



**BIRMINGHAM
CHILDREN'S TRUST**

Pre-Proceedings and Court Work

**Protocol for the Working Relationship between Birmingham Legal Services and
Birmingham Children's Trust**

Date: November 2017

About this document

Title	Pre-Proceedings and Court Work Protocol.
Purpose	To provide a framework for the working relationship between Birmingham Children's Trust/Children's Services and Legal Services.
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1. **Introduction**

The guidance has been prepared to set out the framework for the working relationship between Birmingham Children's Trust and Birmingham Legal Services. The guidance outlines the role of each Service within the Court process together with the procedural guidance for the Public Law Outline and Court proceedings. The effective implementation of this guidance will improve outcomes for the child and the timeliness of Court proceedings.

Delays in concluding care proceedings adversely affect the welfare of the child. Both Services have responsibility to do everything possible to avoid delay.

Our primary purpose is to ensure that children are protected from significant harm and their development and wellbeing are promoted. We do this by working openly with children and families and collaboratively with partners across the city.

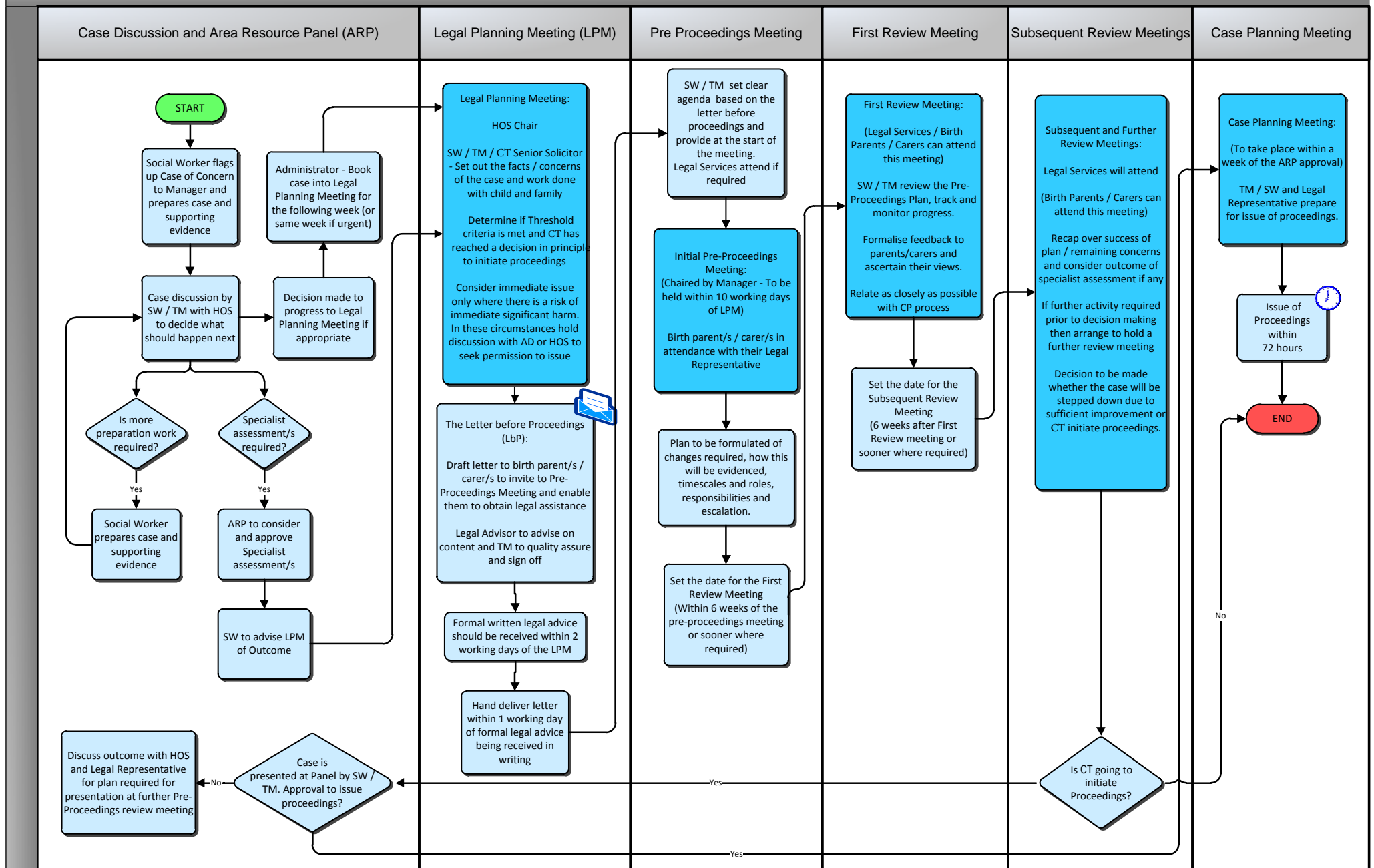
We will work openly with children and their families to bring about change, in solution-focused ways, building on their strengths, so that parents and carers are able to provide good parenting, consistent boundaries and emotional warmth, allowing children to develop life skills and resilience.

We are committed to supporting children to remain within their family wherever possible. We value the importance of direct social work and family support work with families as a means of enabling change, responding through support and challenge to the diverse emotional, cultural and material needs of each child and their family.

We will use pre-proceedings or Court proceedings only when this approach has been unsuccessful in achieving the necessary outcomes for children within a child-focused timeframe.

NB. Social Work staff must follow the guidance on CareFirst recording so that the child's record reflects what has happened; this will update the Children's Trust Legal Tracker.

Pre-Proceedings Process Flowchart



2. Definition of Legal Advice

The role of the Lawyer is to advise on the legal issues on a particular set of facts. The Lawyer will advise on the risks and consequences arising from any proposed action/inaction; advise on the quality of the evidence including highlighting gaps in the evidence and any potential risk to the reputation of Birmingham Children's Trust.

3. Role of Birmingham Children's Trust/Children Services

- Birmingham Children's Trust is delegated by the Local Authority to perform the Council's Statutory Services in relation to children. The operational team (Social Worker, Team Manager, Head of Service and Assistant Director) must have a comprehensive understanding of the statutory framework in relation to Children's Services in order to discharge the Children's Trust's duties, including Legislation, Regulations, and Statutory Guidance and Best Practice Guidance.
- All decisions made by the Children's Trust need to be lawful, reasonable, proportionate and transparent in the face of any possible challenges. Where legal advice is sought on a particular issue and the legal advice is not followed, reasons for departing from the legal advice should be clearly recorded and made by a Senior Manager.
- Professional responsibility for the case remains with the Operational Team (the Social Worker, Team Manager, Head of Service and Assistant Director) in respect of care planning.
- If Social Workers require legal advice or a legal planning meeting then initially a case discussion must take place between the Social Worker, Team Manager and Head of Service.
- The Social Worker and Team Manager have the professional responsibility to ensure timely progression of work through pre- proceedings and care proceedings including keeping the child's electronic record up-to-date.
- Filing of documents in care proceedings – the Social Worker must ensure **all documents/reports to be filed with the Court are sent to Legal Services no later than 3 working days before the date for filing** in order to check that the Statement/Report accords with all requirements and to ensure compliance with the Court Order for filing.
- The Social Worker and Team Manager should ensure at the conclusion of care proceedings that parents are informed of the outcome of care proceedings.

