-mail	PR
		Mother				<input type="checkbox"/>
		Father				<input type="checkbox"/>
						<input type="checkbox"/>

**PART 2 – Case Information**

Part 2 of this form acts as CSC's Case Information to Legal.  
Documents provided by CSC should be current and relevant.

I have attached the following documents:	If not attached, why or when it will be made available
<input type="checkbox"/> Chronology	
<input type="checkbox"/> Genogram (three generational)	
<input type="checkbox"/> Most recent CP Plan	
<input type="checkbox"/> Most recent CIN Plan	
<input type="checkbox"/> Most recent C & F Assessment	
<input type="checkbox"/> s47 Report	
<input type="checkbox"/> Pre-birth Assessment	
<input type="checkbox"/> Draft Schedule of Expectations	
<input type="checkbox"/> Family Group Conference Report	
<input type="checkbox"/> Birth Certificate	

The above document list is not exhaustive.

By providing these documents with your request, your Case Information needs only to be short and succinct.

A brief case history – this should summarise the history of the case and should include:

What are the strengths in the case?

What are they key issues in the case?

What are the significant incidents that have occurred?

Details of any related cases and expert assessments

Impact on the child(ren):

Reason for seeking legal advice:

Parenting capacity – what progress has been made? What are the strengths? What are the gaps in parenting capacity? To include the key needs of the child(ren) and details of any direct work with them to date:

Wishes and feelings of the child(ren) and views of the parents and significant others/extended family. Where do you see yourself on the cycle of change?

Proposed outline Permanence/Care Plan and Plan of work with the family:

Consultant Social Worker/Team Manager/Senior Manager comment on the request for Legal advice:

Specific legal advice required:

- Step down from Legal and continue to work with the family:
  - Continue with Child In Need/Child Protection Plan
  - Placement with alternative carers
  - Provide accommodation and review on s20
  - Other
- Enter Pre-proceedings
- Issue Public Law Proceedings

**Part 3 – Note of Discussion and Legal Advice**

List of Attendees:

Key CSC Decision Maker –

Note of discussion:

Why has this meeting been called?

What are the strengths in this case?

What are the main issues arising?

Is s20 appropriate and if so for how long and when will this be reviewed? Please document the findings around this.

Is threshold met?

Even if threshold is met what support can be offered to the family to prevent escalation? Please document the findings around this.

If public law proceedings are to be issued, what Order are you seeking and why? Could this be achieved by any other means – if so what? Please document the findings around this.

Legal Advice:

Name of Legal Rep:

Date:

### Part 4 – Instructions

Outcome:

- Step down from Legal and continue to work with the family:
  - Continue with Child In Need/Child Protection Plan
  - Placement with alternative carers
  - Provide accommodation and review on s20
  - Other
- Enter Pre-proceedings
- Issue Public Law Proceedings

Instructions from CSC Key Decision Maker:

Name of CSC Key Decision Maker:

Date:

Name  
Address



## Letter Before Proceedings

Office Address Contact

Direct line

E-mail

Date

Dear (parent and/or full name(s) of all people with parental responsibility)

Re: Insert (name(s) of child(ren))

Sent by (Hand/recorded delivery/personal service)

**This letter needs to be taken to a Solicitor now, please take action.**

I am writing to you on behalf of Lancashire County Council Children's Services. This letter is to invite you to a Pre-Proceedings Meeting at which Lancashire Children's Services will have legal representation due to our serious concerns about (*insert names of child(ren)*). Lancashire Children's Services will continue to work with you to seek to improve things, if these concerns are not addressed we may seek permission from the Court for your children to be removed from your care.

This letter will tell you why we are worried and how we intend to continue to work with you in partnership, so that you have the best possible chance of (*insert names of child(ren)*) remaining within your care and Lancashire Children's Services not starting legal proceedings.

Please seek legal advice, it is important that you take this letter to a Solicitor now, who will offer free independent advice. They will be able to explain what happens at the meeting and what your rights are. We strongly advise you to bring your Solicitor to the meeting so they can explain what is happening during the meeting and what happens following the meeting. A list of local solicitors who work with children and families is available via <http://solicitors.lawsociety.org.uk>

The meeting will make clear our expectations of you and what you can expect from Lancashire Children's Services, this is a two-way agreement to further support you and your family. This will be in the form of written document, called a Pre-Proceedings Plan, the details of which will be made very clear to you at the meeting. Our legal position will be reviewed within 6 weeks of the initial meeting.

