Filed on behalf of the Applicant: Calderdale MBC

First Statement of [NAME]

Dated:

**CASE NUMBER: [ ]**

**IN THE FAMILY COURT SITTING AT[ ]**

**IN THE MATTER OF THE CHILDREN ACT 1989**

**THE CHILD(REN)**

|  |  |  |  |
| --- | --- | --- | --- |
| Names  | Gender | D.O.B | Placement\*\* |
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*Read and then delete these good practice points in collating the statement:*

* *Ensuring content is concise and analytical but with appropriate cross-referencing throughout to the chronology and the genogram to avoid unnecessary repetition*
* *As a matter of good practice and to assist both the courts and the parties, the pages and paragraphs of the statement should be numbered.*

**FIRST STATEMENT OF [GIVE YOUR FULL NAME IN UPPER CASE]**

**CAUTION**

**Publication of information relating to proceedings brought under the Children Act 1989 could be contempt of Court which is punishable by imprisonment – Administration of Justice Act 1960 (as amended)**

**The information contained in this Statement is confidential to the Court, the parties to these proceedings, their legal advisers and any Children’s Guardian appointed by the Court. The contents must not be disclosed to anyone without the Court’s permission.**

1. **PERSONAL DETAILS**

I am [name] of [office address]. I am employed by the Applicant Calderdale MBC in the Children and Young People’s Service as [give job title] and I have [insert qualifications] qualifications and [state no of years as a figure] years’ experience of working with children and their families.

My own involvement with this case is as [insert role in the case] for [insert date first allocated] length of involvement.

1. **SUMMARY OF ORDER BEING APPLIED FOR AND INITIAL CAREPLAN**
	1. Give brief but clear summary of the case explaining why the Local Authority has made the application (including the reason for the timing of the application)
	2. What Order is being applied for and what is the initial care plan for the child(ren)?
	3. Whether the child(ren) are to be placed at home; with family or friends; in foster care; in a residential placement.

I have had regard throughout to the Welfare Checklist.

1. **FAMILY PROFILE**

**SUBJECT CHILD(REN):**

(insert child(ren) subject of the proceedings name, dob, and address, unless confidential)

**MOTHER AND FATHER:**

(insert names and dobs of the parents and addresses)

**SIBLINGS:**

(give name, dob for any siblings not the subject of the proceedings and address, unless confidential or state whether they have been adopted)

**IMPORTANT OTHERS:**

(This may include grandparents, other extended family members or partners of the parents if not together)

I attach a genogram.

1. **THRESHOLD FOR CARE PROCEEDINGS**
	1. **Precipitating events**
		1. What background incidents and circumstances are particularly relevant to the grounds and reasons for making the application now?
	2. **Background circumstances**
		1. Summary of children’s services’ involvement cross-referenced to the chronology (without repeating it) and previous assessments filed as the Annex documents and cross referenced to previous court orders and emergency steps – these are not to be exhibits.

 4.3 **Analysis of risk and protective factors**

4.3.1 Analysis of significant harm/likelihood of significant harm which the Local Authority will seek to establish by evidence or concession.

Summarise succinctly by cross referencing to the letter before proceedings what harm the child(ren) is suffering/is at risk of suffering (physical emotional, developmental, behavioural, sexual). What is the factual basis for this?

Support the evidence presented with appropriate cross-referencing to assessments, statements (by e.g. schools, health professionals) and records of the outcomes of interventions and support offered to the family. Evidence should be balanced, reflecting the strengths of the family as well as concerns and the quality and robustness of the evidence from which conclusions have been drawn.

1. **ASSESSMENT OF THE CHILD(REN)’S NEEDS**
	1. Paint a pen picture including age, gender, cultural background, any religious beliefs, and any characteristics such as particular strengths or vulnerabilities.
	2. Set out the assessment of the child(ren)’s particular needs including:

Any physical needs such as housing, warmth and need for regular food and bedtime routines; any health and physical disability needs; any emotional and therapeutic needs; any educational needs. Describe what assessment processes have been used and how these have helped to identify these needs.

* 1. The scale, nature and impact of the harm/risk of harm to the child(ren);
1. **ANALYSIS OF THE EVIDENCE OF PARENTING CAPABILITY/CAPACITY**
	1. Assessment of parental capacity to meet needs of each child
	2. The parent’s capacity (with or without support) to improve the level of care offered sufficiently or quickly enough to protect the child from significant harm
	3. Analysis of why there is a gap between parental capacity and the child(ren)’s needs
2. **ASSESSMENT OF OTHER SIGNIFICANT ADULTS INCLUDING WIDER FAMILY AND FRIENDS CAPABILITY**
	1. How capable any other person in relation to whom the Court considers the question to be relevant, is of meeting his/her/their needs;
	2. Please address in turn anyone else who has a significant relationship with the child, either as a carer or for contact, both short term and or long term. Describe any referral and assessment processes and any information which these have provided about their capability.
3. **CHILD IMPACT ANALYSIS**

Wishes and feelings of the child(ren)

Describe each child in turn:

The ascertainable wishes and feelings of the child/children concerned (consider in the light of his/her/their age and understanding);

Please state the views of the child(ren) or if they are too young describe their behaviour in response to their circumstances and state what a child of that age should expect.

The likely effect on him/her/them of any change in circumstance - state the likely impact of change i.e. if the child(ren) was to be removed into foster care or removed from their current placement and returned to their parents.

1. **TIMETABLE FOR THE CHILD(REN)**

The key dates and events in the Timetable for the Child(ren) are:

|  |  |  |
| --- | --- | --- |
| The Child  | Event/permanent placement  | Dates |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

Delay and timetable for the proceedings

The timetable for each child

What factors are important to the child’s welfare when scheduling the timetable for their case?

1. **EARLY PERMANENCE AND CONTACT**

Parallel planning:

What parallel plans are being pursued – if a Family Group Conference has not taken place, why not? Are there any potential family and friends placements or is adoption a likely plan and what are the timescales for implementation of plans?

Placement options:

Discussion and analysis; the alternative to proceedings and placement with the parents which have been considered, why they have been ruled in/out and why the proposed plan is the preferred outcome.

Contact framework:

What contact (direct and indirect) (with whom and when) best promotes the welfare of each child? Should the contact and its impact on the child be kept under review and is so when?

|  |  |  |  |
| --- | --- | --- | --- |
| **Child** | **Having contact with** | **Brief Rationale for the level of contact proposed** | **Frequency and support** |
|  |  |  |  |
|  |  |  |  |
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1. **CASE MANAGEMENT ISSUES AND PROPOSALS**

Evidence and assessments necessary and outstanding:

What assessments have been undertaken and what were the outcomes of support and interventions offered and the parent’s response pre proceedings/under the public law outline? What is the likelihood of the parenting capacity changing sufficiently and quickly enough to meet the child’s needs and remove the risk of significant harm? Give 3 good reasons why any further assessments are necessary. Who should do what and in what timescale? What questions do they need to answer? Why is this necessary for the court to make decisions?

Case management proposals:

Timetabling:

* For Police/health/school and provide further information
* Expert assessments
* FGC – referral/ meeting/ minutes available/ follow up with viabilities
* Adoption – referral and timescales
1. **VIEWS OF OTHERS e.g. parties, family members, the IRO and Cafcass**
2. **CONCLUSION**

Pull everything together and state why the order you are applying for is the most appropriate in this caseand whether making an order will be better for the child(ren) than not doing so.

I believe that the facts stated in this witness statement are true.

**Signed………………………**

**Dated………………………..**