4. The Role of Legal Services' Lawyers

- The Lawyers need to have a thorough knowledge of the Children Act 1989, regulations, Adoption Act 2002 and all other relevant legislation and regulations and current case law.
- Legal advice is an integral part of risk management for the Children's Trust to assist the service in making robust and sound decisions which can withstand scrutiny and challenge. The legal advice will advise the Children's Trust on options available on a particular set of facts setting out the pros and cons of each option and advise on the consequences to enable the Children's Trust to make appropriate informed decisions.
- The role of the Lawyer is to provide legal advice and conduct litigation as instructed on behalf of the Children's Trust in relation to applying to the Court for legal orders. The Lawyer takes instructions from the Operational Team, the Social Worker, Team Manager, Head of Service and Assistant Director. The Lawyer is responsible for the conduct of litigation on behalf of the Children's Trust.
- It is not within the Lawyer's role to make the decision in any matter; this responsibility rests with the Operational Team.
- The Lawyer works in partnership with the Team Manager and Social Worker to advise and inform of action to be taken in preparation for pre-proceedings, during and post care proceedings.
- The Social Worker and Lawyer should maintain regular contact in pre-proceedings and during proceedings to ensure information is shared and the case is being kept under continual review.

5. Legal Services' Responsibilities

- To provide consistency of legal representation where possible.
- To provide legal advice and maintain the legal integrity of the Children's Trust.
- To attend Legal Planning Meetings and Pre-Proceedings Meetings (when required).
- To advise on the evidence presented and highlight any gaps in the evidence.
- To scrutinise statements/reports of the Children's Trust and experts on behalf of the Children's Trust, to ensure they reflect the outcome sought by the Children's Trust and to raise any concerns with the Operational Team in respect of information contained within statements/reports.
- To raise with the appropriate senior level of management any conflicts arising within the operational team and/or any other service provider within the Children's Trust on the position of the Children's Trust to ensure such conflicts are resolved prior to Court hearings.

- To monitor judicial timescales and provide the Social Worker and Team Manager with a Case Plan setting out the timescales for the filing of evidence and actions required to achieve the outcome of the Children's Trust.
- To issue a reminder of documents due from the Social Worker (as per Appendix 9) before the filing date for Court.
- To ensure matters are escalated up via the Team Manager, the Head of Service, Assistant Director, and Service Director as required, where it appears there is likely to be delay to avoid breach of Court Orders possibly resulting in Wasted Costs Orders.
- To advise on the evidence filed and any risks in the Children's Trust case as presented at the 18 week review.
- To ensure Social Workers contact the Head of Service/Assistant Director for approval for any specialist/expert assessments which may arise at Court Hearings where there is no prior approval.
- To consider the need to instruct Expert Counsel to represent the Children's Trust at a hearing due to lack of internal capacity or due to the complexity of the case and where any specific risk to the Children's Trust reputation is identified.
- Agreement for the instruction of Counsel should be sought from the Head of Service for the relevant area.

6. Head of Service Case Discussion

- If Social Workers require legal advice or a legal planning meeting, then initially a case discussion must take place between the Social Worker, Team Manager and Head of Service. No later than 3 working days in advance of this discussion, the Social Worker must provide:
 - Genogram – to include grandparents with their siblings and partners Impact Chronology
 - Completed family assessment, including evidence of attempts to engage father/s if not part of household
- Following the case discussion the Head of Service will agree either:-
 - Progress to Legal Planning Meeting and/or
 - Further work to be undertaken e.g. Family Group Conference, family meeting, viability assessment.
 - Progress to Area Resource Panel for any specialist assessment e.g. DNA, Cognitive Functioning Assessment.
 - Referral to the Assistant Director for immediate issue.
- Head of Service will record the rationale for, and the outcome of, the case discussion with clear reference to the issue of whether or not the child is suffering or is likely to suffer significant harm (serious impairment to their development) as a result of the care / lack of care provided by their parent (carer).

- From this stage forward, until the completion of pre-proceedings and / or care proceedings each 'activity' should be clearly and promptly recorded under Court updates in CareFirst.

7. Legal Planning Meetings

- Legal Planning Meetings are to be attended by the Team Manager, Social Worker and a Senior Lawyer. The Chair of the Legal Planning Meeting is a Head of Service.
- 3 working days in advance of the LPM, the following completed documentation should be provided to Legal Services:
 - Chronology
 - Genogram
 - Birth certificate (obtained with parental permission)
 - Family Assessment
 - Any other relevant assessment e.g. Section37/7
 - Primary evidence from partner agencies
 - Draft Letter Before Proceedings
 - Draft Care Plan
- The Team Manager presents the case in detail and the proposed care plan at the Legal Planning Meeting.
- The role of the Lawyer is to advise on the evidence presented, identify any gaps in the evidence, advise on any international issues (see link at appendix 7), consider whether the legal Threshold Criteria is met and if so advise on whether the matter should go into pre-proceedings or whether care proceedings should be issued. The Lawyer is also to advise on any liability risks (negligence/HRA etc.) that may exist and identify the potential risks (financial, reputational, social, and political) in either failing to issue proceedings or in issuing proceedings.
- The decision whether to commence pre-proceedings or initiate care proceedings is the responsibility of the Head of Service.
- In an exceptional emergency situation, Care Proceedings can be initiated immediately with agreement of the Assistant Director or HOS in their absence. This agreement means issue can proceed without Area Resource Panel attendance.
- The Lawyer will provide advice at the Legal Planning Meeting and this will be confirmed in writing within 2 working days.
- Where the decision is made to enter into pre-proceedings, the Senior Lawyer, Social Worker and Team Manager will set out the pre-proceedings timetable at the Legal Planning Meeting to avoid any drift/delay.
- At the Legal Planning Meeting a draft of the proposed Letter Before Proceedings for the parents will be considered and any amendments suggested.

8. **Pre-Proceedings**

- Wherever possible all pre-proceeding meetings and subsequent reviews should be held at the parents (carers) Lawyers offices to ensure maximum engagement of the parents (carers) and their legal representatives.
- See formal pre-proceedings guidance (Appendix 1 and Appendix 2).
- Both the Social Worker and Lawyer are to monitor the actions agreed during pre-proceedings to ensure matters are progressing within the timetable set for resolution of the pre-proceedings. (See Appendix 3).
- The Social Worker must monitor the adherence to the pre-proceedings actions by parents/family and where the level of concerns has increased, the Social Worker should consult with the Lawyer and Head of Service to consider initiating care proceedings.
- Where necessary the Lawyer will draft further correspondence to send to the parents/family and their representative.
- The Lawyer is to consider if the case should proceed to issue.
- Where a decision is made to issue care proceedings, the Team Manager and the Lawyer must decide whether to ask for the case to be taken off the standard track (i.e. due to very exceptional circumstances the case is not expected to complete within 26 weeks).

9. **Unborn babies where the plan is for the removal of the child at or shortly after birth.**

Please read in conjunction with the guidance on pre-birth assessments and CAFCASS Plus where applicable. Please follow child protection processes as necessary.

As a result of the case of *Nottingham City Council v. LW (Rev 1)* [2016] EWHC 11 (Fam), the following actions are now required in these cases:

- A birth plan should be developed and rigorously adhered to by all social work practitioners and managers and by the CT Legal Department when involved after a Legal Planning Meeting.
- As part of the pre-birth assessment (genogram and chronology to be completed during this assessment), a risk assessment of the mother and the father should be commenced immediately upon the Social Worker being made aware of the mother's pregnancy. The risk assessment to be completed ideally by 20-22 weeks gestation or as soon as possible after this.
- The risk assessment should be updated to take account of relevant events immediately pre and post-delivery which could potentially affect the initial conclusions on risk and care planning for the unborn child.
- Follow relevant processes in this protocol starting with HOS case discussion.

