

## **DOCUMENTS REQUIRED BY LEGAL SERVICES**

### **APPLICATION FOR A CARE ORDER / SUPERVISION ORDER** **SECTION 31 CHILDREN ACT 1989**

#### **QUICK CHECKLIST**

- 1) Birth Certificate/s
- 2) Social Work Statement [SWET]
- 3) Social Work Chronology [in SWET]
- 4) Genogram [in SWET]
- 5) Current Assessments – Child & Family/Pre Birth /Parenting/Mental Capacity/Capacity to Litigate/Viabilities etc.

6) Care Plan or Supervision Plan/s

7) Pre-existing docs up to 2 Years old

Letter[s] Before Proceedings sent to parents/carers  
LA /external/multi agency assessments  
Section7/37 reports  
Mental capacity/capacity to litigate assessments  
Relevant Health/ Education/ Home Office/Immigration Tribunal documents  
Previous court orders /judgments /reasons  
Family Group Conference Minutes  
Statutory Review/Child In Care [CIC] Minutes  
Child Protection Conference Minutes and all written reports to conference  
[LA and other agencies]  
Child in Need Plan/s  
Looked After Child Plan/s  
Child Protection Plan/s

**MORE DETAIL /GUIDANCE**

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| <p><b>Needed - BEFORE Application Form C110A can be drafted by Legal Services and lodged at Court</b></p> <p><b>[Legal Services also have to draft the threshold in Form C110A/case summary and index the documents into Bundles]</b></p> | <p><b><u>Annex Documents</u></b><br/> <b><u>[see Pre Proceedings Checklist in PD12A]</u></b></p> <p>1) <b>Social Work Chronology</b> [Incorporated into the SWET Statement Template]<br/> 2) <b>Social Work Statement</b> [current SWET template Feb 2016 - QAd before sent to Legal] – succinct /evidence based/analytical/cross reference to other relevant documents – <b>avoiding repetition.</b></p> <p>[guidance – see “C110A application form” and “ Documents for Court” tabs<br/> <a href="http://coppguidance.rip.org.uk/social-work-evidence-template/">http://coppguidance.rip.org.uk/social-work-evidence-template/</a>]</p> <p>3) <b>Genogram</b> [Incorporated in the SWET Template]<br/> 4) <b>Current Assessments</b> (includes Core/Child &amp; Family Assessments, Pre-Birth Assessments, Viability Assessments)<br/> 6) <b>Care /Supervision Plan</b> [QAd]- this is a succinct practical arrangements document – <u>do not repeat or add evidence</u></p> <p>[In addition : <b>Birth Certificates</b> will confirm correct names ; parental responsibility after 01.12.2003; addresses of parents at registration and should be supplied<br/> <a href="https://www.gov.uk/parental-rights-responsibilities/who-has-parental-responsibility">https://www.gov.uk/parental-rights-responsibilities/who-has-parental-responsibility</a>]</p> |
| <p><b>Legal Services also need BEFORE application can be lodged at Court</b></p>  | <p><b><u>Checklist Documents</u></b></p> <p><b><u>[Pre- existing and up to 2 years old - see Pre Proceedings Checklist in PD12A]</u></b></p> <p>[guidance – see “Documents for Court” tab<br/> <a href="http://coppguidance.rip.org.uk/social-work-evidence-template/#template_docsforcourt">http://coppguidance.rip.org.uk/social-work-evidence-template/#template_docsforcourt</a>]</p> <p><b>a. Evidential Documents</b></p> <p>1) Any existing LA /external/multi agency assessment materials relevant to key issues , including s7/s37 reports ; mental capacity/capacity to litigate assessments<br/> 2) Relevant Health, Education, Home Office, Immigration Tribunal documents [if any]<br/> 3) Previous court orders /judgments /reasons</p>   |

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|  | <p><b>b. Decision Making Documents</b></p> <p>1) Record of key discussions with the family , including Family Group Conference</p> <p>2) LA Minutes and records for the Child<br/>i.e. Statutory Review/Child In Care [CIC] Minutes ; Child Protection Conference Minutes and all written reports prepared by LA and other agencies for CP Conferences [as referred to in the minutes]</p> <p>3) Pre-existing Care Plans<br/>e.g. Child in Need Plan, Looked After Child Plan, Child Protection Plan</p> <p>4) Letter[s] Before Proceedings sent to parents/ carers</p>   |
| <p><b><u>More urgent cases</u></b></p> | <p><b>See Paragraphs 3.1 and 3.2 - Compliance with pre proceedings checklist in PD12A</b></p> <p>PD12A does not affect EPO applications under Section 44 CA 1989</p> <p>PD12A enables Annex/Checklist Documents to be supplied later when an urgent hearing is sought and they are not all available at point of application</p> <p><b><u>Documents Required</u></b></p> <p>Where EPO not applied for or Police Protection Powers not used [EPO /police protection = child in imminent danger /immediate short term protection needed],<br/>but child's welfare needs /circumstances are such that immediate or very rapid recourse to court is essential.</p> <p><b><u>Minimum documents:</u></b></p> <p>1) Letter of Intent sent to parties where no time for Letter Before Proceedings meeting.</p> <p>2) Brief statement of Social Worker [QAd]</p> <p>3) Interim care plan [QAd]</p> <p>4) Chronology [QAd]</p> <p>Together these documents must contain sufficient grounds for ISO / ICO and outline what evidence LA intends to produce and when. LA must justify not producing all the required Annex and Checklist Documents on lodging application with the Court Office.</p> <p>[N.B. All Annex and Checklist Documents listed above will still be required in due course and should be supplied to legal as soon as they are available]</p> |
|  | <p><b><u>RESOURCES /REFERENCES</u></b></p>  |
|  | <p><b><u>Public Law Outline</u></b></p> <p><b><u>PD 12A Family Procedure Rules 2010 from 22.04.14</u></b><br/><a href="https://www.justice.gov.uk/courts/procedure-">https://www.justice.gov.uk/courts/procedure-</a></p>   |

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|  | <p><a href="#"><u>rules/family/practice directions/pd part 12a</u></a></p> <p><b><u>Statutory Guidance Volume 1: Court Orders</u></b></p> <p><a href="https://www.gov.uk/government/publications/children-act-1989-court-orders--2"><u>https://www.gov.uk/government/publications/children-act-1989-court-orders--2</u></a></p> <p><b><u>Guidance/Template Documents - Research In Practice Website</u></b></p> <p><a href="http://coppguidance.rip.org.uk/court-application/"><u>http://coppguidance.rip.org.uk/court-application/</u></a><br/><a href="http://coppguidance.rip.org.uk/court-application/section-31-application/"><u>http://coppguidance.rip.org.uk/court-application/section-31-application/</u></a><br/><a href="http://coppguidance.rip.org.uk/social-work-evidence-template/"><u>http://coppguidance.rip.org.uk/social-work-evidence-template/</u></a></p> |
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