Scrutiny Report:

Examination of the Impact of the Public Law Outline on securing a permanent family for children at risk of significant harm

Introduction

The purpose of this report is to inform Members about the Local Authority’s (LA) role in identifying and protecting children from significant harm and to enable them to scrutinise the child’s journey through the provision of services from early help to protection, which in a minority of cases can mean separation from birth parents and long term alternative care including adoption.

Child Abuse is a hidden crime, behind closed doors and within the confines of family loyalties and trust. Non verbal children are unable to describe their experiences and older children very often remain loyal to their parents and do not disclose what is happening to them. Identification of abuse and neglect is a difficult terrain, dependent on all professionals sharing information and piecing together observations, remarks and other information that may be suggestive of abuse such as health or educational concerns. There is a legal duty on all professionals to work together to share information to safeguard and promote the welfare of children.

Children’s Services Contact team received 11,724 contacts expressing concern about children last year, 29% from the police and 17% from schools. The main concern expressed was about exposure to domestic violence, followed by neglect and parental disputes.

Children’s social care undertook 1,551 assessments of children, 468 children were discussed with the police as being at risk of significant harm and 210 children were discussed at a child protection case conference. 179 children were made subject of a child protection plan and the main category of abuse was neglect (85), closely followed by emotional abuse (68), physical abuse (25), sexual abuse (1). 154 new children became looked after.

Appendix A describes the statutory context of the LA work with children.

Appendix B gives the age profile and legal status of children in care. From this it will be noticed that more children are in the care of the LA by order of the court than on a voluntary agreement with the parents. Court ordered care is more usual in younger children and is mainly due to abuse or neglect resulting in significant harm to the child. Whereas for older children issues tend to relate to the impact of neglect resulting in behaviours that are beyond parental control. Therefore it is critical that the potential for children being abused or neglect is identified early where there is more opportunity for successful interventions, and a reduction in the impact of lasting damage to the child.

[1]

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This report focusses upon the minority of children where there are significant concerns that justify compulsory intervention into family life through the Family Proceedings Courts. These steps are only taken as a last resort and where there is evidence that early help and other preventative and supportive services have failed to bring about the necessary change in parenting behaviours to enable the child to be safe.

**Background**

The Family Justice Review published in November 2011 identified the need for wide ranging reforms to improve decision making for children involved with the courts in public and private law. The main reforms needed in public law related to reducing avoidable delay in the court process, this was caused by repeated requests by solicitors for more assessment, dependence on expert evidence, delay in identifying extended family members who could care for the child in the event the parents were unsuitable, delay in appointing guardians to represent the child and lack of continuity of the judiciary.

Recommendations of the review were far ranging and included the expectation that social workers should be seen as experts, the avoidance of other expert evidence, and an expectation that all proceedings should be completed within 26 weeks. In order to achieve this, the Public Law Outline (PLO) and accompanying guidance was introduced in 2014 to provide a framework for preparing cases for court in order that sufficient evidence was available to enable decisions to be completed within 26 weeks.

This report examines the impact of the new 26 week timescale in care proceedings and the impact on delivery of social work services and practice, in securing a permanent family who can meet the child’s longer term needs.

The offer of early help and robust case management in the pre-proceedings stages is crucial to ensuring the child’s journey to permanency is within their timescales.

**What is the Public Law Outline 2014?**

The revised Public Law Outline is a case management system designed to reduce delay in care and supervision order proceedings.

Where a child is subject to a child protection plan, Public Law Outline (PLO) pre-proceedings, or Care Proceedings, they have been assessed as being ‘at risk of significant harm’. It is Islington’s policy that an increase in risk should be reflected in an increase in the intensity of the assessment and intervention. Where the child is assessed as ‘at risk of significant harm’ the urgency for change should be reflected in the timescales of the plan. Where the child continues to be suffering, or is at risk of suffering significant harm at the second Review Child Protection Case Conference the local authority consider holding a legal planning meeting to review the evidence that a child is at continuing risk of significant harm and consider whether an order

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may be needed to share parental responsibility in order to protect the child. Where this is indicated and the child is not at immediate risk of harm the formal PLO Pre-Proceedings Process will be started (see para 3 below). Where the child is at immediate risk of harm the Local Authority can apply for an Emergency Protection order or Interim Care Order to remove the child to a place of safety and an immediate issue letter is sent to the parents.

