

# PRE-PROCEEDINGS PROCESS AND TIME-SCALES

## ADDITIONAL GUIDANCE

### 1. INTRODUCTION

This document is to set the expectations of how we deliver pre-proceedings work in Dorset. It is governed by the [Care and Supervision Proceedings Procedure](#) and should be read in conjunction with the [Pan Dorset Pre-Proceedings Protocol](#) which is the protocol that covers the area covered by the Designated Family Judges for Bournemouth, Dorset and Poole. The “Pan Dorset Pre-Proceedings Protocol” sets out the principles and why Pre-proceedings should be used in all but the most urgent cases. It does not set out the timescales or the type of cases that we should be identifying for pre-proceedings work and that is the purpose of this document.

### 2. VALUES

The most overarching principle is that we want all Dorset children safe and secure in a permanent home. We want to support parents to look after their children so that they can develop to meet their full potential. When we are concerned that parent(s) are unable to parent their children safely we need to ensure that we take prompt action to protect them and secure permanence for them.

### 3. CONTEXT

- 3.1 The Council will follow Pre-Proceedings processes in cases where immediate intervention by the Court is not yet established but concerns warrant Pre-Proceedings clarity and oversight.
- 3.2 The pre-proceedings process is intended to be a final opportunity for parents to improve the standards of care for their children to avoid court proceedings being taken by the local authority to remove the children and place them in local authority care.
- 3.3 One of the main aims of PLO is that when Care Proceedings are necessary, that social work practitioners will come to Court with a clear evidence base, having undertaken work in the Pre-proceedings stage with colleagues from other agencies.
- 3.4 In doing so the Court Process is anticipated to run smoothly and Proceedings should conclude in a timely manner and within the 26-week statutory timescale.
- 3.5 Another of the aims of the PLO is to improve the consistency and quality of social work assessments and plans for pre-Court and within the Proceedings and to improve the local judiciary confidence in the expertise of the social worker.
- 3.6 Whilst Pre-Proceedings will be an appropriate course of action to take in most cases that we work with, there will be situations when it does not apply. If there is an incident where a child is at immediate risk, we can bypass this process and go straight to Court

for an Emergency Protection Order or make an application for a Care Order without undertaking the Pre-proceedings work.

- 3.7 Pre-proceedings should be used for the large majority of our cases where we are considering removal of children from their families. Cases will normally be subject to a child protection plan, and there are concerns that the plan is not progressing quickly enough for the child. Pre-proceedings is a way to escalate the concerns and for the parents to obtain legal representation in order to help them make the necessary changes so to prevent an application to the Court. It should be time-limited and include assessments to inform our Care plan and aid the Court to make a decision if an application is necessary.
- 3.8 It is important that we are having reflective supervision and discussions that identify cases which are not progressing at the pace necessary for the child(ren). We should not wait for a crisis to start care proceedings.

#### **4. THE PROCESS IN DORSET**

- 4.1 In Dorset we want to encourage good social work judgement and analysis. Cases that could benefit from Pre-proceedings should be identified in supervision and discussed in a Legal Gateway Meeting. If it is felt that the case would benefit from pre-proceedings, then this should be taken to the Locality Line of Sight meeting where the Service Manager can make a decision to progress into pre-proceedings.
- 4.2 Whilst we will be using professional judgement to decide if a case should enter pre-proceedings, certain cases should always lead to a discussion at Line of Sight. These are:
- Children who are placed on a child protection plan for a second time;
  - Children aged over 5 who have been on a child protection plan for over 9 months;
  - Children aged under 5 who have been on a child protection plan for over 6 months.
- 4.3 For cases that have children of various ages we should take the youngest child in the family as the child to consider in terms of this timescale, i.e. if one child is under 5 then it should be discussed after 6 months.
- 4.4 By taking a case to Line of Sight it does not necessarily mean that we will be entering pre-proceedings, but it will mean that there is Service Manager oversight. If it is decided that pre-proceedings is not required at this point, the family must be reviewed at least every three months at the Line of Sight Meeting to ensure that the plan is progressing for the child and the risks are diminishing and we are working towards ending the child protection plan.

#### **5. TIMESCALES**

- 5.1 Once the Line of Sight Meeting has agreed that pre-proceedings is required then the following timescale should be followed:
- Pre-proceedings letter within one working week; use only the approved [Dorset Council Pre-Proceedings Letter Template](#)

- Meeting with parent(s) and legal representative within two weeks;
- Review after 6 weeks;
- Final meeting after 13 weeks.

5.2 In setting a timescale of 13 weeks we are being ambitious for our children. By definition, children subject to pre-proceedings are at risk of or are suffering significant harm which is why we need to make prompt decisions and ensure we are not letting their case drift. It is however recognised that some assessments can take longer than 13 weeks. In cases that are likely to take longer than 13 weeks the follow internal reviews will take place:

- By 12 weeks every case should be reviewed by the Service Manager at the Line of Sight meeting to agree whether extension is appropriate.
- Any cases still in pre-proceedings at 16 weeks will need to be reviewed at the Leadership meeting.
- Any cases still in pre-proceedings at 26 weeks will be reviewed by the Corporate Director, Care and Protection.

5.3 Additional monitoring and tracking will take place through the following meetings:

- Monthly Locality Pre-Proceedings and Court Proceedings tracking meetings with Aspire. Chaired by Service Manager, attended by Team Managers and Aspire adoption lead. Pre-Proceedings tracker will be kept up to date.
- Monthly Court Performance meeting – Chaired by PLO Strategic Lead. Reviews any PLO exceptions including pre proceedings over 12 weeks and 20 weeks.

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