- The pre-birth and risk assessment should be shared with the parents and, where instructed their solicitors, upon completion to give them an opportunity to challenge the assessment of risk and the proposed care plan.
- If a Legal Planning Meeting is to be held on the unborn child, the Children's Trust Legal Team should be notified of the unborn child and be provided with a copy of the assessment along with the other documents noted in this guidance.
- The Social Worker should provide all relevant completed documentation, necessary for the Legal Department to issue care proceedings and the application for an Interim Care Order, no less than 7 days before the expected date of delivery or earlier if early delivery is anticipated by medical staff. Please note the Social Worker can update these documents as necessary prior to issue.
- The Legal Department must issue the application on the day of birth and, in any event, no later than 48 hours after birth (or as the case may be, the date on which the Children's Trust is notified of the birth).
- Immediately upon issue, if not before, the Social Worker should serve the applications and supporting documents on the parents. If parents have instructed solicitors, then Legal Services will do this.
- Immediately upon issue, the Children's Trust should seek from the Court an initial hearing date.

10. Children's Trust – Area Resource Panel

- The Area Resource Panel must consider and agree any expert/specialist assessments sought by the Social Worker/Team Manager.¹
- In the event that care proceedings need to be issued, the Social Worker and Team Manager must refer the matter to the Area Resource Panel. The Panel (or the Assistant Director in urgent cases where immediate issue is required) must agree all requests to commence care proceedings.

11. Care Proceedings

All Care Proceedings, in accordance with statute, must conclude within the 26 week timetable set out in the Public Law Outline.

In emergency situations, where the child has either suffered significant harm or is at risk of immediate significant harm, same day issue will occur.

In all other cases the paperwork (see Appendix 4 and Appendix 8) must be sent to Legal Services no more than five working days from the decision to initiate care proceedings.

¹ Court orders and Pre-Proceedings for Local Authorities, DFE, 2014, Annexe A, P51, requires wherever possible LAs to begin considering and identifying specialist assessments at the CP stage and not wait until pre or care proceedings.

Legal Services will issue the Care Proceedings within 72 hours of receiving the paperwork.

If there is any likelihood of Court Orders not being complied with by the Social Worker or any person within the Children's Trust, the worker who is not complying must discuss this with their line manager and notify the Lawyer as soon as this arises. The responsible Assistant Director/s should also be informed. In these cases wherever possible efforts should be made to amend the Court Order rather than submit a draft order seeking an extension of time.

Court Hearings

- The allocated Social Worker must attend for pre-hearing discussions and remain throughout the Hearing. If the Social Worker is not available, the Team Manager, or another designated Senior Social Worker/Senior Practitioner who knows the case, must attend throughout. **The Social Worker must attend with knowledge of their diary commitments and identify to the Lawyer if there are any obstacles such as leave, recognised timescales for critical practice processes or other Court commitments which need to be taken account of in planning. The Lawyer must advocate in Court for any adjustment to the proposed timescales necessary for good professional practice.**
- In the event that the Social Worker is of the opinion that the advocate is not following instructions, the Social Worker must immediately escalate their concerns to their line manager/HOS/ AD. They must also liaise with a Senior Solicitor/Team Leader.
- The Team Manager must attend for the Pre-Hearing Discussions to provide instructions. If the case is particularly complex and there are a number of issues being contested, the Team Manager needs to remain throughout the Hearing. In other situations, the Team Manager can use their discretion as to whether to remain throughout the hearing, attend for the judgement, or leave the Social Worker on their own.
- The named Lawyer will notify the Social Worker and Team Manager no later than 24 hours before the hearing if they are unable to attend any hearing and identify who will be attending. In cases of unexpected illness, Legal Services may not be able to advise until the day of the hearing.
- Social Workers, as well as the legal representative, should arrive at Court no later than 1 hour before the start of the hearing. Social Workers must make themselves known to the Court Usher on arrival.
- The Social Worker must diarise all dates for filing of evidence and hearings and ensure the Lawyer is informed promptly if the date cannot be achieved or they will be unavailable.
- All staff are expected to use their electronic diaries.
- At the completion of each hearing, before leaving Court, the Lawyer and Social Worker must agree a Legal Case Plan which will incorporate the Court

timetable and Social Work actions to be taken. The Lawyer will then write up the Legal Case Plan so that it can be placed by the Social Worker in the Legal section of E-records.

- Legal Services, no later than 2 working days after the order being agreed, will provide a brief summary of attendance at Court, the Legal Case Plan and a copy of the agreed draft Order, and subsequently a copy of the sealed Order – the Social Worker should ensure that these documents are filed in the Legal section of E records, with an additional brief note in case notes on Care First of who attended Court and what the outcome was.
- Social Workers and Team Managers must give instructions to the Lawyer 2 working days in advance of any Court Hearing and the Advocates Meetings.
- Advocates Meetings are for Lawyers only. Within 3 working days of the Advocates Meeting the Lawyer will advise the Social Worker in writing of any issues that have arisen and what agreements have been reached in the meeting. The Lawyer will consult with the Social Worker if any decisions are required or if any changes to the timescales proposed by the Social Worker have been requested.
- When Care Proceedings conclude, the Social Worker must record the outcome, and ensure the correct legal status is placed on the child's electronic records. The Social Worker must also ensure parents are aware of the outcome. **A copy of all Orders must be placed on the child's electronic record within upon receipt.**

18 Week Review

The purpose of the 18 week Review is to assess/challenge and advise on the evidence and plan of the Children's Trust and to ensure the matter is on track to conclude within the 26 weeks as outlined within the Public Law Outline.

- The Social Worker, the Team Manager, Lawyer and the Senior Lawyer to attend the 18 week review.
- The review to consider whether there is a risk of non-compliance with the Court timetable. If so, the matter should be escalated to Team Manager, Case Progression Officer Head of Service, Assistant Director, as required, to advise of the risk and consider action to be taken to ensure the case remains on track.
- Head of Law and Assistant Director with the Court lead and the Case Progression Officer to be notified of the status of all cases at the 18 week review.
- Where, despite input from the management team, it is clear the matter will not comply with the Court timescales and is at risk of exceeding 26 weeks, the Lawyer will make the appropriate application for the matter to return to Court with comprehensive reasons for the delay and the new proposed timetable.

12. Escalation Process

- Where any reputational risk to the Children's Trust is identified e.g. non-compliance/costs, the matter should be immediately escalated by the Lawyer and the Social Worker to the Team Manager. The Team Manager will escalate to the Head of Service and the Assistant Director.
- Where the matter is incapable of being resolved by the Team Leader in Legal Services and Head of Service in the Children's Trust, the matter must be further escalated to the Head of Law and the Assistant Director for the area responsible and the Assistant Director with Court lead where the case is not in their area.
- Internal service differences should be raised through line management to obtain resolution prior to any Court hearing as the Children's Trust must agree the content of one plan for the child.

13. Feedback between the Children's Trust and Legal Services

- Legal Services will provide a Case Evaluation Form on the completion of cases in proceedings to be completed by the Case Progression Officer in liaison with the Social Worker/Team Manager/Head of Service regarding the service provided by the allocated Lawyer and any other Advocates used. Likewise, Legal Services will complete a Case Evaluation Form to provide feedback on the work of the Social Worker/Team Manager/ Head of Service.
- Please see attached copy templates for the feedback in Appendix 5 and Appendix 6.

14. Legal and Case Law

- Legal Services to provide an update of any legal developments/new case law to the Progression Principal Officer, A/D Court Lead, Service Director, and Leadership Team as required. Periodic updates of practice notes will be disseminated via the Communications Team.

Practice Guidance for Pre Proceedings Process

The pre-proceedings process aims to divert cases from care proceedings, to ensure applications are better prepared and issues narrowed so that care proceedings can be completed more efficiently.