The formal PLO pre-proceeding process is a 12 week intensive assessment and intervention process that is reviewed at week 3 and week 9, with a clear plan for escalating or reducing the intervention at the end of the 12 weeks. This process enables the local authority to work with families to avoid care proceedings wherever possible. During the PLO pre-proceedings process parents have access to non-means tested legal aid to ensure they are fully aware of their rights and responsibilities as parents.

It is Islington’s policy that Care Proceedings are only pursued where it can clearly be demonstrated that it is the best option for the child in terms of safeguarding and promoting their welfare, improving outcomes and enabling them to achieve their potential.

Where the Head of Service agrees with the legal advice that the formal pre-proceedings PLO process should be followed, the Social Worker will encourage the family to seek legal advice and a ‘Letter Before Proceedings’ will be sent to the family explaining the Local Authorities concerns and setting out the expectations of the parents to avoid the need to issue court proceedings “giving the parents one last chance to improve their parenting”. A comprehensive plan will be put in place in partnership with the family to assess and test their motivation to change or improve their parenting capacity. The family will be asked to identify all family members and friends who may be able to support them and a Family Group Conference will be recommended so that the family can hear the concerns of the Local Authority and decide for themselves how to resolve them. This means that family and friends will be identified who may be able to care for the children, should the parents not be able to do this in the longer term.

Where the formal pre-proceedings PLO process has not been successful, enabling a safe outcome for the child, a decision will be taken to apply to the court for an order to protect the child. The social worker will provide evidence of the significant harm to the child and of the work that they have done to try to ameliorate this, explaining why it is necessary to share parental responsibility with the parents in order to protect the child.
The Court Process

The Local Authority must prove on the balance of probabilities that the threshold criteria of significant harm is met, and that an order is necessary to protect the child. In almost all cases the threshold is agreed by the court even when it is opposed by the parents. The court will then decide what interim order to make, it could make no order, an interim supervision order where the child will remain with the parents, an interim care order where the child may be removed from the parents usually to family or friends carers, but if there are none suitable to foster carers. In some circumstances the parents will agree for the child to be placed with family or friends or in foster care while they work on the issues of concern.

The court will then set a timescale to ensure that a decision can be made about a final disposal within 26 weeks, it will agree what further assessments are needed and who should undertake them. It will set a timescale for an Issues Resolution Hearing where the main issues will be debated and areas of agreement and disagreement between the parties identified. Judicial scrutiny and oversight is important to enable the contested issues to be narrowed so that court time is used effectively.

KEY ISSUES

- 28% increase in Family Group conferences from 63 to 81 in the last year
- We had 40 cases in PLO between March 2013 and April 2014, 65% were diverted from court.
- 51% increase in the number of assessments of connected people (who may care for children if the birth parents cannot) 71 last year to 112
- We have increased the time that social workers spend in assessing families in advance of care proceedings
- There has been an 11% increase in legal planning meetings since 2012/13 and a projected 39% increase since 2011/12 (108 meetings in 2011/12 – 150 meetings expected in 2014/15)
**Islington’s approach to the Family Justice Review**

In January 2013 Camden and Islington began the Bi-Borough Care Proceedings Project. The aim was to work together, and with key stakeholders, to reduce unnecessary delay in care proceedings and in particular to work towards completing proceedings within 26 weeks.

The number of cases issued into care proceedings has decreased slightly in the past four quarters, which follows a national downward trend. The reduction has been influenced by a number of factors, including a stabilisation after an increase following the Baby Peter Connelly case, and improved scrutiny of cases following the pilot and introduction of the revised Public Law Outline 2014 and the Children and Families Act 2014.

