

Writing a Letter Before Proceedings when entering Public Law Outline (PLO)

Practice Guidance

What is a Letter Before Proceedings?

This is a letter that is sent to the parents when a local authority is thinking about starting care proceedings. The letter outlines the main concerns and identifies the help that has been provided by Children's Services so far. The parents are invited to a Pre-Proceedings (PLO) 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 which helps them to understand the seriousness of the local authority concerns. The letter should be shared with parents within five working days of the decision at Legal Gateway Panel.

Key Considerations within the Letter Before Proceedings

A letter identifying the risk of care proceedings and initiating the PLO should:

- Be sent to **all** the parents and adults who have parental responsibility of all the relevant children;
- Be clear about the seriousness of the matter;
- Provide sufficient detail to inform the parents and their lawyers of the concerns and the changes that need to be made, but be succinct;
- Invite the parents to a pre-proceedings meeting, with reasonable notice of the meeting;
- Identify what the meeting will talk about including the offer to work with the parents to address the identified concerns
- Provide the date, time and location of the meeting (with a map) with details of who will be invited;
- Ensure that arrangements are in place to manage separate meetings for parents to manage conflict or any risk to any of the adults;
- Advise the parent to take the letter to a solicitor for free advice via entitlement to legal aid;
- Attach an up to date list of children law accredited solicitors in the local area.

Writing a Letter Before Proceedings

The letter before proceedings should be drafted with care, recognising that this will be stressful and frightening for parents to receive and they may require support to digest it and act upon it.

When writing a letter to families the following key principles should be adhered to:

- Be written directly to the person who will receive the letter using their name throughout the letter;
- Be in a language or format the recipient can understand;
- Be honest and respectful, trying to engage the adults rather than alienate them;
- Be written clearly in plain language which is jargon-free and avoids abbreviations;
- Be evidence based and give certainty about timescales for change.

There are 3 main sections to the Letter Before Proceedings -

Main concerns

- These concerns should relate to risks that are associated with the threshold of significant harm to the child(ren) that has been met in order to enter pre-proceedings.
- This should be a succinct summary of main concerns and impact for the child(ren) and why it has left us so worried about their safety. This should be written directly to the recipient of the letter.
- Ensure that this section is evidence based and can be relied upon at court if necessary.

What we've done to try and help your family

- Avoid writing that support has been provided through a plan e.g. CIN or CP – parents will not recognise a process as support.
- Do include a description of an intervention or specific form of support that has been provided and the desired outcome for the child(ren) from this support.

What you must do so that we will not go to court

- This section should detail clearly the priority areas of action for parents to take.

- The actions should relate to 'behavioural changes' required and the support available to them to achieve this rather than simply jumping through hoops of attending a class or service.
- Make sure that we make it clear what the desired outcome / impact for the child will be – this is meant to motivate the parent and help them understand why we are asking them to make changes.
- Be specific in terms of expected timescales and always use SMART actions.
- If we are completing or updating an assessment, be clear when this will be done by.

Other considerations for social workers:

The following should also be considered when preparing the letters –

- Is the letter better hand delivered or sent by a form of tracked delivery?
- Will the parent need some support (professional or via family) to read or understand it? This may include advocacy or intermediary services. If so, consider whether you need to refer the parent to an advocate.
- Is English the parents' first language? If not, does the letter need to be translated – will the parents be able to read the language?
- Do the parents, children or relevant family members have any disabilities that may impact on where the meeting should be held.
- Should the delivery of the letter be accompanied by a social work visit before any formal meeting to explain the contents?
- Ensure the recipient understands what they need to do next and to try to maintain the relationship with the family?

Please refer to examples of letters which are on Trix.