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**PLO Practitioner Toolkit**

**April 2022**

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# Introduction

The Public Law Outline (PLO) is a legal framework for children’s care and supervision proceedings. This PLO Practitioner Toolkit is intended to be used in partnership with the PLO Practitioner Handbook and has been developed to support practitioners to navigate the PLO process.

This PLO practitioner toolkit, documents best practice within the Public Law Outline process and supports the principle that children and young people should be safely diverted from becoming the subject of public law proceedings (where safe and possible to do so); or once they are subject to court proceedings, that they are fully informed around decisions about their future lives fairly and swiftly (PLWG, 2021, p. 10).

The Toolkit can be used flexibly prompting practitioners to understand the process of PLO, engage with families to understand their needs, and effectively intervene in a timely and child focussed manner. The tools are to be used in conjunction with the handbook and encompasses key resources, templates, and documents to support practitioners produce succinct and evidence informed interventions to ensure all families are provided with optimum support from Kent County Council.

All the resources within the Toolkit link with Kent Integrated Children’s Services (Kent ICS) ethos, values, and Practice Framework focusing on the use of systemic and strengths-based approaches to enable the family alongside the practitioner to recognise their strengths and develop their own solutions to promote the future life outcomes of the child.

# Key Definitions used within this Document

**Public Law Outline (PLO)** Before a Local Authority can consider intervening with family life and applying to the court in respect of children, it must go through a process known as the Public Law Outline process (PLO). PLO sets out the duties Local Authorities have when thinking about taking a ‘case’ to Court. The process identifies what should happen before care proceedings are issued (pre-proceedings process), the processes that the Courts should follow during proceedings, and also complies with the statutory 26 weeks’ timescale in the Children and Families Act 2014 within which all care proceedings should be concluded.

**Legal Planning Meeting (LPM)** A LPM is held when the Local Authority are considering further legal interventions if work with the family cannot keep a child safe. An LPM should be held to discuss the way forward in a particular case, and to obtain legal advice as to whether the ‘threshold criteria’ under section 31 Children Act 1989 has been met to initiate care proceedings or explore other alternative interventions. At the meeting, a decision should be made in principle about whether ‘threshold criteria’ has been met, and if so next steps.

**Pre-Proceedings** 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. Practitioners need to work in partnership with parents to divert and avoid court proceedings and plan intervention to safely manage risk and reduce the incidence of harm/ identify and assess potential carers, and plan proceedings by completing relevant assessments, evidencing concerns and when all other avenues of support have been exhausted. Pre-Proceedings should end no later than 12 to 16 weeks to be effective.

**Pre-Proceedings Meetings** A Pre-Proceedings Meeting takes place between the local authority, the local authority lawyer, the parents and the parents’ lawyer to discuss with the parents how they can change the way they look after their child and what support and help is needed from the local authority.

If both sides agree, they will write a formal agreement that both the parents and the local authority must follow. If parents don’t agree to the changes, or don’t follow the agreement, the local authority will need to consider escalating to the issuing of care proceedings.

**Care Proceedings** Care Proceedings, as they are often referred to, are Court Proceedings when the Local Authority is significantly concerned about the care children are receiving to the extent that they are suffering or at risk of suffering significant harm.

**Parallel Planning** For children who are unable to remain/ return to their birth or wider family, the local authority should consider a parallel plan to establish permanence at an early stage for a child. The permanency planning process should include key contributions from multi-agency professionals to identify which option is most likely to meet the needs of the individual child and consider of his/her wishes and feelings.

