**Kent Integrated Children’s Services (ICS)**

**Public Law Outline (PLO) 1 Minute Guide**

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**Public Law Outline Overview**

The [**Public Law Outline**](https://www.justice.gov.uk/courts/procedure-rules/family/practice_directions/pd_part_12a) (PLO) 2014 sets out the key tasks and issues the Local Authority should consider when thinking about initiating Public Law proceedings for a[**Care Order**](https://www.proceduresonline.com/resources/glossary-cs/) or [**Supervision Order**](https://www.legislation.gov.uk/ukpga/1989/41/section/31) within the court of law.

The PLO process brings together a series of steps to ensure the Local Authority have explored all realistic options to achieve the best outcome for child. Local Authorities must ensure they identify any concerns and support required for the family to address concerns at the earliest possible stage.

PLO sets out the duties which Local must consider when thinking about taking a family to Court, with the key aim to provide necessary support to avoid care proceedings.

The process should recognise key issues for the child and identify what should happen before care proceedings are issued (referred to as the Pre-Proceeding’s process) focussing on required assessments and interventions to reduce further harm from occurring.

Local Authorities and the Courts should follow key [duties and case management processes](file:///\\invicta.cantium.net\kccroot\users\ton-homedrive\Feannj01\Desktop\Practice%20Standards%20Officer%202020\PLO\PLO%20May%20next%20steps\Toolkit%20May%202021\May%202021%20PLO%20Practitioner%20Toolkit%20.docx) during proceedings complying with the statutory 26 weeks’ timescale in the amended [**Children and Families Act 2014**](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/359681/Young_Person_s_Guide_to_the_Children_and_Families_Act.pdf) where care proceedings should be concluded.

There may be some cases within PLO where proceedings are necessary to ensure the Child’s best interests are not compromised, and so that key decisions can be made within a reasonable timeframe that are set by the Court to avoid unnecessary evidence or hearings.

Only the Court can create a Care Order or Supervision Order if [**Threshold**](https://www.proceduresonline.com/resources/glossary-cs/)Criteria has been met Under [**Section 31 Children Act 1989**](https://www.scie.org.uk/publications/introductionto/childrenssocialcare/lookedafterchildren.asp)**.**

**Pre-Proceedings Intervention and Process**

[**Pre-Proceedings**](https://sway.office.com/ttWdi0vZndNkgI5N) phase is typically initiated when there are concerns of [**significant harm**](https://www.proceduresonline.com/toolkit/glossary/s/cs-significant-harm/), when a child is subject to a [**Child Protection** plan](https://www.proceduresonline.com/resources/glossary-cs/) but where insufficient progress has been made.

Pre-Proceedings is an important intervention for child/ren and their families as it can divert the need for proceedings, and to avoid potential separation from their family. It supports practitioner to prepare sufficiently for potential proceedings to ensure a clear outcome, and limit delays once care proceedings have been initiated. Pre-Proceedings should end no later than 12 to 16 weeks to be effective.

The Pre-Proceedings phase should support practitioners to effectively plan appropriate Interventions to safely manage risk and reduce the incidence of harm. The process should if deemed necessary identify and assess potential carers, and plan for proceedings by completing relevant assessments and evidencing concerns when all other avenues of support have been exhausted. It is important to note that if a child is subject to a Child Protection or [**Child In Need**](https://www.proceduresonline.com/resources/glossary-cs/) plan, this will continue alongside the PLO Process.

Once a decision has been made that pre-proceedings (PLO) intervention can commence with the family, there are a number of actions which need to take place:

**Letter Before Proceedings**

Practitioners need to ensure parents and those who hold [Parental Responsibility](https://www.proceduresonline.com/resources/glossary-cs/) will receive a letter which should clearly outline the Local Authority’s [concern](https://www.proceduresonline.com/kent/childcare/user_controlled_lcms_area/uploaded_files/List_of_Concerns_for_Social%20Workers%20to%20consider%20for%20Letter%20Before%20Proceedings.pdf)s, and support that has been provided by the Local Authority so far.