The Bi-Borough project best practice model encourages robust pre-proceedings assessment and intervention, and increased scrutiny of evidence and thresholds during the PLO pre-proceedings stage. We are continuing to improve our PLO pre-proceedings work through more structured and better resourced intervention, in order to improve the quality of work that social workers are able to do in advance of the court proceedings.

Application of the best practice model has enabled a reduction in the duration of care proceedings. The average duration of care proceedings in 2011/12 was 54 weeks, 2012/13 was 51 weeks, and 2013/14 was 51 weeks. There were a number of long running cases that obscured the good progress that was made during this time.

**KEY ISSUES**

- The 26 week timescale will only be met where the social worker has followed the PLO process diligently and undertaken appropriate assessments and identified, and where possible, assessed connected family members who could care for the parents should the parents be deemed unsuitable to do so.

- Increasingly the Court are not agreeing with the LA about the type of interim order necessary, as they do not want to pre-emptively separate children from their birth parents, as this is seen as the most ‘draconian’ option. This results in more children remaining ‘at risk’ with their parents, and increasing resources being used to support and monitor the families during the court process.

- Fewer court hearings are needed on average 4 per case (reduction from 6)
The Bi-Borough project commenced in January 2013, and from this point cases have been issued using the best practice model. When ‘legacy cases’ are excluded the average duration of care proceedings reduces to 33 weeks (Table 1) reflecting a positive trend as a result of the model.

Timescale in weeks by quarter for completing care proceedings

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<thead>
<tr>
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<td>Q2</td>
<td>Q3</td>
<td>Q4</td>
<td>Year</td>
<td>Q1</td>
<td>Q2</td>
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<td>49</td>
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The above timescales reflect a 36% reduction, now averaging 33 weeks, which is slightly higher than the Family Justice Board ambition of 26-30 weeks averaged over four quarters.

The recent increase in timescales reflects the difficulty stakeholders have had adjusting to, and marrying up, the significant changes, such as the introduction of the gate keeping and allocations system, the application of recent case law\[1\], the move to the single court system, the implementation of the Children and Families Act 2014 and the pilot and implementation of the revised Public Law Outline 2014.

While the overarching principles have been clear, the processes have needed to be adapted and developed along the way. The increase has been observed across London and a detailed action plan has been developed by the Family Justice Board Performance Improvement Sub Group, which will include training for Judges and other court users delivered by LJ Ryder to consolidate and reinforce the learning and changes over the past 12 months.

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\[1\] Re: B-S

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### AVERAGE CASE DURATION – APRIL TO SEPTEMBER 2014

(Central Family Court Local Authorities)

<table>
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<tr>
<th>Local Authority</th>
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<th>Number in 26 weeks</th>
<th>% in 26 weeks</th>
<th>Average Length of concluded cases²</th>
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<tr>
<td>Islington</td>
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</tr>
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<td>1</td>
<td>9.1</td>
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</table>

² Does not separate legacy cases
The Age Profile of Cases

KEY ISSUES

- Reduction in length of care proceedings from average of 53 weeks to 33 weeks
- Islington performance compares favourably with other LA
- 39% of the children were under one year
- 58% of the children were under 5 years of age
- Reduced number of children separated during the process of court proceedings and increase in use of Interim Supervision Orders resulting in more residential child and parents assessments and family support
- Not as much reduction in use of expert or independent evidence as was hoped
- Not as much Judicial continuity as was hoped
Outcomes of Care Proceedings

When the court makes the final order it will also agree the placement for the child. The options available to the court are:

- No order
- Care Order – giving parental responsibility to the LA effectively removing the child from the parent
- Special Guardianship Order – giving parental responsibility to a connected person, effectively removing the child from the parent
- Supervision Order (alone or in combination with SGO, or CAO) giving the LA responsibility to advise, assist and befriend the person with parental responsibility
- Child Arrangements Orders – which replaces the residence order and contact order and specifies where the child shall live and with whom they will have contact without removing parental responsibility
- Placement Order and Care Order – agreement to place the child for adoption
Final outcome of care proceedings in comparison to previous quarter:

- 47% of children remained/reunified with parents, a change from 55%.
- 29% of children were permanently placed with friends and family, a change from 24%.
- 24% of children were placed permanently outside of the family network, which is no change from 24%.