**The meeting will be held on (*date and time*) via Microsoft Teams.**

Please talk to (*insert Social Worker's name*) about how we can help ensure that you have the right support to attend the meeting, including any help you may require for child care or any measures we will need to put into place so that you fully understand the contents of the Pre-Proceedings Plan.

**What we are worried about:**

*(Keep to short, simple, jargon free sentences / bullet points, detailing the evidence of significant harm)*

**What is working well:**

*(Use this section to promote how Lancashire Children's Services have worked with and offered support to the family)*



**What needs to happen before the meeting:**

Please talk to (*insert Social Worker's name*) to confirm you are attending the meeting. (*Insert Social Worker's name*) will continue to be in regular communication with you and your family before the meeting. This will include consideration of a Family Group Conference, if not already held, to see how your family can support you and *Insert name(s) of child(ren)*. The process of which (*insert Social Worker's name*) will explain to you further.

Please seek legal advice, speak to a Solicitor who specialises in family law. They will help you understand the situation from a legal point of view and give you independent advice about your rights and options. Please take this letter to a Solicitor, you will not have to pay for legal advice or representation. A list of local solicitors who work with children and families is available via <http://solicitors.lawsociety.org.uk>

Your Solicitor will need the details of the Lancashire Children's Services legal representative -

Local Authority Legal Contact:

Name –

Email –

Telephone number -

Please ask (*insert Social Worker's name*) should you have any further questions or queries before the meeting.

We look forward to seeing you at the meeting and to continue to work with you

Yours sincerely

Senior Manager

Cc: Social Worker [name]

Cc: Local Authority Lawyer [name]

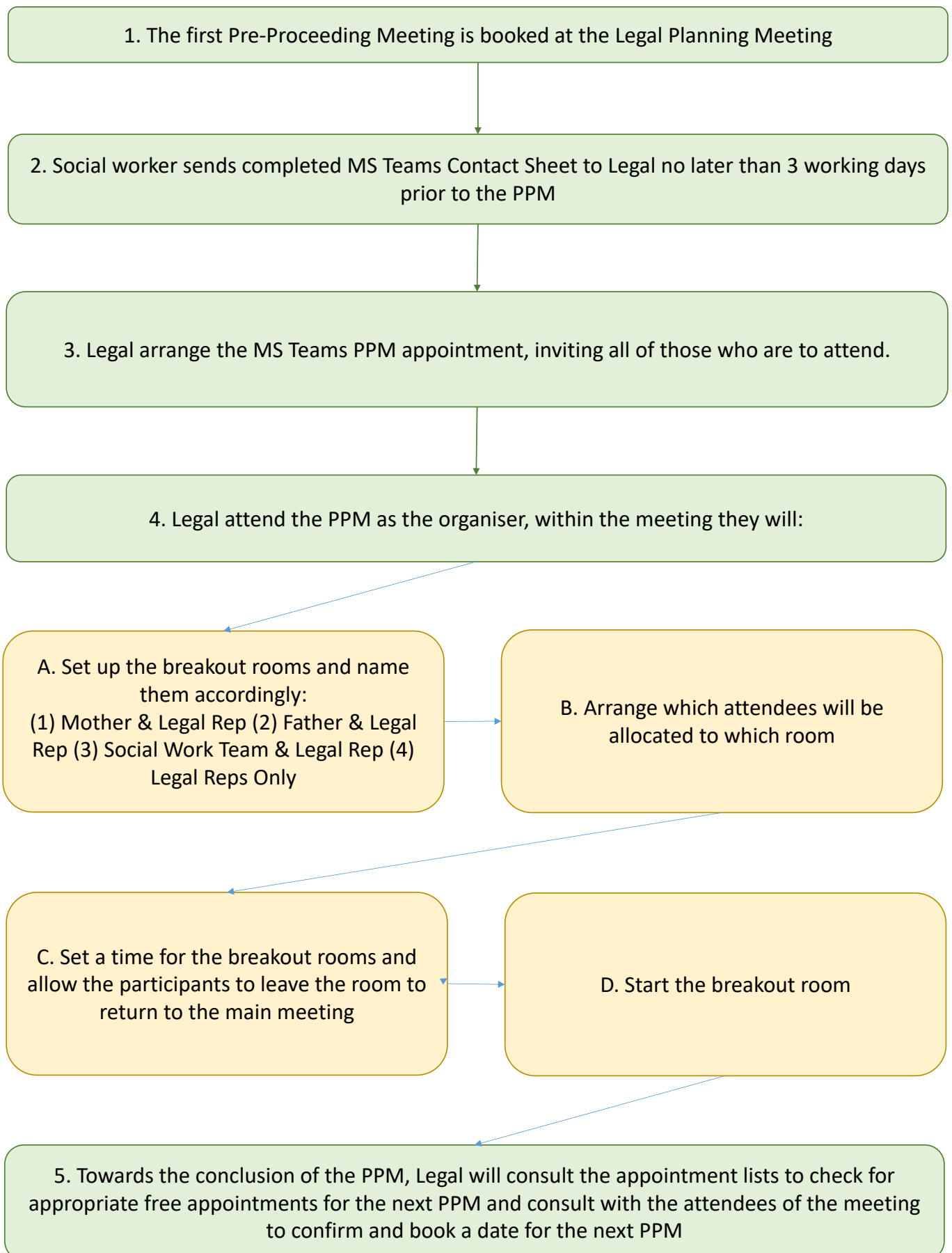
## **Contact Details for Pre-Proceedings Meetings via MS Teams**