The [letter before proceedings](https://www.proceduresonline.com/kent/childcare/user_controlled_lcms_area/uploaded_files/1%20Letter%20before%20proceedings%20template.docx) should invite the parents to a pre-proceeding’s meetings, and advise them to seek legal advice, and instruct a [family law solicitor](https://www.proceduresonline.com/kent/childcare/user_controlled_lcms_area/uploaded_files/Guide%20on%20Finding%20a%20Solicitor.doc). It is imperative parents receive this letter prior to arranging the meeting to ensure they can access legal aid to support any legal costs incurred. A Pre-Proceedings letter should be sent within five working days of the PLO work decision, and the practitioner should go through the letter contents and concerns with the parent face to face.

**Pre-Proceedings Meeting**

A Pre-Proceedings Meeting should be held no more than a maximum of 15 working days following the [Legal Planning Meetings](https://kentchildcare.proceduresonline.com/p_legal_planning_meetings.html?zoom_highlight=legal+planning+meeting). It should provide reasonable notice for those caring for the child/ren to attend any planned meetings alongside their chosen solicitor, but also avoid delay.

Pre-Proceedings Meetings are held so that parents are provided with a face-to-face opportunity to work together with parents to address identified worries at the earliest opportunity.

The meetings must be chaired by an experienced/ independent Local Authority manager (Pre-Proceedings Meeting [Agenda](https://www.proceduresonline.com/kent/childcare/user_controlled_lcms_area/uploaded_files/Pre%20Proceedings%20Meeting%20Agenda.doc)) and should have the attendance of parents, their legal representative, the local authority social worker, team manager, and the Local Authority’s legal representative. Children and young people should be given an opportunity (where safe and possible to do so) to attend the initial pre-proceedings meeting in part or be met with by manager to obtain their views subject to consent being obtained. The aim of the meeting is to set out the clear expectations of what improvements are to be made, and to develop a robust and timely plan to avoid the initiation of court care and/ supervision proceedings.

The meeting will discuss next steps should the plan be completed, and progress has been made. It will also discuss contingency options should the plan not be successful which can include the initiation of care proceedings, placement with wider family/network, or adoption if relevant.

There should be a copy of the minutes to make record of key actions decided to promote the safety and wellbeing of the child/ren which should be made available to the parents, their solicitor. Children should be advised of the outcome of the meeting in a child focussed and age-appropriate manner.

**Pre-Proceedings Review Timescales**

After the meeting, the local authority and parents should agree a revised plan which will specify measures the local authority will need to take to safeguard the child/ren, and support parents will need to access with an agreed timescale. It will explain steps at the end of the process if progress has/ has not been made. This plan should be reviewed in accordance with the child/ren’s needs within 6-8 weeks (midpoint review), and the final review should be no later than 12-16weeks.

If it is decided that the pre-proceedings and PLO phase can end, and that the local authority are no longer considering care proceedings, the child can continue to access services of support through the Child In Need or Child Protection planning process if required. It is best practice to also formerly send a [letter](https://www.proceduresonline.com/kent/childcare/user_controlled_lcms_area/uploaded_files/2%20Letter%20exit%20pre%20proceedings%20template.docx) to the parent, or those with PR to notify them of this decision.

**What happens if the local authority decides to initiate care and/supervision proceedings?**

A Legal Planning Meeting must be held to discuss threshold of concerns if during the Pre-Proceedings phase or following its completion, care proceedings concerns cannot be negated despite the implementation of support. Care and supervision proceedings must be initiated when there are concerns around parenting where the child remains at risk from significant harm, or they have been harmed.

The Legal Planning Meeting (LPM) is held to gain legal advice about whether threshold has been met to initiate care proceedings and if so under what grounds. If proceedings are to be issued, the Local Authority should outline what the issues are face to face and via letter, and the attempts they have made to support the family address such concerns.

The Practitioner will need to [compile evidence](https://coppguidance.rip.org.uk/court-application/chronologies/) and present this within the recommended [ADCS Social Work Evidence Templates](https://eur01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fadcs.org.uk%2Fcare%2Farticle%2FSWET&data=04%7C01%7CJhiselle.Feanny%40kent.gov.uk%7C110dd7ce21ef427cf0e708d904d7a49b%7C3253a20dc7354bfea8b73e6ab37f5f90%7C0%7C0%7C637546146488866006%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=Su5G%2FSW3oCo9JPC%2BySdjAWbQG56WE5riKXrUANIfuLo%3D&reserved=0) and Guidance. The documents will include the completion of a [chronology](https://www.proceduresonline.com/resources/glossary-cs/), statement of evidence, and a court care plan with realistic options for the child long-term.