**Issues related to different placement outcomes**

a. Rehabilitation or reunification

The Bi-borough statistics show that at the end of care proceedings, 47% remain or are reunified with their parents, whereas the Islington’s figures are slightly lower. Islington has completed care proceedings for 65 children in Islington in the past 12 months. Of these 65 children 23 (35%) remained or reunified with their parent at the end of care proceedings with No Order, or subject to a Supervision Order, see case child D.

The high ratio of children remaining or returning home has raised questions about the use of care proceedings, and whether there is a less adversarial way to manage such cases. The best practice model promotes robust assessment and intervention.
in the pre-proceedings stage in an effort to create change and potentially divert families away from care proceedings. This may represent a saving in respect to court and legal costs.

b. Permanent Placement away from birth parents, but placed within family or kinship network

The attention to timescales has created a sense of urgency in identifying and approving a permanent placement for the child, but this does put pressure on family members. Court directions normally require an assessment of relatives to be completed within 4-10 weeks, which, if the person is identified after proceedings are issued, limits the amount of time they have to consider fully the important decision they are making.

Placements with family and friends are often the most complex of all placements due to the pre-existing relationships, dynamics, loyalties, and roles within the extended family that will inevitably be challenged by the new arrangement, even in the most amicable of circumstances. In the case of SGOs, the role of the relative changes the instant the order giving them parental responsibility is made. In all situations the carer will need to manage the competing demands and expectations of the parent and child. Where there are issues of intergenerational harm or dysfunction, guilt and shame may play a role as well.

Along with family dynamics, the complexity of the placement often relates to the child’s particular needs and the carers capacity to meet these needs. Where children have suffered significant harm they may have complex emotional, social, and behavioural needs and pose a challenge even for the most specialist carers.

While the placements can be challenging and complex, anecdotal evidence of SGO placement instability has been challenged by recent research, which suggests that even in the face of adversity, SGO carers tend to ‘get on with it’ and a relatively small proportion break down.

Of the 65 children subject to care proceedings last year 33 Special Guardianship orders were made, a 73% increase compared to the previous year. Special Guardians who care for children who had been looked after are entitled to a financial assessment and almost always receive an allowance. This allowance is linked to the council’s fostering allowance.

c. Long Term Fostering

Of the 65 Islington children subject to care proceedings in the past 12 months, 9 children (14%) have been placed in long term foster care subject to a Care Order.

d. Adoption and Special Guardianship
In 2013/4 17 Islington children were adopted. Their care proceedings court cases had concluded between July 2011 and October 2013, so this group of children were probably less affected by the recent changes in public law, which have had a dramatic impact on children placed for adoption nationally.

Since the recent case law established in ‘Re BS’ adoption must now be seen as the last resort, placement orders giving court authority to place for adoption have reduced by 54% nationally and this picture is seen in Islington.

More children have been placed with friends and family, for example, since April 2014, 18 children have already had Special Guardianship orders (see case study Baby B).

Between April and October 2014, adoption journeys for Islington children are as follows. The court have made 4 placement orders, giving consent to place for adoption and have made 4 final Adoption Orders. 5 additional children are now placed for adoption, but not yet adopted. There are also 5 children shortly to be formally matched with new adoptive families, who have been found for them.

For 2014/15, it is likely that 9 children will have been adopted, although there may be more depending on court timescales.

For 2015/6, there are 11 children who may need adoption, depending on court decisions.