<u>Name of Child/ren</u>	<u>DOB of Child/ren</u>	<u>Care First Number</u>

Name of Social Worker				
Name of Team Manager				
Date				
Pre Proceeding Stage	Responsible Person/s	Actions to be taken	Issues to be considered	Documentation/Evidence Required
Initial Case Discussion	Head of Service	<ul style="list-style-type: none"> Prior to a second Child protection review a case discussion needs to be held between HOS, TM and SW to consider progression to a Legal Planning Meeting. Case discussion can have range of outcomes:— more preparation work; progress to Area Resource Panel for any 	<p>There may be historical or ongoing concerns in relation to the parenting child/ren are receiving from their parent/carer, resulting in concerns that the child/ren is suffering or is likely to suffer significant harm.</p> <p>Or lack of sufficient change by parents under CP/CIN plan resulting in concerns that the child/dren is suffering or is likely to suffer significant</p>	<p>Minimum 3 working days in advance of case discussion -</p> <p>Impact Chronology.</p> <p>Genogram- to include grandparents with their siblings and partners.</p> <p>Completed family assessment, including evidence of attempts to engage father/s if not part of household.</p> <p>Any other relevant assessment e.g. Section 37/7.</p>

		<p>specialist assessments; and/or progress to Legal Planning Meeting.</p> <ul style="list-style-type: none"> • Head of Service will record the rationale for, and outcome of, the case discussion. • If HOS agrees progress to Legal Planning Meeting PSS will email the request to the Legal Planning Meetings inbox and a date for a Legal Planning Meeting will be given ASAP. • The SW should begin to draft out the Letter Before Proceedings to be presented at the LPM. • Ensure that everyone knows who is responsible for updating the court activities in CareFirst. • Where cases have arrived from a team with incomplete paperwork, a request is made for this to be 	<p>harm.</p> <p>This meeting needs to agree a clear plan of what is to be done and by whom with a clear time line.</p> <p>*DFE Guidance² notes the importance of considering and identifying any specialist assessments during the Child Protection (which precedes this stage).</p>	<p>Primary evidence from partner agencies.</p>
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² Court Orders and Pre-Proceedings For Local Authorities, April 2014

		provided as a matter of urgency.		
The Letter Before Proceedings (LBP).	Social worker, Team Manager.	<p>A draft Letter Before Proceedings should be taken to the Legal Planning Meeting and sent to the Senior Lawyer along with all other documents listed above 3 working days before the meeting. Do not send to the family or carer until after the Legal Planning Meeting.</p> <p>The Team Manager will quality assure and sign the letter and confirm that it can be delivered to the family following the LPM.</p>	The letter and its contents should not come as a surprise to the birth parent/s and /or carer/s.	Letter Before Proceedings template to be used- it can be located in Care Docs.
Legal Planning Meeting (LPM)	<p>Social Worker, Team Manager, Senior CT Solicitor.</p> <p>The Head of Service will chair the meeting.</p>	<p>Set out the facts of the case, the concerns and explain what work has been done with the child and the family.</p> <p>Set out the proposed Care Plan.</p> <p>The meeting will determine whether the threshold criteria is met with specific reference to the matter of significant harm (serious impairment to the child's development); the CT has reached a decision 'in principle' to initiate proceedings BUT has concluded the risk can</p>	<p>Consideration needs to be given to what are the risk/protective factors in this case.</p> <p>What is the child impact risk analysis – how do the risk factors impact on the short term and long term welfare of the child.</p> <p>Is the birth parent/carer aware of your concerns and what their views are?</p>	<p>As above plus</p> <p>Birth certificate for child/ren (obtained with parental permission).</p> <p>Previous Court Orders and Judgments.</p> <p>Existing CIN/Child Protection Plans.</p> <p>Draft Letter Before Proceedings (see guidance below).</p> <p>Legal advice will be given at the LPM with formal written legal advice following within 48 hours. This is legally privileged and should be saved in the Legal</p>

		<p>be managed without an immediate application i.e. there is a window of opportunity to try to continue to work with the family under formal pre-proceedings.</p> <p>In exceptional circumstances it may be necessary to consider immediate issue where the risk is too great.</p> <p>If formal pre proceedings is agreed the draft letter before proceedings should be considered and amended as required.</p> <p>Formal legal advice should be provided within 2 working days of the LPM.</p> <p>The letter needs to be hand delivered (where possible) within 1 working day of the formal legal advice having been received in writing.</p>		<p>Section in E-records.</p> <p>Legal Services will also send confirmation of the letter before proceedings within 48 hours to the social work team – See next step below.</p> <p>Head of Service (Chair) takes responsibility for ensuring there is a record on CareFirst that the Legal Planning Meeting has taken place and the outcome noted.</p>
<p>The Initial Pre Proceedings Meeting.</p> <p>Timescale required.</p> <p>This should be held within 10 days of the Legal Planning Meeting.</p>	<p>Social Worker, Team Manager.</p> <p>Legal services can attend where it is identified that their attendance is required.</p>	<p>The birth parent/s/carer/s will be in attendance with their legal representative.</p> <p>The Letter Before Proceedings should form the agenda for the meeting setting out clearly what will be discussed.</p> <p>A written plan will be</p>	<p>The aim of the meeting is to reach an agreement on the proposed plan between the birth parent/s/carer/s and the CT.</p> <p>The meeting should adopt a conciliatory approach; it is not intended to be</p>	<p>Initial Pre-Proceedings Meeting Minutes and Plan to be produced. This document should be approved by the Team Manager prior to distribution.</p> <p>The minutes and plan should be shared with the birthparent/s/carer/s within 3 working days of</p>

<p>Wherever possible this meeting should be held at the offices of the parent (s) (carer/s) Lawyers to ensure maximum participation of the family and their legal representative .</p>		<p>formulated at the meeting of what changes need to be to be made by the birth parent/s/carer/s and how this will be evidenced. There needs to be clear outline of timescales and roles and responsibilities along with a contingency plan of what will happen if concerns escalate i.e. urgent legal action to be taken.</p> <p>The meeting should be chaired by a Team Manager.</p> <p>The meeting should set the date for the first review meeting within 6 weeks of the pre proceedings meeting.</p> <p>The meeting should identify an action that the genogram is considered by the parent/s/carer/s indicating degree of relationship/contact with the child and identify a further action for their legal representatives to confirm its contents- this is to avoid relatives coming forward at a later stage which can cause significant delay for the child.</p>	<p>adversarial in nature.</p> <p>The proposed plan needs to be clearly communicated at the meeting so that the birth parent/s/carer/s leave the meeting with a clear idea of what has been agreed and understand how this process fits with the child protection process if the child/children are subject to a child protection plan.</p> <p>The birth parent/s/carer/s may wish to bring a person in a supportive role- this should be considered in advance of the meeting and agreed where appropriate.</p> <p>The discussion should also explore alternative care options and consideration needs to be given to convening a Family Group conference or family meeting where this has not already taken place.</p>	<p>the meeting.</p> <p>Update the Impact chronology.</p> <p>Ensure assessments are on track, including any viability assessments.</p>
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<p>The First Review Meeting.</p> <p>(This should be held within 6 weeks of the initial pre-proceedings meeting but could be sooner where required e.g. if level of risk is assessed as high or increasing).</p> <p>Wherever possible this meeting should be held at the offices of the parent (carers) Lawyers to ensure maximum participation of the family and their legal representative</p>	<p>Social Worker, Team Manager.</p> <p>Legal services can attend where it is identified that their attendance is required.</p>	<p>The objective of the meeting is to review the plan and also to track and monitor progress.</p> <p>The meeting offers the opportunity to formalise feedback to birth parent/s/carer/s and to ascertain their views.</p> <p>The pre proceedings plan should be reviewed and updated with clear outline of actions and timescales.</p> <p>Relate this process with any CP Process which is in progress to ensure parents understand the relationship between the two processes.</p> <p>The outcome of the review should be recorded on pre-proceedings review record. Please use template in care docs. This should be saved in e-records under Legal.</p>	<p>This is a forum to discuss progress. It also allows for any continuing concerns to be highlighted and for consideration to be given to whether the level of concern has increased such that it is necessary to seek legal advice re initiating proceedings before the end of the 12-week pre proceedings process.</p>	<p>Refer to Initial Pre-Proceedings Meeting Minutes and Plan. These should be reviewed at this meeting.</p> <p>Discussion/agreed update to the plan should be recorded as the Pre- Proceedings Plan Review.</p> <p>Update Impact Chronology.</p> <p>Ensure assessments are on track, including viability assessments of connected persons.</p> <p>Ensure FGC/family meeting has taken place where possible.</p>
<p>Second Review Meeting.</p> <p>(To be held at no later than 6 weeks after the first review – or earlier where required.)</p> <p>Wherever possible this</p>	<p>Social Worker, Team Manager</p> <p>Legal services should attend.</p>	<p>This meeting will take place at the end of the 12-week process or at the conclusion of all identified assessments.</p> <p>A decision to be made at this meeting as to whether the case will be stepped down due to the birth parent/s/carer/s having demonstrated sufficient</p>	<p>If the decision is that there is a need to issue then the case should be discussed with Legal with plans to issue care proceedings.</p>	<p>Refer to Minutes of previous Pre Proceedings Meeting and the Pre Proceedings Plan.</p> <p>Update the Impact Chronology and genograms.</p> <p>Ensure all assessments have been completed.</p> <p>Historical Evidence; Assessments, section</p>

