

Children's Services Directorate

Practice Guidance regarding the role of Support Persons at Child Protection Conferences, Looked After Children Reviews and Family Support Planning Meetings

Children's Services Improvement Board

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1. Purpose and scope of the practice guidance.

Children and their parents have a right to have support at Child Protection Case Conferences, Looked After Children Reviews and Family Support Planning Meetings given the serious issues discussed at these meetings. Children already have access to independent support through a contracted scheme which provides them with support before and if required, at the LAC Review. They will receive support from their parents at Case Conferences and Family Support meetings however if they require independent support, this will be made available to them.

Thus the aim of this practice guidance is to clarify the roles and responsibilities of all support persons for parents when they attend relevant meetings. It intended to ensure that parents are fully aware of how their support person may represent their views at the meeting, who can act as a support person and any restrictions that may apply.

The purpose of the restrictions indicated is to ensure that children and parents are protected and also that good order is maintained during the meeting. Like everyone else at these various meetings, a support person is obliged to accept the rulings of the Chair.

It is also intended to ensure that support persons are fully informed, prior to attending, as to the extent of their role. The practice guidance will also ensure that Social Workers and Chairpersons of Child Protection Conferences, Looked After Children Reviews and Family Support Planning Meetings are clear about their respective roles and responsibilities in advising parents and children/young people of their right to be accompanied by a support person and the management of their participation in the meeting. It is intended that a support person will attend these meetings alongside the parent whom they wish to support.

2. Relevant Legislation/Policy and Procedures

The following are considered relevant:

- Children (NI) Order 1995
- ACPC Regional Policy and Procedures 2005

- Children Order Handbook of Policies and Procedures, Children Looked After Vols. 2/3/4
- Human Rights Act 1998
- Standards for Child Protection Services 2008 [DHSSPS]
- United Nations Convention on the Rights of the Child (specifically Articles 12 and 13)

3 Guidance regarding the Role of Support Persons at Child Protection Conferences, Looked After Children Reviews and Family Support Planning Meetings.

3.1 Roles & Responsibilities of Social Worker & Chairperson

- 3.1.1 Social Workers should advise a parent of their right to have a support person accompany them at Child Protection Conferences, Looked After reviews and Family Support Planning Meetings to assist their full participation.
- 3.1.2 Social Workers should advise a parent about the importance of whom they select to act as support person given the confidential nature of the meeting.
- 3.1.3 The Chairperson should be informed in advance of the parent's intention to bring a support person.
- 3.1.4 It is only appropriate for one support person to accompany a parent . A child will already be able to have his/her own support person as outlined above. If individual parents wish to have separate support persons, this should be discussed with the chair person in advance in order to resolve any potential difficulties and prevent any undue delay on the day of the conference or review.
- 3.1.5 Both children and parents must always be consulted for their views on a named support person being present and having access to their information. Their views must be recorded on the child's case file. If a child objects to a parent's support person having access to their information, this must be resolved by the Chair before the Support person is allowed to do so.

3.1.6 The Social Worker in conjunction with the Chairperson must always consider if the attendance of a support person presents any issues in relation to Data Protection issues and each service user's right to have their information managed in a confidential manner e.g. where a Child is unable to express his/her views due to age/ level of understanding or disability; if a parent has mental health issues or learning disabilities. Details of the reasons for a support person being permitted/not permitted to attend must be recorded in the minutes.

3.1.7 In exceptional circumstances, the Chair may prevent a support person from attending the Conference or review e.g. where it is known that the support person has a conviction, or has been cautioned for offences against children or vulnerable adults; or has been investigated as a potential risk to children or vulnerable adults; or where a support person has previously been disruptive or aggressive/abusive during meetings; or their attendance may inhibit others from effectively contributing to the meeting. Any decision will be in the best interests of the child.

3.2 Roles and Responsibilities of Support Person

3.2.1 The support person may be a relative, friend, solicitor or any other relevant person whom the parent believes is best placed to support them.

3.2.2 Given that it would not be possible to undertake formal vetting of support persons, It is the therefore the responsibility of the parent /support person to advise the Social Worker and Chairperson of any information e.g. criminal convictions or investigations as a potential risk to children or vulnerable adults, which may affect their suitability to act as a support person.

3.2.3 The role of the support person is to provide explanations and/or speak on behalf of the parent with their consent and having established his/her views in advance of the meeting. However, the support person is not present to promote his/her own views/opinions.

3.2.4 The support person is required to accept any ruling made by the Chair during the meeting. The support person should respect the opinions of all other participants and not interrupt while someone is speaking.

- 3.2.5 The Chairperson will afford the parent child and support person the opportunity to contribute to the review discussion. However, a support person may be asked to leave the meeting if the Chairperson considers his presence is disruptive to the effective management of the meeting.
- 3.2.6 If a parent has consented to their support person having access to reports during the meeting, the support person must return all reports to the Chairperson at the end of the meeting in the interests of confidentiality. Where the support person is a Solicitor, the Solicitor is entitled to retain those reports. Apart from this exception, only the parent and /or young person may request to retain reports and this request will be considered according to the circumstances at the time. Please note that the support person will not receive a copy of the Child Protection Conference Record or Looked After Review minutes. However all Solicitors will have access to these upon request.
- 3.2.7 It is fundamental to Case Conferences, LAC Reviews and Family Support Planning Meetings that the parent(s) of the child attend in person. Should a parent not attend the Chair will consider whether the meeting should be delayed until the parent can attend. In appropriate circumstances the Chair may permit a support person to attend and take part in the meeting in the absence of a parent but only with the agreement of the child. Appropriate circumstances may include an unexpected absence on the part of a parent. Children (if of appropriate age and understanding) should be consulted as to whether they are content for the support person to be present without their parent being present.

4.0 Equality Statement

This guidance has been screened for equality implications as required by Section 75 and Schedule 9 of the Northern Ireland Act 1998. Using the Equality Commission's screening criteria; no significant equality implications have been identified. Similarly, this guidance has been considered under the terms of The Human Rights Act 1998 and was deemed compatible with the European Convention Rights contained in the Act. This guidance has also been the subject of consultation with interested groups.