There is a shortage of adopters in London and elsewhere who want to adopt siblings, children with uncertain developmental concerns, children from BME backgrounds and boys in particular. Older children wait longer than toddlers for new families. (See Baby and case study)

Islington is an active member of the North London adoption consortium with 5 North London partner boroughs. The Consortium provides a range of shared, directly provided and joint commissioned services to help children and adopters. The recent North London adopter recruitment project attracted 780 enquirers but only 60 were ready to go ahead with the full assessment. Family finding is undertaken in partnership to reduce delay for every child, for example baby twins were placed for adoption with a Hackney adoptive family. However the 2013/14 out turn of 124 North London adoptions is unlikely to be matched.

For Islington children, at the end of the child’s adoption journey, public law changes have also had a significant impact, adjourning 4 final adoption hearings to reconsider parental objections. This new development is having an unhappy impact on children and adopters, where a child has often become very settled. The child remains in the care of the council and the adopters still do not have full parental rights until the Adoption hearing is concluded. This causes a delay of 2/3 months in achieving the final adoption order.
Adoption Score Card

See Appendix E

The adoption score card is a data report of three year rolling averages of the performance of the LA in relation to timescales for securing adoptive placements. It provides target timescales for the local authority to meet, so that by 2016 children move in with their adoptive families within 426 days of entering care.

Our current performance is 619 days (132 days off target).

This A1 score is adversely affected by some good outcomes, such as foster carers adopting long term foster children. However the more common issue causing delay in 2013/4 was where babies already subject to Interim care orders, had been placed in parent and child placements and where the court had been reluctant to make the difficult decision to separate them from their parents. When the decision was eventually made it was actually made out of the target timescale.

The A2 score, at 167 days between the granting of Placement Orders to matching with the adoptive family (46 days off target) also on a downward trajectory towards the 121 days target for 2013/16 from the previous high of 213 days.

This indicator is affected by the shortage of adopters wishing to adopt older children, children of BME origin or children with uncertain developmental progress or disability. 3 of the children were over 5 by the time they were adopted and 4 had significant health issues or disabilities which affected family finding. 4 of the children were from 2 groups of brothers and sisters where it was a challenge to get the right match because of the needs of the older sibling. 2 children had the benefit of Coram Concurrent placements and they had been placed in under 35 days, but the

courts are now more reluctant to agree these early placements since the changes in Public law. The new emphasis in the regulations on Foster to adopt is likely to face the same concerns in the courts, as it may be seen as pre judging and excluding family and friends.

Conclusion

The impact of the PLO means that the LA must ‘front load’ assessment of the family before rather than during court proceedings, this requires a shift in resources within our existing structures to ensure that the process is robust.

As a result of our Bi Borough project, considerable progress has been made in reducing avoidable delay in Court proceedings, and improving the quality of social work assessment and evidence.

This means that more decisions are being made in a timescale that meets the child’s needs, and where appropriate a permanent substitute family can be provided so that treatment can reduce the impact of abuse and neglect on the child’s longer term development. However, London as a whole including Islington have not yet met the 26 week target (currently 33 weeks)

The impact of new case law re BS is resulting in the Court agreeing fewer children being placed for adoption and more being placed using SGO with relatives and friends. The LA has concerns about this and have raised this with the Judiciary.

The resultant increase in SGO has increased the costs for the LA in both assessing and supporting these placements.

Joy Nield
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N5 1EB
October 2014
APPENDIX A

Statutory context

Principles underpinning all work with Families – the welfare principles

- The Child’s welfare must be our paramount consideration
- We must have due regard to the wishes and feelings of children (given age and understanding)
- We must work in partnership with parents
- We must consider the likely effect of changing the child’s circumstances
- No court order should be made even where the threshold is met unless this is best for the child
- We must consider how well the parents or any others are of meeting the child’s needs

We are required by statute to identify children who may need early help and to put in place effective services to provide coordinated support to prevent needs escalating to the extent that statutory assessment under the Children Act 1989 is required.