**Resources for Practitioners**

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| **PLO - Care and Supervision Proceedings - 1 Minute Guide** |
| [PLO - Care and Supervision Proceedings - 1 Minute Guide](file:///\\invicta.cantium.net\kccroot\Universal\FSC%20SCS%20Safeguarding\Practice%20Development\PLO\Public%20Law%20Outline%20(PLO)%201%20Minute%20Guide.docx) A helpful one-minute guide to support practitioner understanding of key phases within PLO. The guide includes bite sized briefings on key principles related to PLO to support frontline practice. |
| **Pre-Proceedings Guidance** |
| [The Role of Pre-Proceedings Sway (Kent ICS)](https://sway.office.com/ttWdi0vZndNkgI5N)A helpful E-learning introductory session which provides practitioners with a brief interactive learning opportunity to reflect on the pre-proceedings phase of PLO.  Research in Practice (RIP) have provided some useful tools and resources to support and enhance practitioner intervention and understanding during the pre-proceedings phase. [The link provides](https://coppguidance.rip.org.uk/pre-proceedings/) helpful guidance, tools and resources to support practitioners understand key legislative reform around the pre-proceedings process and requirements in practice, assessments, including the use of expert evidence following The Children and Families Act (s13, 2014).  There are also two helpful webinars available through [Research In Practice](https://www.researchinpractice.org.uk/children/content-pages/videos/child-protection-in-court-outcomes-of-care-proceedings-before-and-after-care-proceedings-reform-webinar-1/) to support practitioner understanding public law proceedings, prior to, during and following court. [Pre-Proceedings](https://www.researchinpractice.org.uk/children/content-pages/videos/child-protection-in-court-outcomes-of-care-proceedings-before-and-after-care-proceedings-reform-webinar-1/) and [Care Proceedings](https://www.researchinpractice.org.uk/children/content-pages/videos/child-protection-in-court-outcomes-of-care-proceedings-before-and-after-care-proceedings-reform-webinar-2/) webinars support practitioner understanding around public law proceedings, prior to, during and following court.  [There is a helpful What You Need to Know information page](https://coppguidance.rip.org.uk/pre-proceedings/introduction-to-pre-proceedings/#whatyouneedtoknow) which includes a visual [pre-proceedings flowchart guide](file:///K:\FSC%20SCS%20Safeguarding\Practice%20Development\PLO\PLO%20Diagram%202014.pdf) for Practitioners to use highlighting key timescales within 26-week time limit, and a summary of key processes practitioners need to be mindful.  [Court Orders and Pre-Proceedings Guidance for Local Authorities (DfE, 2014)](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/306282/Statutory_guidance_on_court_orders_and_pre-proceedings.pdf)The Department for Education have produced some helpful national practice guidance which outlines the duties placed on local authorities to ensure the early identification of potential concerns and, where possible, to provide support for children and their families to address these issues. The guidance also provides some helpful template documents and procedural flowcharts to support practitioners to visualise the steps and actions which may need to be considered during PLO. |
| **Court Applications** |