<p>meeting should be held at the offices of the parent (carers) Lawyers to ensure maximum participation of the family and their legal representative</p>		<p>improvement re the pre proceedings plan OR the CT will consider initiating proceedings at this point due to the lack of sustained progress/engagement.</p> <p>The outcome of the review should be recorded on the pre-proceedings review record. Please use template in care docs. This should be saved in e-records under Legal.</p>		<p>7/37 etc. Previous Court Orders and Judgments Existing CIN/Child Protection Plans.</p> <p>SWET statement completed. Please use template in care docs.</p>
<p>The Area Resource Panel.</p>	<p>Social Worker, Team Manager.</p>	<p>Case and Proposed Care Plan with a clear contingency plan to be presented at panel.</p> <p>This is the DECISION MAKING meeting to consider if it is time to either step down or issue care proceedings.</p> <p>If the decision is not to issue, then the chair will need to provide a clear written reason and a copy to be placed on the child's electronic record (in legal section of eRecords) and to the Senior Lawyer so that these cases can be monitored.</p> <p>The Resource panel administrator will notify Legal Services of the outcome of the Panel.</p>	<p>Ensure that information is factual/evidence based to provide a clear pen picture of intervention/s undertaken and evidence to demonstrate concerns/motivation to change.</p>	<p>Impact Chronology.</p> <p>Genogram- to include grandparents with their siblings and partners.</p> <p>Completed family assessment, including evidence of attempts to engage father/s if not part of household.</p> <p>Any other relevant assessment e.g. Section 37/7, viability.</p> <p>Primary evidence from partner agencies.</p>

<p>Case Planning Meeting to prepare for issue.</p>	<p>Team Manager, Social Worker and Legal representative.</p>	<p>This meeting should take place within 5 working days of the Area Resource Panel giving agreement. Issue should then follow within 3 working days.</p>		<p>SWET statement. Please use template in care docs.</p> <p>Impact chronology updated.</p> <p>Pre proceedings letter and meeting notes.</p> <p>Genogram - to include grandparents with their siblings and partners.</p> <p>Relevant assessments including viability assessments undertaken.</p>
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Template; Letter Before Proceedings

(Annex B, Statutory Guidance for Local Authorities on Court Orders and Pre-Proceedings (2014)

Letter Before Proceedings

Addressee name and address	Office Address Contact
	Direct line
	My Ref Fax

SENT BY HAND

**PLEASE DO NOT IGNORE THIS LETTER
TAKE IT TO A SOLICITOR NOW**

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

RE: BIRMINGHAM CHILDREN'S TRUST CONCERNS ABOUT *insert [name(s) of child(ren)]* LETTER BEFORE PROCEEDINGS
HOW YOU CAN AVOID GOING TO COURT

I am writing to let you know how concerned Birmingham Children's Trust is about your child(ren) (***insert names of children***).

We are so worried about your parenting of your child/ren that we will go to court unless you are able to improve things. There are things you can do to which could stop this happening. We have set out in this letter the concerns we have about (***insert names of children***) and the things that have been done to try to help your family.

Things we are worried about are:

[Outline concerns, including all aspects of parenting, parental lifestyle and choices, and give examples of when this happened. This should capture ongoing concerns as well as specific concerns].

Date(s) Problem
Date(s) Problem

A list of things which have been done to help your family:-

Outline here key actions social care and partners have taken or sources of help and advice that have been offered.

Things you can do to reduce our level of worry

Please list here actions you want to see the family/individual parent to take.

AN IMPORTANT MEETING ABOUT WHAT WILL HAPPEN NEXT

Please come to a meeting* with us to talk about these concerns and the plan needed to move things forward on **[date and time]** at the **[insert venue address NB Where instructed this should be held at the Solicitors Offices]**. The address is **[insert address]** and there is a map with this letter to help you find it. Please contact your Social Worker on **(insert tel. number here)** to tell us if you will come to the meeting. At the meeting we will discuss our concerns with you and tell you what you will need to do to make your child(ren) safe. We will also talk with you about how we will support you to do this. We will also make clear what steps we will take if we continue to be worried about **[name(s) of child(ren)]**.

*If it would help and you would prefer the meeting to take place at your solicitor's office, then please ask your solicitor to contact me ASAP to make alternative arrangements.

PLEASE ATTEND AT YOUR SOLICITOR'S OFFICE (OR BRING A SOLICITOR TO THE MEETING ON (insert date).)

Take this letter to a solicitor and ask them to come to the meeting with you. The solicitor will advise you about getting legal aid (free legal advice). We have sent with this letter a list of local solicitors who work with children and families. They are all separate from the Children's Trust. You do not have to bring a solicitor to the meeting, but it will be very helpful if you do.

Information your Solicitor will need is:

Children's Trust Legal Contact: **Insert Name, Address & Telephone here.**

WHAT WILL HAPPEN IF YOU DO NOTHING

If you do nothing we will have to go to court. If you do not answer this letter or come to the meeting, we will go to court as soon as we can to make sure **(insert names of children)** remain safe.

YOUR WIDER FAMILY

Our concerns about **[name(s) of child(ren)]** are very serious. If we do have to go to Court and the Court decides you cannot care for your child(ren), we will first try and place them with an appropriate family member, if it is best for your child(ren) to do this. At the meeting we will want to talk to you and your solicitor about who might look after your child(ren) if the Court decides that it is no longer safe for you to do so. You should think about relatives you would want to take care of your children and tell your solicitor their names and addresses. Please make sure that the relatives are able to take on the care of more children.

We look forward to seeing you at the meeting with your solicitor on **[date]**. If you do not understand any part of this letter, please contact your Social Worker **[name]** on **[tel. no.]**. Please tell your Social Worker if you need any help with child care or transport arrangements in order to come to the meeting, and we will try to help.

Yours sincerely

[name]

Team Manager *insert name of local office/service as appropriate*

Cc: Social Worker **[name]**
Children's Trust In-house Legal
Team
Enc:
Map of office
List of Law Society's Children Panel Solicitors

- b. Outcome of Assessments - Parenting, Psychological, Psychiatric, Other.

- c. Engagement with professionals – home visits, attendances at core group meetings, Case Protection conferences, meetings at the school, other.

- 4. Any recent developments and/or incidents since last Pre-Proceedings Meeting.

- 5. Update on what's working well?

- 6. Update on what we remain worried about?

- 7. Update on what needs to happen to prevent Birmingham Children's Trust from initiating care proceedings.

- 8. A clear contingency plan.

