



City of

Stoke-on-Trent

One minute guide

Public Law Outline

January 2020

What is Public Law Outline?

The [Public Law Outline \(PLO\)](#) sets out the duties local authorities have when thinking about taking a case to court to ask for a [Care Order](#) to take a child into care or for [Supervision Order](#) to be made. This is often described as initiating public law care proceedings.

Under [Section 31 Children Act 1989](#), a court may only make a Care Order or Supervision Order if it is satisfied that the [Threshold Criteria](#) have been met. Under the [Public Law Outline \(2014\)](#) and the [Children and Families Act 2014](#), guidance states that care and supervision proceedings should be completed within 26 weeks.

PLO sets out, amongst other duties, that Local Authorities must ensure they identify concerns they have about a child early and where possible provide support for the family to address these concerns. This is pre-proceedings work and it is often what is referred to when social workers talk about PLO. Usually, when PLO is initiated, the child has been subject to a [Child Protection Plan](#) but insufficient progress has been made. Child protection core group meetings and conferences continue throughout the PLO process.

Where the social worker ([guide](#)) feels that the risk of harm to a child is so great, or the case is so urgent, a decision may be made that the case should go straight to court and the pre-proceedings work does not take place.

This guide, however, will focus on this extremely important pre-proceedings work.

What should pre-proceedings work include?

When it is decided that pre-proceedings (PLO) work with the family will take place, there are specific things that need to happen from the date of the decision. These are:

Letter Before Proceedings—this letter is sent to the parents. It outlines the main or 'bottom line' concerns and the help that has been provided by Children's Services so far. The parents are invited to a Pre-Proceedings Meeting and advised to get a Solicitor who specialises in family law and to get their wider family involved. The Letter Before Proceedings triggers free legal advice for parents. The letter is sent within five working days of the PLO work decision.

Pre-Proceedings Meeting— this meeting takes place within seven working days of the letter being received by the parents. The purpose of the meeting is to identify whether it is possible to reach agreement about what needs to happen to protect the child from harm, so that court proceedings can be avoided. The meeting involves parents, their legal representative, the local authority and their legal representative. The safeguarding concerns are highlighted, what support is being offered and what the parent needs to do to reduce the concerns—these are sometimes called the 'bottom line' actions. These actions now form the priority actions of the Child Protection Plan.

Period of change— this is the time for the parents to make the necessary agreed changes to reduce the concerns. Support is provided by the local authority and progress is monitored by them through for example child protection core group meetings and conferences ([guide](#)).

Pre-Proceedings Review— This is a meeting held within six to eight weeks of the Pre-Proceedings Meeting. The purpose of the meeting is to review progress made against the bottom line actions. The different outcomes of the review are highlighted on the next page.

What are the possible outcomes of the Pre-Proceedings Review?

The Pre-Proceedings Review is a very important meeting. It will clarify the way ahead following the period of change. There are a number of possible outcomes which include:

PLO ends as progress has been made—If the parents have achieved the 'bottom line' actions that are needed to reduce the concerns, it may be decided that the local authority is no longer considering care proceedings and this pre-proceedings work ends. The work to progress the child protection plan will continue unless so much progress has been made that this plan is no longer required to safeguard the child and a child in need plan is more suitable, or indeed that the social work service no longer needs to be involved. A recommendation for PLO to end (and to which plan the child will be subject to) should be made to the relevant Service Delivery Manager who will make the decision.

PLO—further period of change—If it is felt that further progress can be made through pre-proceedings work, a recommendation could be made to allow a further period for change and to hold a second pre proceedings review. This review should be held within 6-8 weeks of the first review. PLO should not go on longer than 16 weeks.

Pursue care proceedings—If the parents have made insufficient progress against the agreed actions, in exceptional circumstances the relevant Children's Service Delivery Manager can agree a further period of change and will record the rationale for this. Otherwise the case should be represented to the Children's Social Work Decision and Review Panel to consider care proceedings being initiated.

What happens if the local authority decide to initiate care proceedings?

The Decision and Review Panel would need to give approval to initiate care proceedings. Panel members will need to be satisfied that the required pre-proceedings work has taken place and that the [Threshold Criteria](#) for significant harm is met.

Through Children's legal services, an application will be made to court for care proceedings and the parents informed by letter.

The parents are advised to get a Solicitor who specialises in family law and to get their wider family involved. The letter is sent within two weeks of the decision made at Decision and Review Panel.

For more information

You can read more about pre-proceedings (PLO) in '[Court Orders and Pre-Proceedings for local authorities, April 2014](#)' - Department for Education and in the Children's Social Work Service [online procedures](#)