| RIP have provided useful tools, video’s, resources, guidance, and quiz exercises aimed to help practitioners embed knowledge in this area and support their understanding the Care and Supervision proceedings phase from the onset.  [Click here for](https://coppguidance.rip.org.uk/court-application/) practitioner resources to identify key potential issues early on which may arise during care proceedings, in addition to helpful information on how to submit good, factual and succinct evidence to the court through the use of court chronologies, social worker statement of evidence, court care plans, key preparation during proceedings, and post proceedings.  There is additional guidance and tools to promote effective working together during this phase from informing parents of the local authority’s decision to initiate, to guidance on applications for care/supervision orders in accordance with Family Procedure Rules Practice Direction 12A (known as the ‘Public Law Outline’).  [This page provides](https://coppguidance.rip.org.uk/social-work-evidence-template/) some helpful information and videos to support practice when completing evidence templates alongside helpful tips when using the template, submitting evidence, and recommended training.  [This page provides](https://coppguidance.rip.org.uk/pre-proceedings/introduction-to-pre-proceedings/#whatyouneedtoknow) a helpful checklist to support practitioners frame concerns they wish to highlight and address within the pre-proceedings phase.  [Videos and resources](https://www.researchinpractice.org.uk/children/content-pages/videos/social-work-practice-in-family-court/) to support practitioners sufficiently prepare to engage in the court proceedings process effectively. |
| **Chronologies, Eco-Maps and Genograms** |
| [Guidance to support practitioners](https://www.careinspectorate.com/images/documents/3670/Practice%20guide%20to%20chronologies%202017.pdf) understand the fundamental principles of how to create a succinct and accurate chronology; Care Inspectorate (2017).  [Core Skills Resource Book](https://www.delta-learning.com/pluginfile.php/75775/course/section/10386/Core%20Skills%20Resource%20Book%20V17.pdf) supporting practitioners to improve their confidence in safeguarding through the use of Genograms and Ecomaps.  [Supporting guidance and useful templates](https://practice-supervisors.rip.org.uk/wp-content/uploads/2019/11/Drawing-a-genogram.pdf) to promote effective use of Genograms in social work practice. |
| **Enabling and embedding participation in child and family social work** |
| [Participation in Child Protection: The Involuntary Client](https://www.youtube.com/watch?v=xHZX4XYfcgM) video led by Dr Jo Dillon and focusses on creative methods for communicating with children and supports practitioners to confidently tailor their approach to meet children’s individual and emerging needs.  [Advocacy](https://www.kent.gov.uk/social-care-and-health/care-and-support/disability/advocacy) and Support for Children and Families open to Kent ICS. |
| **NQSW resources** |
| [ASYE Workshop – Legal and Public Law Outline 'Clear Blue Waters'](https://www.delta-learning.com/course/view.php?id=2523)  [ASYE Workshop – Legal and Public Law Outline](https://www.delta-learning.com/course/view.php?id=1313) |
| **Parental Conflict and Alienation** |
| CAFCASS guidance for practitioners on how to work with [parental alienation](https://www.cafcass.gov.uk/2021/01/14/cafcass-reissues-position-on-parental-alienation/?highlight=parental%20alienation). Also provides guidance to promote the needs of the child and effectively safeguard and promote change.  [Guidance for practitioners on](https://www.cafcass.gov.uk/grown-ups/professionals/ciaf/?highlight=CIAF) how to work with Parental alienation, signs, and impact on the child published by CAFCASS. Also provides guidance to promote the needs of the child and effectively safeguard and promote change. Helpful assessment guidance can also be found on the website link. |
| **The role of Life Long Links - the Social Connections Service** |
| How to refer to the [Social Connections Service](https://www.kent.gov.uk/education-and-children/protecting-children/family-group-conferences) with helpful leaflets for professionals and families, video’s, links on how best to support children and families participate in this process. |