Decisions

9. Decisions

(i) Continue with Pre-Proceedings process.

Or

(ii) Conclude Pre-Proceedings process as children safeguarded and Chair of the view that child(ren) can be removed from Child Protection Plan(s) at Child Protection conference. The Chair will provide very clear reasons for this decision. Copies of this decision should be given to parents (carers), placed on the child's Electronic record in the legal folder in e-records and sent to the Senior Lawyer so that the cases can be monitored.

Or

(iii) Seek agreement from the Area Resource Panel to issue Care Proceedings.

10. Next steps and timescales.

11. Review Pre-Proceedings Meeting – Is one required? If so, date and time.

12. Issuing Care Proceedings – Date by which Area Resource Panel will be held.

Name of Team Manager

SWET Statements

Children's Trust social work evidence template (SWET)

In the family court sitting at:
Date: DD/MM/YYYY
In the matter of the Children Act 1989

Use of this document is recommended by the President of the Family Division, the Association of Directors of Birmingham Children's Trust, Cafcass, HM Courts and Tribunals Service, the Department for Education, the Ministry of Justice and the Chair of the Family Justice Board, in compliance with the revised Public Law Outline (PLO) 2014.

The child(ren) – use one per template per family

Names	Gender	Date of Birth	Child's current placement status	Child's current legal status
[[]]	[[]]	[[]]	[[]]	[[]]
[[]]	[[]]	[[]]	[[]]	[[]]
[[]]	[[]]	[[]]	[[]]	[[]]
[[]]	[[]]	[[]]	[[]]	[[]]
[[]]	[[]]	[[]]	[[]]	[[]]

Children's Trust and Social Worker details	
Case number	[[]]
Filed by [Children's Trust]	[[]]
Social work statement number in the proceedings, e.g. 1 st , 2 nd N.B. A final statement should be completed on the Final Statement Template (FST)	[[]]
Social work statement number for this witness e.g. 1 st , 2 nd , 3 rd	[[]]
This author/witness's name, qualifications, experience, and office address	[[]]
This author/witness's HCPC registration number	[[]]

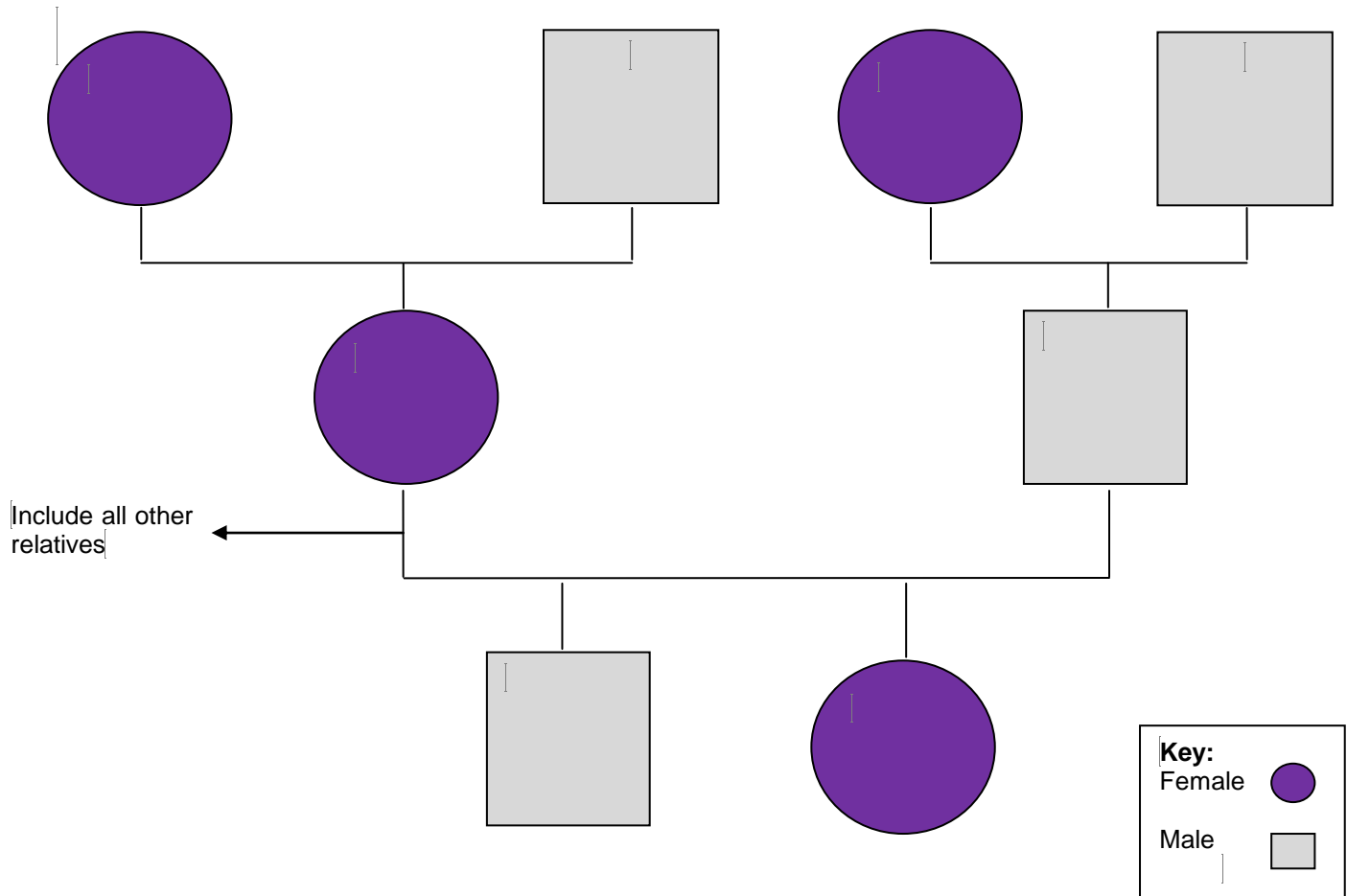
Set out which court order or order/s are being sought, and why?

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1.2 Genogram (mandatory)(but format may be adapted)

- Include family members and their relationship to each child.



1.3 Ecomap (risky and protective contacts) (optional)

2. The social work chronology

- List significant events which can be evidenced.
- Focus on the last two years unless prior events are significant.

Date	Incident or sequence of incidents relevant to the child's welfare	Significance
[]	[]	[]
[]	[]	[]
[]	[]	[]
[]	[]	[]
[]	[]	[]
[]	[]	[]
[]	[]	[]
[]	[]	[]
[]	[]	[]

Date	Significant events happening in the near future which are relevant for the child (e.g. the transition from primary to secondary school)	Source of evidence/document reference	Significance

3. Analysis of risk and protective factors

Key points before starting your analysis:

- The welfare checklist should be applied as appropriate throughout.
- Evidence can be primary (yours), or secondary (where you analyse what others say and think).

3.1 The social work analysis of the harm the child (or each child) has suffered and/or any risk of harm the child continues to face, including the analysis of the event/s that led to the application. Protective factors should also be identified.

--

3.2 List of previous assessments and interventions

Organisation	Description of assessment/intervention	Date	Outcome and effectiveness
[[]]	[[]]	[[]]	[[]]
[[]]	[[]]	[[]]	[[]]
[[]]	[[]]	[[]]	[[]]
[[]]	[[]]	[[]]	[[]]
[[]]	[[]]	[[]]	[[]]

4. Child impact analysis (for each individual child)

4.1 Description of the child's daily life and experience during the period under consideration

4.2 Analysis of the child's needs, considering the welfare checklist (see Section 12). Set out the steps taken to meet these needs e.g., any services provided and their outcomes (or their intended outcomes)

4.3 The child's wishes and feelings and how these have been identified

4.4 The child's own statement (where applicable)

4.5 The child's participation in the court case

- Set out the appropriate level of involvement in the author's judgment, with reasons.

