**Early Permanence Practice Guidance for social workers and their managers**

Introduction

All children need stability and permanence in order to thrive. As a result of social care intervention, the very best option for permanence for any child is with their birth family. If this is not possible due to safeguarding concerns, early assessment and planning will ensure that permanence is achieved for a child as soon as possible. Focussing on permanence should begin during the child and family assessment, and should continue throughout the child’s journey.

This Practice Guidance sets out our approach to assessing and planning for permanence in Herefordshire.

The period of time when safeguarding concerns are identified is likely to be stressful for children and their parents. Early parental engagement in the child protection / child in need process is vital, as well as keeping the child age appropriately informed of what is being planned.

Of key importance is the need to:

* Encourage parents to take up the offer of a Family Meeting or Family Group Conference. Parents will sometimes need to be persuaded of the benefits of holding a family meeting possibly out of fear or the embarrassment of wider family members knowing their circumstances;
* Family can play a key role in supporting the child and helping the parents to address identified problems. In situations where the safeguarding concerns escalate and a child can no longer live safely with a parent, the local authority should seek to place the child with a family member where it is safe to do so;
* Complete and keep under review any assessments undertaken and ensure that due regard has been given to any particular issues like the parent’s level of understanding; and
* Be very clear about the issues of concern and any timescales agreed for reviewing progress.
* For unborn children, the same principles apply and assessment and support should commence at the earliest opportunity in the pregnancy. Our multi-agency practice approach to pre-birth assessment is set out in the Pre-Birth Assessment Handbook (3.12 Regional Child Protection Procedures).

This Practice Guidance should be read in conjunction with:

The templates, pro formas and letters referred to within the guidance, to be found in Tri.X ‘Practice Guidance, accessed via the TriX icon on your desktop;

relevant legislation and statutory regulations;

regionally and locally agreed procedures and practice guidance.