**Tools and Templates for Practitioners**

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| **Public Law Outline, Social Work Evidence Templates, and Practitioner Guidance** |
| The [Social work evidence template](https://coppguidance.rip.org.uk/social-work-evidence-template/), and some helpful supplementary reading to support practitioners present clear, accurate, child focussed analytical material to the family courts in line with recommendations made by the President of the Family Division’s Public Law Working Group (PLWG).  There is also a [helpful document to support practitioners](file:///K:\FSC%20SCS%20Safeguarding\Practice%20Development\PLO\SWET%20Guidance.pdf) when writing a court care plan and presenting initial statement/ statement evidence during care and supervision proceedings.  [Helpful practitioner tools](https://www.ccinform.co.uk/knowledge-hubs/court-work-skills-knowledge-and-practice-hub/) and presentation providing advice and practical tips on all aspects of PLO from Pre-Proceedings to Care and Post Proceedings. |
| **Forms and Templates for use in Pre-Proceedings and at time of Issue** |
| [Forms/Practice Guidance](https://kentchildcare.proceduresonline.com/local_resources.html) helpful templates practitioners may wish to utilise and adapt during the PLO Pre-Proceedings Phase or when initiating proceedings. |
| **Permanency Planning** |
| [Permanence Planning Guidance](https://kentchildcare.proceduresonline.com/g_perm_plan.html?zoom_highlight=permanency+planning) to help practitioners understand good practice principles of permanency planning, how to chair and participate in a meeting, and what to expect.  [Permanence Resource Pack](https://www.local.gov.uk/sites/default/files/documents/15.40_Permanence_resource_pack_v03_1WEB.pdf) |
| **Direct Work Tool Directory** |
| [Community Care Inform](https://www.ccinform.co.uk/learning-tools/directory-of-tools/)have produced Child and Family focussed direct work tools to promote engagement, and effective assessment and intervention skills.  [Research In Practice, Direct Work Tools with Parents and Children](https://www.researchinpractice.org.uk/all/content-pages/practice-tools-and-guides/)have produced helpful Child and Parent focussed direct work Tools, Video’s, resources, guidance to promote engagement, and effective assessment and intervention skills.  [Core Skills Resource Book on the Kent Academy](https://www.delta-learning.com/pluginfile.php/75775/course/section/10386/Core%20Skills%20Resource%20Book%20V17.pdf) |
| **Pre-Birth, Parenting, Connect Persons and Sibling Assessment Tools** |
| Pre-Birth Assessment and Risk Assessment [Best practice guidance](https://www.proceduresonline.com/kent/childcare/user_controlled_lcms_area/uploaded_files/Guidance%20on%20Undertaking%20a%20Parenting%20Capacity%20Assessment.docx) and considerations for practitioners when undertaking a parenting capacity assessment.  Kent ICS [Pre-Birth Assessment Guidance](https://www.proceduresonline.com/kent/childcare/user_controlled_lcms_area/uploaded_files/Pre-birth%20Practice%20Guidance%20UPDATE%20Oct%2021.doc), [Risk Screening Tool](https://www.proceduresonline.com/kent/childcare/user_controlled_lcms_area/uploaded_files/Risk%20Screening%20Tool.docx), and [Risk Assessment template](https://www.proceduresonline.com/kent/childcare/user_controlled_lcms_area/uploaded_files/Pre-birth%20Risk%20Assessment%20template.docx).  [Helpful assessment direct tools](http://www.socialworkerstoolbox.com/parenting-worksheets-assessment-tool/) including parenting worksheets to support practitioners engage parents effectively within the assessment process (Social Work Toolbox, 2021). Working with Parents with a Learning Disability [Link 1](https://stmichaelsfellowship.org.uk/about-using-PAMs) - An overview of the PAMS assessment model to improve practitioners understanding of key principles.  [Link 2](http://www.pillcreekpublishing.com/pams_more.html) - Pillcreek provides an overview of how to use the software, and the various tools used to appropriately assess parents who may have learning and disability needs.  [Best practice guidance](https://www.proceduresonline.com/kentandmedway/chapters/p_parent_learn_dis.html) to promote parental engagement during key intervention phases, access to services of support, and enhance parental understanding.  [Judiciary public law case examples](https://www.judiciary.uk/wp-content/uploads/JCO/Documents/FJC/Publications/Parents_who_Lack_Capacity_with_appendices.pdf) to cement practitioner understanding. Connected Persons – Initial Viability Assessment (potential carers) Process and Protocol [Helpful leaflet, and guidance](file:///K:\FSC%20SCS%20Safeguarding\Practice%20Development\PLO\Family%20and%20Friends%20Fostering.pdf) on the referral and assessment process and protocol for initial viability and [connected persons](file:///K:\FSC%20SCS%20Safeguarding\Practice%20Development\PLO\Connected%20Persons%20Foster%20Carer%20Initial%20Viability.pdf) assessments. Sibling Assessment Template Prompts [Helpful supporting prompts](https://www.proceduresonline.com/kent/childcare/user_controlled_lcms_area/uploaded_files/Sibling%20Assessment%20Template.docx) when undertaking a sibling assessment**.** |
| **Social Work Evidence Templates (SWET) Court Proceedings, and Practitioner Guidance** |
| The [Social work evidence template](https://coppguidance.rip.org.uk/social-work-evidence-template/) and CAFCASS have published helpful documents, tools, and research to support practitioners during PLO and court proceedings. |

