**Letter Before Proceedings**

IT IS IMPORTANT THAT YOU TAKE THIS LETTER TO A SOLICITOR

**Office Address Contact**

SENT BY [HAND/ RECORDED DELIVERY]

Dear [parent and/or full name(s) of all people with parental responsibility]

**Re: Insert [name(s) of child(ren)] –**

I am the Team Manager of the Support and Safeguarding (AREA) Team in Wiltshire where your child/ren’s social worker XXXXX works.

As you know, [insert name of social worker] has been very concerned about your care of [name(s) of child(ren)] for some time.

Although support has been offered through child protection planning, things are not improving enough and the situation for your child(ren) has become so serious that we need you to change this to make sure you can carry on caring for them.

We are writing to you now because we would like to give you one last chance and provide support for you to change your parenting to make sure [name(s) of child(ren)] is/are safe. Otherwise, we will go to Court to ask for them to be removed from your care. This letter will allow you to get advice from a solicitor about this.

We have set out at the end of the letter why we are so worried about your care of [name(s) of child(ren)]and the changes we need to see to avoid us asking the Court to remove them from your care.

AN IMPORTANT MEETING ABOUT WHAT WILL HAPPEN NEXT

**We would like you to come to a meeting with us and your solicitor, to talk about these concerns**.

This meeting will be on [date and time] at the [insert name of office]. The address is [address] and there is a map with this letter to help you find it.

At the meeting we will:

• Agree what you will need to do to make your child(ren) safe;

• Discuss how we will support you to do this and put a plan in place;

• Agree who in your family we will talk to about the support they can offer you and whether, as a worst-case scenario, they are able to care for your children if you are unable to.

• Explain what will happen next if you are unable to make these changes or do not agree to the support plan.

**WHAT WILL HAPPEN IF YOU DO NOTHING**

If you do nothing we will have to go to Court. If you do not answer this letter or come to the meeting, we will go to Court as soon as we can to make sure your child is safe.

**THINGS YOU WILL NEED TO DO BEFORE THE MEETING:**

1. Please contact your social worker on [tel.no.] to tell us if you will come to the meeting.

2. **Get a solicitor**:

It is really important that you get advice from a solicitor who specialises in family law as soon as possible. They will help you to understand this letter and advise you about your rights and the choices you can make. Your Solicitor will attend this meeting with youIf you give them this letter you will not have to pay any money for their services.

We have sent with this letter a list of local solicitors who work with children and families. They are not part of Wiltshire Council and offer independent advice.

Your Solicitor will need this information:

*The Local Authority is Wiltshire Council,*

*The Legal Contact is:*

*Legal Officer*

*County Hill*

*Trowbridge*

*Wiltshire BA14 8JN*

*Telephone no: 01225 718365*

3. **Get your wider family involved:**

As you know, our concerns about [name(s) of child(ren)] are very serious. When we have concerns for children, which might involve the Local Authority going to court, we always recommend to parents, their children and wider family the opportunity to take part in a meeting so their views on how to help can be heard, the meeting is called a Family Group Conference.   This meeting is not organised by us, but an independent organisation called Day Break who specialise in this work. We have enclosed a leaflet about Family Group Conferences and would ask that you take the time to read this and share it with your solicitor.

We want to identify during the meeting, who in your family can support you to provide safe care to your children so we can avoid going to court. If we do have to go to Court and the Court decides you cannot care for your child(ren), we will always try to place children with a relative or close family friend rather than in Local Authority foster care, if it is best for your child(ren) to do this.

Please complete the ‘family details list’ with contact details of family members and friends and bring this to the meeting so we can discuss with you and your solicitor who can help you now and who might look after your child(ren) if, as a worst case scenario, the Court decides that it is no longer safe for you to do so.

We can then complete a referral to Day Break, the service who run Family Group Conferences, and share these details so they can set up a meeting. We will talk with you further about this at the meeting with your solicitor.

We understand that you may be feeling very worried and want to reassure you that we will do everything we can to support you to make these changes, but we need you to allow us to help you by working with the plans we agree. We look forward to seeing you at the meeting with your solicitor on [date] when we can talk it all through. If you do not understand any part of this letter, please contact your social worker [name] on [tel. no.]. Please tell your social worker if you need any help with child care or transport arrangements to allow you to come to the meeting, and we will try to help.

**Yours sincerely**

**[name]**

**Team Manager Local office/service**

Cc: Social Worker [name]

Local Authority In-house Legal Team

Enc:

Map of office

List of solicitor’s firms who are members of the Law Society’s Children Law

Accreditation Scheme
Family & Friends Details List

**PLEASE SHOW / TAKE THIS TO A SOLICITOR**

**HERE ARE THE MAIN THINGS THAT WE ARE WORRIED ABOUT:**

**Example**

|  |  |  |
| --- | --- | --- |
| Concerns | Date & Incidents | Impact on child/ren |
| Domestic Abuse | DATE-DATE There have been 5 physical fights between you that the police have attended and the children have witnessed these. During one fight, Johnny got between you to try to stop the fight. | The children are likely to have been very frightened and worried about you getting hurt.Johnny was physically hurt and his face bruised during the fight. |
| Substance Misuse |  |  |
| Meeting the child/ren’s care needs |  |  |
| School Attendance |  |  |

**WHAT CHILDREN’S SERVICES HAVE DONE TO TRY TO HELP**

|  |  |  |
| --- | --- | --- |
| **Date** | **What help has been given?** | **How did it help?** |
|  |  |  |
|  |  |  |
|  |  |  |

**THIS IS WHAT YOU NEED TO DO TO AVOID US GOING TO COURT**

**Pre-proceedings Plan:**

*Example:*

1. *Agree to a Family Group Conference (FGC) referral (following this viability assessments of your friends/family will be completed as identified at the FGC).*
2. *Agree to participate in a parenting assessment.*
3. *Agree to participate in a psychological/psychiatric assessment.*
4. *Agree to participate in hair strand testing to assess your alcohol/drug use.*
5. *Agree for your child(ren) to be accommodated under S20 of the Children Act 1989 and to give 14 days’ notice if you wish to withdraw your consent.*
6. *Agree to comply with the Child Protection Plan already in place and any actions listed within this.*
7. *Agree to DNA testing to determine paternity.*

Signatures

Date:

Parent 1

Print name……………………………………………………………………………

Signature……………………………………………………………………………..

Parent 2

Print name……………………………………………………………………………

Signature……………………………………………………………………………..

 Social Worker

Print name……………………………………………………………………………

Signature……………………………………………………………………………..

 Team Manager

Print name……………………………………………………………………………

Signature……………………………………………………………………………..