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| **ACTIVITY** | **HOW THIS SUPPORTS PERMANENCE** |
| 1. **DURING A CHILD AND FAMILY ASSESSMENT / CHILD IN NEED PLAN** | |
| Genogram / Cultural Genogram  Chronology  Specific assessment tools  Graded Care Profile  Family Support  Family meetings  Safety Plans | A genogram is an essential part of assessment to explore risk and protective factors within the child’s family. It can also assist in developing an understanding of family history and functioning. It helps us to work with the family to explore how parents can be supported to keep children safe, and if necessary who might be able to care for the child in the future.  The chronology is a key document to support understanding of the child’s lived experience over time and should be updated on a regular basis. It helps to understand parenting capacity throughout the duration of the child’s life and helps us to assess their capacity to make and sustain changes. It also helps us to understand the support the family have been provided and the outcome of interventions. A well-constructed chronology is of significant benefit in assisting social workers to succinctly present their evidence if care proceedings are required.  Specific assessment tools help us to define identified risks in a measurable way, to inform the child and family assessment. Examples include domestic abuse risk assessments, exploitation risk assessments and the Graded Care Profile. Involvement of other agencies assists in establishing benchmarks to measure progress in other ways; for example, health assessments; dental records; school attendance.  The Graded Care Profile tool is an essential tool in assessing parental neglect. It assists in formulating a clear, measurable, evidenced-based assessment of the impact of neglect upon children, considering the child’s global needs. It enables assessment of parents’ understanding of their parenting and helps to target the offer of Family Support. The Graded Care Profile can be completed in several ways: by one agency or collectively; as part of a longer piece of direct work with parents; a briefer review of progress; or a tool to aide reflection in supervision.  Family Support is a crucial element of our interventions to support families to make and sustain change. Social workers and family support workers work together closely in their teams to ensure the family support role is clear, purposeful and defines the desired outcomes in a way that can be clearly measured and evaluated. Support to families should begin as soon as possible, including during the child and family assessment.  Support from wider family members is likely to be an important factor in achieving and sustaining positive outcomes for children. Family meetings are facilitated by social workers and allow all those involved to be clear about the parents’ and professionals’ concerns and to understand their role in keeping their child relative safe. Family meetings can include friends and members of the community identified by parents as a source of support.  Family meetings allow families to develop a Safety Plan which can be drawn upon in times of crisis, and sets out who might be able to care for the child in the future if this was needed. Any practitioner can arrange a family meeting. |
| **2. DURING A CHILD PROTECTION PLAN** | |
| Child protection conference and plan  Graded Care Profile  Parenting assessment  Parents with learning difficulties  Family Meetings and Safety Plans  Viability Assessments | A child protection plan signifies that a child is suffering or is likely to suffer significant harm. If this level of risk does not reduce within a reasonable timeframe for the child, evidence-based decisions will need to be made about the child’s future care. Child protection plans promote safe and continuing parental care of the child, whilst preparing for alternative care arrangements to be made if the outcomes of the plan are not achieved.  The Graded Care Profile is completed for all children subject to a Child Protection Plan due to neglect, and in all other cases where parental care is a concern. The Graded Care Profile is reviewed on a regular basis, depending upon the severity of concerns and the timescales in which it is imperative that the child’s lived experiences need to improve. The Graded Care Profile can be used in a number of ways, as described above, and informs other assessments and planning for the child.  Parenting Assessments explore parenting capacity, taking into account the identified risks, the impact of these for the child now and in the future, and with reference to the past, analyses the likelihood of change being achieved and sustained within the child’s timescales. Specific risks may require the use of specific assessment tools, for example the Graded care Profile; or to assess the impact of domestic abuse; mental health; or substance / alcohol misuse. These may require specialist input from relevant partner agencies. Where parents have a learning disability, PAMS tools are used by an allocated, trained Family Support Worker and the findings are included in the social worker’s Parenting Assessment.  Identifying parental learning difficulties at an early stage is crucial to understanding parenting capacity now and in the future; to ensure that advice and support is tailored to the parent’s individual learning needs; and to ensure that parents have access to independent advocacy. Social workers and core group members work together to establish information about parental learning difficulties drawing upon information already held, for example, school records or Adult Social Care involvement. Where this information is not available, formal cognitive assessment may be required. Parents who have a learning disability should be offered a PAMS assessment at the earliest opportunity.  Family Meetings are held to develop or review Safety Plans with the family and their support network. This could be a specific meeting or by inviting key supporters to the Core Group. Family Meetings enable the family and professionals to identify who within the family’s support network (including friends and members of their community) will help in times of crisis, who will support families to achieve specific change, to review how well this is working, and to identify who might be able to care for the child in the future.  Social workers and their managers identify through case supervision the appropriate time, having already established the protective factors within the family’s support network, to ask parents (together or separately) to identify potential alternative carers. Pre-viability assessments are undertaken at this point by the child’s social worker, and positive pre-viability assessments are referred to the Fostering Assessment team for Viability Assessment. |