Early Help

Most of the time most families get on with their lives, coping with the ups and downs and challenges that come their way, with little or no involvement needed from those outside their circle of family and friends. However many families need some support.
at some point. This can range from a one-off visit to their GP, attending a parenting programme at a children’s centre or intensive support to manage a child’s difficult behaviour. Where children or young people have additional needs, Islington provides two core services: a) for families with children aged 0-5 years targeted family support is provided through the borough’s children’s centres, and b) for families with school-aged children, Families First provide the service.

Targeted family support is provided through outreach and home visiting providing early non-stigmatising support open to all families and based in the heart of the community, but targeting the families experiencing many disadvantages or persistent difficulties. Family support workers carry out an early help assessment with the family and develop a plan to support them to address problems such as parenting, managing behaviour, health, improving school attendance, dealing with debt or housing problems. (See case study child D)

**From Early Help to Child in Need**

Where early help is not effective and there are concerns that a child may be a child in need (unable to achieve a satisfactory standard of health or development without the provision of services, or they are disabled). The child will be referred to social care for an assessment. This must be with agreement with the parents unless there are concerns that a child may be suffering or likely to suffer significant harm which is the threshold for statutory intervention into family life. At any one time we have 800 children who are identified as being in need.

Many children benefit from a child in need plan that identifies what needs to change to improve the child’s life chances and support the parents in meeting their needs, but in some cases assessment may identify that a child is suffering significant harm in the form of physical, emotional, or sexual abuse or neglect.

**Child in Need to Child Protection**

Where it is believed that a child is suffering or likely to suffer significant harm a child protection investigation will be commenced to identify whether the child is at risk and how they will be protected. If the concerns are substantiated a child protection conference will be convened to decide whether the child needs a child protection plan. The plan will be reviewed after 3 months and thereafter at six monthly intervals until resolution of the child protection issue. At any one time we have 130 children who have multi agency child protection plans.

Where a child protection plan has not been effective and the child remains at risk of significant harm, where safe to do so, our approach will be incremental, parents will be given every possible help and support, but if they are not able change the Local Authority will decide to implement the Public Law Outline in advance of making an application to court to share parental responsibility with the parents. This is
effectively the parent’s last chance to make changes to their parenting outside of the courts intervention.

**From Child Protection to the PLO process**

Where a child is subject to Public Law Outline (PLO) pre-proceedings, or Care Proceedings they have been assessed as being ‘at risk of significant harm’. It is Islington’s policy that a step up in risk should be reflected in a step up in the intensity of the assessment and intervention. Where the child is assessed as ‘at risk of significant harm’ the urgency for change should be reflected in the timescales of the plan. Where the child continues to be suffering, or is at risk of suffering significant harm at the second Review Child Protection Case Conference (RCGCC) the local authority consider stepping up to the PLO Pre-Proceedings Process or Care Proceedings. The PLO pre-proceeding process is a 12 week intensive assessment and intervention process that is reviewed at week 3 and week 9, with a clear plan for step up or step down at the end of the 12 weeks. The PLO pre-proceedings process enables the local authority to work with families to avoid care proceedings wherever possible. During the PLO pre-proceedings process parents have access to non-means tested legal aid to ensure they are fully aware of their rights and responsibilities as parents.

It is Islington’s policy that Care Proceedings are only pursued where it can clearly be demonstrated that it is the best option for the child in terms of safeguarding and promoting their welfare, improving outcomes and enabling them to achieve their potential. The Local authority recognises the role of the court in decision making around placement and contact and the role of the LA in preparing cases for court to ensure that decisions can be made without unnecessary delay. Islington recognises the need to work closely with families from the date they become known to address problems in a timely way by providing the support and resources necessary to avoid step up to care proceedings. This can result in several different conclusions which may mean that the child remains at home or is placed with extended family or friends, or is placed permanently away from their family.