A Pre-Proceedings Meeting has been arranged as follows:

Ref: 892.	Case Name:	
Date:	Time:	Allocated Legal Practitioner:
Alternative contact(s) if Legal Practitioner Absent:		

ATTENDEE NAME	TITLE	EMAIL ADDRESS	TELEPHONE NUMBER
	Social Worker		
	Consultant Social Worker		
	Team Manager		
	Senior Manager		
	SU - Mother		
	SU – Father		
	Solicitor for Mother		
	Solicitor for Father		

# MS Teams Flowchart



To be completed by the Social Worker and submitted to Legal 3 working days before the Pre-Proceedings Meeting

## **SCHEDULE OF EXPECTATIONS**

### **1. LIVING ARRANGEMENTS**

The Child(ren) will live with

\_\_\_\_\_ will permit staff from Children's Social Care to visit and meet with the child(ren) as and when required. These visits will be announced and unannounced.

### **2. TIME WITH FAMILY ARRANGEMENTS**

The Child(ren) will have Contact with [insert name(s)] as follows:

Such Contact will take place at [insert venue and specific times if necessary] and will be [supervised (if so by whom)/unsupervised ].

Consider here if risk assessment is required prior to contact being recommended.

#### **Associates**

3. You must not allow .... to have any contact with the child(ren). This includes contact on social media. If any contact does take place you must tell the social worker as soon as possible.

4. If you enter a new relationship you must tell the social worker the details of the person who you are in a relationship with. You must not let the person have contact with the child(ren) until the local authority has undertaken a check on that person and informed you of the outcome.

5. You must not let the child(ren) stay at any person's home or have any person stay at your home unless you have told the social worker the details and that person has been approved.

6. The person(s) approved to be at the home/care for the children are:

#### **Domestic Abuse**

7. You will not behave in a violent or aggressive way in front of the child(ren)

8. If the child does see or hear any incidents, you must tell the social worker. You must also report any incidents to the police.

9. You will engage with the Freedom Project/Family Support Worker regarding domestic abuse and its effects.

#### **Home Conditions**

10. You must make sure the home is clean and safe for the child(ren) to live in.

### **Basic Care**

11. You must make sure the child(ren) are fed and washed.
12. You must complete a parenting course/engage with the Family Support Worker regarding your parenting skills.

### **Engagement with Professionals**

13. You must attend all appointments arranged with the social worker and other agencies including Child Protection, Core Group Meetings and Pre Proceedings meeting. If you cannot attend any appointment, you must let the social worker or the agency know as soon as possible.

### **Health- Children.**

14. You must ensure that your children are registered with a GP/dentist
15. You must ensure that your children attend all of their health, including dental appointments.

### **Education**

16. You must make sure the child(ren) attend(s) school/nursery on time. You must notify the school/nursery the same day, of any illness or other reason if attendance does not take place.