| **3. PUBLIC LAW OUTLINE: PRE-PROCEEDINGS** | |
| Decision to request PLO pre-proceedings  Legal Planning Meetings  Parents requiring advocacy or interpreters  Letter Before Proceedings (PLO 1)  PLO Chronology  PLO Plan  PLO Timetable  Reviewing PLO pre-proceedings  Maximum duration of PLO pre-proceedings  Completion of work in PLO pre-proceedings | The need to commence pre-proceedings under the Public Law Outline is identified by the child’s social worker and team manager and discusses this with the Head of Service, recorded as Case Supervision. If in agreement, the Head of Service notifies the Case Progression Officer for a Legal Planning Meeting to be arranged and the social worker completes Section 1 of the Request to Commence Pre-Proceedings form. This sets out in brief why we need to commence pre-proceedings now; what we have tried to address concerns; what worked; and what didn’t work. The social worker submits the request to the Case Progression Officer and includes a Genogram / Cultural Genogram; the most recent child’s plan (Child in Need / Child Protection); and any other documents or assessments the social worker identifies as important to inform the Legal Planning Meeting (for example, Parenting Assessment, Graded Care Profile).  Legal Planning Meetings are attended by the social worker, team manager, legal services, Head of Service and the Case Progression Officer. Representation from Fostering Assessment and / or Early Permanence team may be needed in some circumstances. The decision to commence PLO pre-proceedings is made by the Head of Service, having received legal advice from the solicitor in attendance. If agreement is given, the Legal Planning Meeting identifies a proposed date for the first PLO meeting and agrees the proposed PLO Plan which forms the basis of the information to be provided to the parents and their solicitors. The Case Progression officer notifies the child’s CP Conference Chair of the decision.  The availability of advocates and / or translators is taken into account when arranging the first and subsequent PLO meetings. Their availability needs to be ascertained as soon as possible, and where appropriate tentative enquiries need to be made prior to the Legal Planning Meeting.  The Letter Before Proceedings is sent within 2 working days of the Legal Planning Meeting and is prepared by the child’s social worker. The letter sets out clearly to parents the decision to commence pre-proceedings, what will happen if they do not act on the letter, information about instructing a solicitor, and details of the first PLO meeting (agreed at the Legal Planning Meeting). The Letter Before Proceedings allows parents to receive legal advice free of charge and includes several attachments: Law Society list of family law solicitors; PLO chronology; proposed PLO Plan; proposed PLO Timetable.  The PLO Chronology sets out for parents and their solicitors our concerns, what we have previously tried to address these concerns, what worked and what didn’t work. The social worker will already have set this out in their request for a Legal Planning Meeting.  The proposed PLO Plan sets out the changes we expect to see; how parents are being supported to achieve this; what assessments or other work (eg drug testing) are being undertaken to evidence change; how the family’s support network can help, including pre-viability and viability assessments; and the views of the child.  The Legal Planning Meeting agrees a proposed 12 week timetable for this work to be completed, the first week being the week the first PLO meeting is held with parents and their solicitors, at which the PLO Plan and Timetable will be discussed, revised if needed, and agreed.  Further Legal Planning Meetings are held to review the progress of pre-proceedings. Timescales and attendees are agreed at each meeting and are arranged by the Case Progression Officer. These meetings are held approximately one week before the next PLO meeting with parents and their solicitors, so that any proposed changes to the PLO Plan or PLO Timetable can be discussed and agreed between all parties. In some instances proposed changes are communicated between legal services and parents’ solicitors via email correspondence. As a minimum, Legal Planning Meetings are held at the beginning, mid-point and end of pre-proceedings:  Legal Planning Meeting – decision to commence PLO pre-proceedings, PLO Plan and PLO Timetable proposed.  Week 1 – starts from the date of the 1st PLO meeting, which should be held as soon as possible after the Legal Planning meeting and no later than 10 working days after the decision was made to commence PLO pre-proceedings. PLO Plan and PLO Timetable agreed between all parties.  Week 5-6 – Further Legal Planning Meeting to review progress of the PLO Plan and PLO Timetable, proposed changes made as required.  Week 6-7 – 2nd PLO meeting, proposed changes to the PLO Plan and / or PLO Timetable agreed between all parties.  Week 11-12 – Further Legal Planning Meeting to i) exit PLO; ii) end PLO and issue care proceedings; iii) extend the PLO Timetable by a maximum of 4 weeks. The Legal Planning Meeting decides whether a further PLO meeting is needed to inform parents that the decision has been made to exit PLO, or whether this can be confirmed by way of a letter. In all cases where the decision is made to issue care proceedings, a further PLO meeting is held to inform parents of this decision.  Week 12-13 – 3rd PLO meeting. Unless the timetable has been extended, at this meeting parents are provided with confirmation in writing that the PLO pre-proceedings process has ended (PLO 2 letter to exit PLO) or that the local authority intends to initiate care proceedings (PLO 2 letter to issue).  No pre-proceedings should extend beyond 16 weeks in total, unless a parent is identified as having learning disabilities that will require more time for them to understand the PLO process, expectations, and to access legal advice and advocacy support. In these instances no pre-proceedings should extend beyond 20 weeks in total.  As a minimum, the assessment work required in PLO pre-proceedings includes: comprehensive exploration of the family’s composition and support network; concerted efforts to ascertain the whereabouts of absent parents; pre-viability and viability assessments of identified connected persons, including proactive exploration of all viable connected persons in addition to those identified by parents; an assessment of parenting capacity (and using PAMS for parents with learning disabilities), which includes assessment of relevant, specific risk factors (eg domestic abuse, mental health, substance misuse). Completion and regular review of the Graded Care Profile will be applicable in many cases.  In order to determine an outcome to PLO pre-proceedings, all of the identified work needs to have been completed and assessments and any other information shared with Head of Service and legal services prior to the Legal Planning Meeting. |