**Children Looked After**

We currently have 350 children looked after, of which 44 are unaccompanied asylum seeking minors. Children can be looked after through a voluntary agreement with their parents or through order by the court because they are suffering significant harm. At any one time around 70% are in care by court order(see Appendix B)
### APPENDIX B

#### Age Profile of Children in Care at year end by Legal status

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<th>Age at year end</th>
<th>total CLA</th>
<th>Court Ordered</th>
<th>Vol</th>
<th>% Court Ordered</th>
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Appendix C

Glossary

Early Help

Is a preventative family support service using a standard assessment often called a CAF (common assessment framework). Early help is provided with the families consent when family problems are below the statutory threshold for intervention. Children’s Centres and Families First are the key agencies providing early help.

Care Proceedings

Where the LA take a case to court so the court can make an order to protect the child.

Child Arrangements Orders

Court decides who should have contact with the child and where the child should live

Child in Need

Where assessment by a social worker identifies that a child would not reach a reasonable standard of health or development without the provision of services or they are disabled.

Child protection case conference

Where a child protection enquiry has identified that a child is suffering significant harm in the form of abuse or neglect and a multi-agency meeting is convened to decide if a child needs a child protection plan

Child Protection Investigation

When it is identified a child is suffering or likely to suffer significant harm there is a multi-agency investigation into the circumstances, where significant harm is substantiated a multi-agency child protection case conference is arranged to see whether the child should be subject of a child protection plan.

Children’s Social Care Services

Staffed by social workers to identify and provide services to children assessed as being in need, in need of protection or in need of being looked after (in care).

Coram concurrent placement

Coram provide concurrent placements whereby assessed foster carers agree to take a baby in care proceedings where decisions have not yet been made about the
child’s long term placement. If the court decide adoption the carers keep the child and apply for adoption, but if the court do not decide on adoption the carers return the child to birth parents. Few carers are able to manage such uncertainty.

**Family Group Conference**

An evidence based approach to a meeting with the family which is facilitated by a trained convenor who enables the LA to identify their concerns and supports the family in finding their own solutions

**Full Care Order**

The LA acquires parental responsibility alongside the parent and has the authority to decide where the child should live and the contact arrangements with the parents

**Interim Care Order**

A temporary order enabling the LA to share parental responsibility with the parent and to decide where the child should live and what contact the parent should have

**Interim Supervision Order**

A temporary order requiring the LA to advise assist and befriend the parent

**Looked After**

Umbrella term to cover children who are in care on a voluntary basis with agreement with the parents and those who are in care by order of the court

**Placement Order**

Made by the Court to allow the LA to place the child for adoption

**Public Law Outline**

A case management system designed to reduce delay in care and supervision order proceedings. The framework used by social workers when there a concerns that a child is suffering significant harm and court proceedings may be needed. The framework specifies the concerns of the LA and what the family and other services must do to avoid court proceedings. This may include specialist assessments e.g. by parental mental health services.

**Significant Harm**

Threshold for care proceedings and compulsory intervention into family life. Requires identification of harm in the form of abuse or neglect that is significant (noteworthy). And the care being given not what would be reasonable. Or the child is beyond parental control.

**Special Guardianship Order (SGO)**
Made by the Court to give parental responsibility to a relative or friend of the child so that they can make decisions usually made by the birth parent. A support plan and financial package is made to support the Order.

APENDIX D

Case Studies

Baby A
Baby A was referred pre-birth due to significant risk of neglect, and exposure to domestic violence and paternal alcohol and substance misuse. Baby A’s two older siblings have been permanently removed from their parents care, one and three years prior. The mother attempted to conceal the pregnancy and local authority efforts to assess and support the mother were frustrated by her moving between Boroughs. The mother had a learning difficulty which limited her ability to develop her parenting skills. Due to the poor prognosis the local authority issued care proceedings at birth and advocated for Baby A to be placed in a concurrent foster placement to ensure that her needs were met and to reduce disruption to her care. Due to robust case management and the containment of all assessments to the early stages of proceedings, the duration of care proceedings was 26.4 weeks.