--

5. Analysis of the evidence of Parenting Capability

5.1 Analysis of each parent's capability to meet each child's needs, including analysis of the evidence of any capability gap and whether/how this can be bridged in the child's timescale. Include unrelated members of the household/s where relevant.

Mother
Father
Other person with parental responsibility

6. Analysis of the evidence of wider family and friends capability

6.1 Analysis of the evidence of wider family and friends capability to meet each child's needs, including analysis of the evidence of any capability gap and whether/how this can be bridged in the child's timescale.

Key considerations for a viability assessment

1. The genogram and ecomap should routinely identify those relatives who are already protective contacts for the child. Both the genogram and the ecomap should be comprehensive and inclusive.
2. Risky contacts should be excluded from consideration through a robust filtering process.
3. This prima facie viability – for being a permanent carer – should be extended by three further tests – before a full assessment is carried out in compliance with the specific set of current Regulations that apply to the proposed permanent placement.
4. The three additional viability tests are:
 - a) That the carer understands in broad terms the needs of the child subject to proceedings
 - b) That the carer understands the level and type of care the child will need throughout their childhood as a consequence of their experiences
 - c) That the carer expresses an authentic willingness to be part of the team around the child until matters are fully resolved.

--

7. The proposed S31A care plan – the ‘realistic options’ analysis

7.1 List of options discounted as they were assessed to be unrealistic

Discounted option	Reason why discounted

7.2 Table of realistic placement options

Add additional tables for each child in a sibling group. Only list realistic options, whatever the number ie, 1, 2, 3, etc. Whilst the LAC care plan can be filed separately, the intention is for this template to be a single integrated document.

Realistic options

1. To be defined as realistic, the proposed placement at the heart of the court care plan must be assessed as sufficiently resilient and sustainable to justify the label of 'permanent'. A robust filtering process is required to ensure each option assessed as realistic meets that standard.
2. In care proceedings, no arbitrary numerical limit can be placed on the number of realistic options available for the child, but one option must always be preferred. A clear reason or reasons must always be given for this preferred status in the body of this document.
3. Preferred status means that on the assessments and evidence available, the preferred placement should offer the child the prospect of recovering from any trauma she or he has experienced: personal growth and development within a family where the child is guaranteed unconditional love: strong educational prospects: good health outcomes, and – as far as can be predicted – one or more positive lifelong attachment/s which promote the child's unique identity.
4. Determining the rank order between realistic options is a matter of professional judgment about the relative importance to the child of various attributes of the carers and/or the relationship between the carers and the child, or the carers, child and birth parent/s.

Child	First realistic option: [please describe option]	
	Factors in favour	Factors against
	Second realistic option: [please describe option]	
	Factors in favour	Factors against
	Third realistic option: [please describe option]	
	Factors in favour	Factors against

7.3 The preferred and proposed placement option for each child, with a proportionality evaluation that is a comparison of that option against other realistic options

- Analyse the likely impact on the child of the preferred option.

--

7.4 The Contact Plan

The contact plan must be kept under review as circumstances change.

Child	Who contact is with and their relationship to the child	Brief rationale for the level of contact proposed	Level of support/ supervision required	Frequency and duration
[[]]	[[]]	[[]]	[[]]	[[]]
[[]]	[[]]	[[]]	[[]]	[[]]
[[]]	[[]]	[[]]	[[]]	[[]]
[[]]	[[]]	[[]]	[[]]	[[]]
[[]]	[[]]	[[]]	[[]]	[[]]
[[]]	[[]]	[[]]	[[]]	[[]]

8. The range of views of parties and significant others

- Set out and analyse individual views about what should happen for the child/children in the future.
- This section also has a vital opinion-sharing purpose.

8.1 Mother's views

--

8.2 Father's views

8.3 Views of wider family members

8.4 Views of other parties or significant others e.g. Cafcass, the Independent Reviewing Officer (IRO), court appointed experts. (Every effort should be made to seek and include these professional current views, not least, where involved the IRO.)

9. Case management issues and proposals

List any case management issues e.g. delay factors, special factors relevant for the child, vulnerability of any key participant, any further proposed assessments including why they are necessary, etc.

10. Statement of procedural fairness

Have the contents of this statement been communicated to mother, father, significant others, and the child in a way which can be clearly understood? If not, what has been tried?

11. Signature

Print full name

Role/position held

The facts in this application are true to the best of my knowledge and belief and the opinions set out are my own.

Signed

Date

12. The welfare checklist in full for reference

The full Children Act checklist, to be used in care and supervision proceedings is found at section 1(3) (a) – (g) and requires the court to have regard to the following matters:

- (a) The ascertainable wishes and feelings of the child/children concerned (considered in the light of his/her/their age and understanding);
- (b) His/her/their physical, emotional and educational needs;
- (c) The likely effect on him/her/them of any change in his/her/their circumstances;
- (d) His/her/their age, sex, background and any characteristics of his/hers/theirs which the court considers relevant;
- (e) Any harm which he/she/they has/have suffered or is/are at risk of suffering and the impact which this has, or may have, upon the children general development ;
- (f) How capable each of his/her/their parents, and any other person in relation to whom the

court considers the question to be relevant, is of meeting his/her/their needs;

- (g) The range of powers available to the court under this Act (Children Act 1989) in the proceedings in question.

25. The full Adoption and Children Act welfare checklist, to be used in care proceedings where the plan is for adoption and in placement proceedings, is found in section 1 (4) (a) – (f) and requires the court and the adoption agency to have regard to the following matters (among others):

- (a) the child's ascertainable wishes and feelings regarding the decision (considered in the light of the child's age and understanding),
- (b) the child's particular needs,
- (c) the likely effect on the child (throughout his life) of having ceased to be a member of the original family and become an adopted person,
- (d) the child's age, sex, background and any of the child's characteristics which the court or agency considers relevant,
- (e) any harm (within the meaning of the Children Act 1989 (c. 41)) which the child has suffered or is at risk of suffering and its impact upon their current or future development,
- (f) the relationship which the child has with relatives, and with any other person in relation to whom the court or agency considers the relationship to be relevant, including:
 - i) the likelihood of any such relationship continuing and the value of the child of its doing so,
 - ii) the ability and willingness of any of the child's relatives, or of any such person, to provide the child with a secure environment in which the child can develop, and otherwise to meet the child's needs,
 - iii) the wishes and feelings of any of the child's relatives, or of any such person, regarding the child.

**Children's Trust
social work evidence template
(Final statement)**

In the family court sitting at
In the matter of the children act 1989

Use of this document is recommended by the President of the Family Division, the Association of Directors of Birmingham Children's Trust, Cafcass, HM Courts and Tribunals Service, the Department for Education, the Ministry of Justice and the Chair of the Family Justice Board, in compliance with the revised Public Law Outline (PLO) 2014.

The child(ren)

- Use one template per family

Names	Gender	Date of Birth	Child's current placement status	Child's current legal status
[]	[]	[]	[]	[]
[]	[]	[]	[]	[]
[]	[]	[]	[]	[]
[]	[]	[]	[]	[]
[]	[]	[]	[]	[]

Children's Trust and Social Worker details	
Case number	[]
Filed by [Children's Trust]	[]
Social work statement number in the proceedings, e.g. 1 st , 2 nd , 3 rd	[]
Social work statement number for this witness e.g. 1 st , 2 nd , 3 rd	[]
This author/witness's name, qualifications, experience, and office address	[]
This author/witness's HCPC registration number	[]

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1. Case details

Include any updates.

--

2. The social work chronology

Update since the last statement was filed.

--

3. Analysis of risk and protective factors

Final position where different from earlier statements in the case.

--

4. Child impact analysis

Set out any additional evidence and analysis.

