



Care Proceedings

Information for
Parents and Carers

Why does Children's Social Care need to be involved?

If Leicestershire Children's Services is told by someone that your child may be suffering harm, the law says that they must look into the matter to make sure that your child is safe. Anyone can contact Children's Services if they are worried about a child. If there are significant worries about a child and it is felt they are not safe in their parents' care, Children's Services can apply to the courts to take action to protect the child.

What is 'Significant Harm'?

The Children's Act 1989 defines significant harm as the 'ill-treatment or impairment of the health or development of the child'. Children's Services may define this further as physical, sexual or emotional abuse, or neglect. It will be made very clear to you what it is that the Local Authority is worried about.

What are Pre-proceedings?

Pre-proceedings is a period of time where there are clear expectations about the actions you will take to reduce the worries for your child. These will be set out by your social worker, in a pre-proceedings meeting which is attended by yourselves, your solicitors, the social worker and the Local Authorities solicitor. It will be made clear that if the actions agreed have not been completed within the agreed period of time, the Local Authority could apply to go to court for an initial hearing, or extend the pre-proceedings further. If the actions have been completed and there are less worries, pre-proceedings may be ended.

Initial Hearing

An initial hearing is the first court hearing about your child between yourselves and the Local Authority. Before this takes place, you will have seen Court reports prepared by the social worker which would set out the worries for your child and what has happened so far. The Initial Hearing would again be attended by yourselves, your solicitor, the social worker and the Local Authority solicitor, as well as the Children's Guardian, who is there on behalf of your child to consider their views. The Judge will have read the reports prepared for the hearing and may speak to the social worker or their solicitor for their view. Your solicitor will speak on your behalf. The Judge could make an order for your child to live elsewhere whilst further work is being done if they agree with the worries in the Court reports. They will then arrange for a review hearing to hear the progress.

Review Hearings

At a review hearing the Judge will listen to the updated Court reports and what progress has been made and make a decision about whether your child can return home or whether they should stay in their placement. New actions may be agreed or previous ones continued. It can take some time for a final decision to be made but care proceedings should be completed within 26 weeks in line with the Children and Families Act 2014. If it is close to this time and the Local Authority still does not have a final recommendation, they would need to request an extension. Only the Judge can make the final decision on where your child lives once they have read all the reports and heard all the evidence.

Looked After Children processes

If your child is being looked after by someone else, they will be subject to Looked After Child procedures. This means they will have a plan around how to meet and support their needs, including the time they spend with you. There will be reviews held at 28 days, 3 months and subsequently every 6 months to make sure the plans are progressing as they should. Your child will be allocated an Independent Reviewing Officer (IRO) who will review the plans with you and the other involved professionals. Your child's views and wishes will be very important in this process.

CAFCASS / Child's Guardian

If you are involved in proceedings, a Guardian will be assigned to your child through CAFCASS (Child and Family Court and Support Service). The Guardian's role is to speak with your child, get an understanding of what their views and feelings are about what has been happening for them, and then make sure these views are shared in court on the child's behalf. The Guardian will also read the Court reports and will make a decision about whether they are in support of the social workers recommendation or not.

Our Core Values:

Our Core Values across Leicestershire is to ensure that when we work we families we are:

Aspiration - Being aspirational for our children, families and workforce.

Being Curious - Being Curious and paying attention to the detail

Collaboration - Building strong working relationships

Other Useful Links:

For further information and details about the process or if parents want further independent advice please contact Citizens Advice:

www.legislation.gov.uk/ukpga/1989/41/section/17

www.legislation.gov.uk/ukpga/1989/41/section/47

[www.citizensadvice.org.uk/family/children-and-young-people/child-abuse/
local-authority-involvement/local-authority-investigations-of-child-abuse/](http://www.citizensadvice.org.uk/family/children-and-young-people/child-abuse/local-authority-involvement/local-authority-investigations-of-child-abuse/)

Making a complaint:

If a parent is not happy about the service that has been offered or feel they have been treated unfairly, it is important that this is discussed with the Social Worker and/or their Team Manager.

Speak to our Complaints Team:

If the complaint is not resolved a formal complaint can be made by using the following website:

www.leicestershire.gov.uk/about-the-council/contact-us/complaints-and-comments

Links to our Policy and Procedures:

<https://llrscb.proceduresonline.com/index.htm>