| **4. PUBLIC LAW OUTLINE: ISSUING CARE PROCEEDINGS** | |
| Decision to issue care proceedings  Parallel Planning Record  SWET (Social Work Evidence Template)  Initial Care Plan  Issuing at short notice | Legal Planning Meetings are held to make the decision to issue care proceedings. In most instances this will be the same meeting in which pre-proceedings are being reviewed. The Head of Service is responsible for this decision and the meeting completes the Parallel Planning Record.  The Parallel Planning Record sets out all realistic options for the child and what actions are to be undertaken, by who and by when, to either rule in or rule out each option and arrive at a proposed plan of permanence for the child. The planning also considers whether a sibling assessment is required, and a contact assessment. Particular attention must be paid to parallel plans which include a potential plan of adoption and relevant actions must be progressed as if the plan was one of adoption.  Where social workers and team managers identify the need to issue care proceedings, a draft SWET and initial care plan are prepared and presented to the Legal Planning Meeting. The SWET is a key document setting out the evidence the social worker intends to submit in support of an application for an interim Care Order. Evidence is drawn from the child’s case records, including the chronology and completed assessments. The SWET provides Legal Services with the information they need to make the application and develop a Threshold Statement. Before the SWET can be filed it must be quality assured by the team manager and signed by the social worker.  Alongside the SWET, the initial care plan summarises the child’s needs and sets out how the local authority intends to meet these needs. The initial care plan must be signed by the social worker, quality assured and signed by the team manager, and approved and signed by the head of service.  In exceptional circumstances, the Head of Service may take the decision to issue care proceedings at short notice, having received legal advice. In these instances the urgent issue pro forma is completed by the head of service and legal services and the social worker completes a short notice SWET and other relevant documents, including a chronology. The initial care plan can be filed at the same time, or will be timetabled to be filed after the first hearing. The Case Progression Officer is notified by the head of service so that a Legal Planning Meeting can be arranged in order to complete the Parallel Planning Record retrospectively. The social worker provides a Genogram / Cultural Genogram for the Legal Planning Meeting. |
| **PUBLIC LAW OUTLINE: DURING CARE PROCEEDINGS** | |
| Following the first hearing  Parallel Planning for Adoption  Review Permanence Planning Meeting and Permanence Planning Decision Record  Changes to timetabling | Following the first hearing, the Case Progression Officer will record the Court Timetable document with reference to the agreed court timetabling set out in the Case Management Order and will share this with relevant parties, highlighting any differences from the Parallel Planning Record. The Case Progression Officer arranges a Review Permanence Planning Meeting in line with the court timetabling. The social worker and team manager are responsible for ensuring that all actions are completed within timescales and all evidence is of a high standard, appropriately authorised, where applicable reviewed through the appropriate care planning and review mechanisms, and filed by the appropriate date.  Particular attention must be paid to parallel plans which include a potential plan of adoption and relevant actions must be progressed as if the plan was one of adoption. This includes booking an adoption medical (which may coincide with a LAC health assessment), booking ADM and completing the Child’s Permanence Record which is submitted to ACE (Adoption Central England) 3 weeks prior to the ADM date.  Prior to the permanence LAC review, ADM if required, and date for the local authority’s evidence to be filed, a Review Permanence Planning Meeting is held to discuss the outcomes of assessments and other work completing during care proceedings. With reference to all realistic options the meeting considers and reaches agreement about the social worker’s single proposed plan of permanence for the child, clearly recorded how each realistic option has been ruled in or ruled out. The meeting includes the social worker, team manager, Head of Service, Case Progression Officer, legal services, and as required, the Fostering manager, LAC manager and / or Early Permanence Team.  Broadly, the permanence planning process is as follows, working back from the final evidence filing date (the timetable will vary for each child as specified in the relevant Case Management Orders):  Week 13 – local authority final evidence  (ADM for plans of adoption must be factored in after the permanence LAC review but before final evidence)  Week 12 – LAC review to endorse the proposed permanence plan  Week 10 – Review Permanence Planning Meeting  Week 8-9 – CPR to ACE  Decisions to request an extension to court timetabling can only be made by the Head of Service and only in exceptional circumstances. If the request is approved by the Court, the Head of Service notifies the Case Progression Officer so that a Case Progression Meeting can be held to discuss the details of the revised timetabling. Representation from LAC, Fostering and Early Permanence teams are included where appropriate. |