--

5. Analysis of Parenting Capability

Set out any additional evidence and analysis.

--

6. Analysis of wider family and friends capability

Set out any additional evidence and analysis.

--

7. The proposed S31A care plan – the ‘realistic options’ analysis

Final position/s where different from earlier statements in the case. Cut and paste the table from the SWET into this section if the care plan has been significantly updated or if it has been fundamentally changed.

--

8. The range of views of parties and significant others

Final position/s where different from earlier statements in the case.

--

9. Statement of procedural fairness

Steps taken to ensure procedural fairness since the last statement was filed.

--

10. Signature

Print full name

Role/position held

The facts in this application are true to the best of my knowledge and belief and the opinions set out are my own.

Signed

Date

11. The welfare checklist in full for reference

The full Children Act checklist, to be used in care and supervision proceedings is found at section 1(3) (a) – (g) and requires the court to have regard to the following matters:

- (h) The ascertainable wishes and feelings of the child/children concerned (considered in the light of his/her/their age and understanding);
- (i) His/her/their physical, emotional and educational needs;
- (j) The likely effect on him/her/them of any change in his/her/their circumstances
- (k) His/her/their age, sex, background and any characteristics of his/hers/theirs which the court considers relevant;
- (l) Any harm which he/she/they has/have suffered or is/are at risk of suffering and the impact it has or is likely to have on their future development;
- (m) How capable each of his/her/their parents, and any other person in relation to whom the court considers the question to be relevant, is of meeting his/her/their needs;
- (n) The range of powers available to the court under this Act (Children Act 1989) in the proceedings in question.

25. The full Adoption and Children Act welfare checklist, to be used in care proceedings where the plan is for adoption and in placement proceedings, is found in section 1 (4) (a) – (f) and requires the court and the adoption agency to have regard to the following matters (among others):

- (g) the child's ascertainable wishes and feelings regarding the decision (considered in the light of the child's age and understanding),
- (h) the child's particular needs,

- (i) the likely effect on the child (throughout his life) of having ceased to be a member of the original family and become an adopted person,
- (j) the child's age, sex, background and any of the child's characteristics which the court or agency considers relevant,
- (k) any harm (within the meaning of the Children Act 1989 (c. 41)) which the child has suffered or is at risk of suffering,
- (l) the relationship which the child has with relatives, and with any other person in relation to whom the court or agency considers the relationship to be relevant, including:
 - iv) the likelihood of any such relationship continuing and the value of the child of its doing so,
 - v) the ability and willingness of any of the child's relatives, or of any such person, to provide the child with a secure environment in which the child can develop, and otherwise to meet the child's needs,
 - vi) the wishes and feelings of any of the child's relatives, or of any such person, regarding the child.

Case Evaluation Form (for use by Children’s Social Care)

CASE:	
CLIENT CONTACT: (Please print your name)	

We would like to provide you with the opportunity to give feedback on the service you have received during the course of your involvement with the case. The information you provide will assist us in evaluating our service on a continuous basis to ensure that high levels of customer satisfaction are maintained. It would therefore be very much appreciated if you could take the trouble to complete this brief questionnaire and return it within the next few days.

1) To date has the case completed within 26 weeks?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	
2) Was the desired outcome achieved, if known?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	Not yet known <input type="checkbox"/>

Please answer the following questions on a scale of 1 to 9:

Poor: 1-2	Satisfactory: 3-5	Good: 6-7	Excellent: 8-9
------------------	--------------------------	------------------	-----------------------

Score 1-9

a	How well were you kept informed of progress and developments? Please rate the level of communication.	
b	How satisfied were you with the knowledge of the Lawyer dealing with the matter?	
c	Please rate the quality and accuracy of legal advice you received, was it easy to understand?	
d	Please rate the 'client care' received, how friendly, helpful and courteous were staff?	
f	How accessible was the person handling your case, i.e. were they easy to get in touch with?	
g	Did you feel supported in Court Hearings and kept abreast of all developments at the Hearing? Were your instructions before and during Court Hearings followed?	
h	Did we provide Value for Money?	
i	Please give an overall satisfaction rating.	
		Please rate the quality of external Solicitor/ Counsel

Additional comments –

We are always looking for ways to improve our services and would be grateful for any further comments you wish to make.

Many thanks for completing this questionnaire.

Please return this form to

.....

Case Evaluation Form (for use by Legal Services)

CASE:	
LEGAL ADVISOR: (Please print your name)	

We would like to provide you with the opportunity to give feedback on the working relationship you have experienced during the course of your involvement with the case. The information you provide will assist us in evaluating our service on a continuous basis to ensure that high levels of social work practice and communications are maintained. It would therefore be very much appreciated if you could take the trouble to complete this brief questionnaire and return it within the next few days.

1) To date, was the case completed within 26 weeks? YES <input type="checkbox"/> NO <input type="checkbox"/>
2) Was the desired outcome achieved, if known? YES <input type="checkbox"/> NO <input type="checkbox"/> Not yet known <input type="checkbox"/>

Please answer the following questions on a scale of 1 to 9:

Poor: 1-2	Satisfactory: 3-5	Good: 6-7	Excellent: 8-9
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Score 1-9

a	How well were you kept informed of progress and developments from the operational team? Please rate the level of communication.	
b	How satisfied were you with the knowledge of the social worker(s)/manager(s) dealing with the matter?	
c	How satisfied were you with the standard of any written material prepared by Children's Social Care e.g. statement or evidence etc.?	
d	Did you receive clear instructions before and during Court Hearings?	
e	How accessible was the person in the operational team, i.e. were they easy to get in touch with?	
f	Did we act promptly in acknowledging your communications, responding to your telephone calls, responding to your emails etc.?	
i	Please give an overall satisfaction rating.	
If applicable		
	Please rate the quality of other social care professionals involved (please name them).	

Additional comments –

We are always looking for ways to improve our services and would be grateful for any further comments you wish to make.

Many thanks for completing this questionnaire.

Please return this form to

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Appendix 7 Link

<https://www.judiciary.gov.uk/publications/presidents-guidance-on-the-international-child-abduction-and-contact-unit-icacu-and-its-role/>

Appendix 8 Link

[PD12A - Public Law Outline](#)

Appendix 9

Late filing of document (s) ordered by Court / Variation / Urgent Hearing Procedure

This is the new Guidance / Procedure implemented by HHJ Thomas in place of lodging C2 applications.

This new procedure will be implemented from 2 October 2017.

The new procedure sets out the expected proposed draft template orders to be completed with agreement of all parties, where possible and where not possible agreement of all parties to seek urgent directions, for the court's consideration and subsequent agreement.

This procedure applies to any section of or person working for Birmingham Children's Trust who may be required to submit assessments or other statements/evidence to court. In the context where:

- both reputational and financial damage may be incurred by the Trust when court documents are not submitted in line with court orders and;
- Social Worker availability will have been requested by the solicitor who will have made representation to the court.

The following procedure will apply.

- **6 Clear working days before filing date**, the Team Manager, HOS will be reminded of the date for the filing of documents.
- **5 Clear working days before the filing date**, a reminder will be sent from Legal Services to the Social Worker and Team Manager and HOS and this will seek confirmation that the documents for filing with the Court will be received at Legal Services within 3 clear working days of the filing date.

In the absence of this confirmation Legal Services will prepare the draft order for agreement of all parties which will be lodged at court.

If any delay in submission is sought by any section of Birmingham Children's Trust, a plan for drawing up and submitting the documents to court within the requested extension period should accompany the delay request, alongside an explanation for the delay. Please note that references to pressures of work or annual leave are not considered to be acceptable reasons for delay. It should also be noted that whilst the legal representative will request a delay of the period suggested, the court will make its own decision on the date.

(Revised Procedure 28-9-17)