Baby B – SGO
Baby B’s four older siblings have been removed from their parents care due to unmanaged maternal mental health issues that placed the children at significant risk of physical and emotional harm, and neglect. The two oldest are placed with their great maternal aunt subject to SGOs, the third child is subject to an SGO to his foster carer, and the fourth child is placed with their maternal grandparents. Care proceedings were issued at birth and Baby B was placed with her half-brother in the care of her maternal grandparents while decisions were made about her permanency. The viability of this placement had been agreed in the pre-birth stage which enabled a smooth transition to care. The mother was unreceptive to undertaking the intensive treatment process to assist with her personality issues and it was assessed that Baby B could not return to her care. Robust case management allowed this case to conclude in 25.7 weeks.

Child C - Reunification
J, who is 22, is the mother of two older children, R and H who are now 5 and four years old. R and H were removed from their parents care when they were two and one, due to consistently poor household conditions, the children presenting as dirty and unkempt with neglect of their health needs, exposure to domestic violence between the parents, the father’s drug use and an unexplained injury on H. Various assessments were completed over the course of the care proceedings which ruled out the parents as carers for the children and SGO’s have been made in respect of those children to their great grandparents.

The SGO Order was made in November 2012 and C was born in December 2012. Social Care Services had become aware of the pregnancy in the August and a pre-birth assessment was started.

Although the mother did everything that was asked of her, the father did not attend the drugs services and there was a violent incident around the time of C’s birth. It was explained to the mother that due to the lack of cooperation from the father, she effectively was going to have to choose, as the situation was too risky for the baby to be in her care whilst assessments were completed if the father was around and we would be applying to remove the baby.

C went home from the hospital with her mother with an intensive package of monitoring and support – egg family support going in daily, the social worker visiting twice a week etc. Concerns were clear quite quickly that the mother was not really managing and was struggling to stay in her flat with the baby(she would feel lonely or frightened and leave her flat in the middle of the night with C to go and sleep on the sofa at her own mother’s flat) She was not demonstrating she could provide a safe and appropriate household and childcare routine, and it was certainly not appropriate to be wandering around the borough on icy December nights with a new born baby. The sense was that the mother’s own needs and immaturity were high and C was having to fit into that rather than her needs, as a baby, being the focus.

When the case was presented to court in January, the Local Authority’s care plan no longer supported assessment in the community and the court accepted the recommendation that J and C should be placed in a mother and baby foster placement and this was the only way we could ensure the baby’s welfare.

After a rocky start, and some ‘blips’ along the way, the mother engaged very well with the foster carer and was able to accept her support. She remained in the placement a number of months and was able to demonstrate an ability to care for her baby, to establish a good routine and a gradual acceptance of the previous concerns. We were then able to test the situation with a gradual move back to the flat and at the end of the Proceedings in Oct 2013 recommended that C remain in her mother’s care under a Supervision Order. This was supported by all parties, including the Guardian, who had been involved in the previous Proceedings and had been very pessimistic about the mother’s ability to care for her new baby.

The Supervision Order has recently ended and we have decided not to renew it and to close the case. No concerns of a child protection nature have arisen over the Proceedings and C is a cheerful, boisterous little girl, who shows a good bond.

**Child D – Early Help**

A primary school referred a family to Families First. Mother had experienced abuse as a child and was depressed and isolated. Her child was not attending school regularly and she was struggling to effectively manage his behaviour and his...
additional needs. Mother was supported by her family support worker to gain access
to mental health support for herself through iCope and felt better able to engage with
her son. The family support worker also provided one to one support in the home to
help the family to establish routines and to parent more positively and assertively.
An assessment was carried out by CAMHS in relation to the boy’s additional needs
and this informed the parenting work. The son’s attendance and punctuality at
school improved as a result. Mother attended a budgeting course and signed up
with a local community organisation for mentoring. She also signed up for a training
course through the job centre and plans to find a part-time job thus improving the
family’s financial situation.