# Links to Useful Resources

* [The Road Ahead - Sir Andrew McFarlane - President of the Family Division for the Family Court in England and Wales](https://www.judiciary.uk/wp-content/uploads/2020/06/The-Road-Ahead_FINAL.pdf)
* [Public-Law-Advisory-Group-Report-Dec-2020-1.pdf (judiciary.uk)](https://www.judiciary.uk/wp-content/uploads/2020/12/Public-Law-Advisory-Group-Report-Dec-2020-1.pdf)
* [Family Procedure Rules](https://www.justice.gov.uk/courts/procedure-rules/family/rules_pd_menu)  - The guidance also includes case plan template
* [PRACTICE DIRECTION 12A - CARE, SUPERVISION AND OTHER PART 4 PROCEEDINGS: GUIDE TO CASE MANAGEMENT (justice.gov.uk)](http://www.justice.gov.uk/courts/procedure-rules/family/practice_directions/pd_part_12a)
* [Public Law - Practice Directions 2014](https://www.judiciary.uk/related-offices-and-bodies/advisory-bodies/fjc/guidance/familycourtguide/publiclaw/practice-directions/)
* [Updated version of the Remote Family Access Court](https://www.judiciary.uk/announcements/updated-version-of-the-remote-family-access-court-released/)
* [The President of the Family Division Working Group on Medical Experts in the Family Courts Final Report](https://www.judiciary.uk/wp-content/uploads/2020/11/Working-Group-on-Medical-Experts-Final-Report-v.7.pdf)
* [Remote hearings in the family justice system: reflections and experiences - Sept 2020](https://www.nuffieldfjo.org.uk/app/nuffield/files-module/local/documents/remote_hearings_sept_2020.pdf)
* [Safety from Domestic Abuse and Special Measures in Remote and Hybrid Hearings](https://www.judiciary.uk/wp-content/uploads/2020/11/Safety-from-Domestic-Abuse-and-Special-Measures-in-Remote-and-Hybrid-Hearings-Family-Justice-Council-guidance.pdf)
* [Going to Court about a Family Issue? Leaflet](https://www.judiciary.uk/wp-content/uploads/2015/12/going-to-court-about-a-family-issue-leaflet.pdf)
* [The Court and your Child](https://www.judiciary.uk/related-offices-and-bodies/advisory-bodies/fjc/reports-publications/fjc-publications/the-court-and-your-child/)
* [Representing yourself in family court – film](https://www.advicenow.org.uk/guides/representing-yourself-family-court-film)
* [Initial Family and Friends Care Assessment: A good practice guide](https://www.frg.org.uk/images/Viability_Assessments/VIABILITY-MASTER-COPY-WHOLE-GUIDE.pdf)
* [Delivering Good Practice Initial Assessments of Family & Friends Carers - addendum in the context of Covid-19](https://www.frg.org.uk/images/Viability_Assessments/initial-family-and-friends-care-assessment-a-good-practice-guide.pdf)
* [Family Rights Group](https://www.frg.org.uk/)
* [Family-Justice-Board-statement-Dec-2020\_1.pdf (judiciary.uk)](https://www.judiciary.uk/wp-content/uploads/2020/12/Family-Justice-Board-statement-Dec-2020_1.pdf)
* [‘Clear Blue Waters’ Policy Briefing](https://www.sheffield.ac.uk/polopoly_fs/1.812158!/file/Sheffield_Solutions_Clear_Blue_Water_Full_Report.pdf), Care Proceedings In England, University of Sheffield Research Study 2018, Isabelle Trowler et al
* [PLO Working Group Recommendations to achieve best practice in the child protection and family justice systems Review (March 2021)](https://www.judiciary.uk/wp-content/uploads/2021/03/March-2021-report-final_clickable.pdf)
* [The Children and Families Act 2014](https://www.legislation.gov.uk/ukpga/2014/6/pdfs/ukpga_20140006_en.pdf)
* [The Children and Families Act 2014, Young Person’s guide](https://www.gov.uk/government/publications/young-persons-guide-to-the-children-and-families-act-2014)
* [The Children and Families Bill](http://www.education.gov.uk/a00221161/children-families-bill)
* [The Ministry of Justice Department for Children, Schools and Families Guidance](https://www.proceduresonline.com/greater_manchester/childcare/rochdale/pdfs/g_moj_prep_care.pdf)(2009) Preparing for Care and Supervision Proceedings - A best practice guide for use by all professionals involved with children and families’ pre-proceedings and in preparation for applications made under section 31 of the Children Act 1989