### **Mental Health**

17. You should arrange an appointment with your General Practitioner to consider what support or services you may need and engage with the services recommended.
18. You must take your medication regularly/attend with your General Practitioner to review your medication.
19. You should attend the appointment arranged for you to see the psychologist/psychiatrist who will be requested to prepare an assessment of you.

### **Support for the children.**

20. The following support services/referrals/support services are in place to provide your child/ren with support ..... ELCAS/Barnardos/Outreach/CSE service and you must encourage your children to engage with the same.

Name

Relationship to Child

Date

[GP, Hospital. Mental Health Provider]

[Address of Service named above]

**MEDICAL AUTHORITY**

**Name:**

**Address:**

**DOB:**

I the above named consent to the release of my medical records to Lancashire County Council, County Hall, Preston, Lancashire, PR1 8XJ for the purposes of the Pre-Proceedings process, and any future Family Court proceedings.

Signed.....

Dated.....

[GP, Hospital, CAMHS, HV]  
[Address of Service named above]

**MEDICAL AUTHORITY ON BEHALF OF A CHILD**

**Name of Child:**

**Address:**

**DOB:**

I [ name] having parental responsibility for the above named child, consent to the release of their medical records to Lancashire County Council, County Hall, Preston, Lancashire, PR1 8XJ for the purposes of the Pre-Proceedings process, and any future Family Court proceedings.

Signed.....

Dated.....

To be completed by the Local Authority Legal Rep at the Pre-Proceedings Meeting

### **PRE-PROCEEDINGS PLAN**

#### **Insert Name and DOB of Child**

Following discussions at the First Pre-Proceedings Meeting held via Microsoft Teams on the [insert date] a Pre-Proceedings Plan was agreed between:

<b>NAME</b>	<b>RELATIONSHIP TO CHILD</b>
[1] Lancashire County Council	None
[2]	
[3]	
[4]	
[5]	

- The Pre-Proceedings Plan must be completed within 12 weeks.
- The timetable may only be extended in exceptional circumstances.
- This Pre-Proceedings Plan must be completed by (insert date).
- The review Pre-Proceedings Meeting will take place via Microsoft Teams on (insert date).
- The outcome of the Pre-Proceedings process will be confirmed to the parties legal representatives in writing by (insert date).



## **1. DNA TESTING**

It is agreed that there will be DNA testing to establish the paternity of the child/ren to be undertaken by (insert company) by (insert date).

The mother XXX consents to a DNA sample being taken from the child/ren for the purposes of such testing.

The Local Authority will arrange and fund such testing and will make the results available by [insert date].

## **2. EXPERTS**

### **[A] COGNITIVE ASSESSMENT**

It is agreed that there will be a cognitive assessment of [insert name] to be undertaken by [insert Expert Name or at least specialism] by [insert date].

The Local Authority will instruct the Expert and will fund that assessment.

The Expert will be asked to assess the following:-

1. Please carry out a full cognitive assessment of the [name] and advise on their overall level of functioning.
2. Please advise as to how information should be given to [name], taking in to account the findings of the cognitive assessment;
3. Taking into account the findings of the cognitive assessment please advise on the appropriate method of assessing [names] parenting capacity and sharing any necessary information with them.

### **[B] OTHER EXPERT ASSESSMENT (Psychological/Psychiatric/ISW/PAMS)**

It is agreed that there will be a \_\_\_\_\_ assessment of [insert name] to be undertaken by [insert Expert Name or at least specialism] by [insert date].

The Local Authority will instruct that expert and will fund that assessment.

The Expert will be asked to assess the following:

- 1.

### 3 SOCIAL WORK ASSESSMENTS

It is agreed that there will be a parenting/sibling/full social work assessment of XXX to be completed by XXX by (insert date).

### 4 ALTERNATE CARERS TO BE ASSESSED

The family members put forward as alternative Carers to be assessed during the Pre-Proceedings Process are as follows:-

Name	D.O.B	RELATIONSHIP TO CHILD	ADDRESS	CONTACT TELEPHONE NUMBER

The allocated social worker will make a referral to the Family Group Conferencing Service by (insert date)

The Local Authority will undertake an initial assessment of the alternate Carers identified by [insert date]

The Local Authority will by [insert date] write to the subject of each assessment, enclosing a copy of their assessment and setting out the next steps.

In the event that the assessment is positive, there will be a full assessment, with the assessment being due by [insert date]

In the event that the assessment is negative, the subject will be invited to make written representations for consideration by the Local Authority within 14 days of receiving the assessment.

### 5. HAIR STRAND DRUG TESTING

[Name] has agreed to undergo Hair Strand Drug Testing for [insert drug(s)] for the period [insert time period]. *Record here if the hair sample needs to be sectioned and that the subject has been informed not to cut or dye their hair in the meantime.*

[Name] will ensure that s/he engages with such testing and attends any appointment made to take their hair sample.

The Local Authority will arrange and fund such testing and will make the results available by [insert date].

## **6. ALCOHOL TESTING**

[Name] has agreed to undergo Hair Strand Alcohol Testing for the period [insert time period].

[Name] has agreed to provide a sample of blood and undergo LFT and CDT Alcohol Testing for the period.

[Name] will ensure that s/he engages with such testing and attends any appointment made to take their hair and/or blood sample.

The Local Authority will arrange and fund such testing and will make the results available by [insert date].

## **7. PROVISION OF MEDICAL RECORDS (Adults)**

[Name] has today provided consent to the Local Authority to obtain their [GP/Hospital/Mental Health] records for the purpose of pre-proceedings and court proceedings concerning his/her child(ren).

The Local Authority will obtain those records and send a copy to [Name's] legal representatives no later than [insert date].

### **7a. GP report**

The mother/father has given the Local Authority permission to obtain a report from their GP regarding the following..... current diagnosis/treatment/medication/treatment plan.

The Local Authority will obtain these reports and send a copy to [Name's] legal representatives no later than [insert date].

## **8. PROVISION OF MEDICAL RECORDS (Children )**

[Name] has today provided consent to the Local Authority to obtain the [GP/Hospital/CAMHS/Health Visitor] records for [Child's Name] for the purpose of pre-proceedings and court proceedings concerning his/her child(ren).

The Local Authority will obtain those records and send a copy to [Name's] legal representatives no later than [insert date].

## **9. POLICE DISCLOSURE**

The Local Authority will make an application for Police Disclosure from Lancashire Constabulary, and any other relevant police forces as appropriate, in respect of [include all subjects names] and will make the same available to the subjects legal representatives [on receipt of a signed undertaking] no later than [insert date].

## **10. SCHOOL REPORTS**

The Local Authority will request the relevant information/reports from the child/ren's schools/nurseries and will make the same available to those with Parental Responsibility no later than [insert date].

## **11. OTHER REPORTS**

The mother/father has given their consent for the Local Authority to obtain reports from the following professionals regarding their involvement with the mother/father/children..... (delete as appropriate)

Probation service

INSPIRE service

Family Support Worker

Treating Consultant

CBT therapist.

Freedom Project/Recovery Toolkit

Woman's Centre

Previous local authority regarding their involvement with the family.

Outreach Service

Health Visitor

Midwife

The Local Authority will obtain these reports and send a copy to [Name's] legal representatives no later than [insert date].

## **12. DATE OF REVIEW PRE-PROCEEDINGS MEETING**

The review Pre-Proceedings Meeting will take place via Microsoft Teams at (insert date and time). All parties are aware of this date and must attend the meeting.

**COMPLIANCE**

The Local Authority will not start proceedings or seek to remove your child(ren) unless it is in the welfare interests of the child(ren) and will not do so without further discussion or consultation with you, except in the case of an emergency.

In the event that you do not comply with this Pre-Proceedings Plan, then the Local Authority may:

[a] Where the safety of the children is compromised, bring the agreement to an end and take legal steps which may result in the removal of the children from your care

And/or

[b] Commence Care Proceedings

If you are dissatisfied with the support that you are receiving from the Local Authority, then you should invoke the complaints procedure (a copy of which can be accessed from the Social Worker or their Line Manager).

**The Pre-Proceedings Plan is agreed by:**

On behalf of Lancashire County Council			
Name:		Name:	
Relationship to Child:		Relationship to Child:	
Role		Role	
Sign		Sign	
Date		Date	
On behalf of Lancashire County Council			
Name:		Name:	
Relationship to Child:		Relationship to Child:	
Role		Role	
Sign		Sign	
Date		Name:	

**At the conclusion of this meeting, a signed copy of this Pre-Proceedings Plan must be provided to:**

- the parties and their legal reps
- the allocated social worker
- the allocated practitioner within Legal