|  |
| --- |
| In the Family Court sitting at |
| In the matter of the children act 1989 |

**Local authority   
social work initial evidence   
template (SWET) for use in**

**urgent hearings only**

|  |  |
| --- | --- |
| **Local Authority and Social Worker details** | |
| Court case number |  |
| Filed by [local authority] |  |
| This author/witness’s name, qualifications and office address |  |
| This author/witness’s Social Work England registration number |  |
| I have been the allocated social worker for [insert name(s)] since [date(s)] |  |

**The facts in this statement are true to the best of my knowledge and belief and the opinions set out are my own.**

|  |
| --- |
|  |

Signed:

|  |
| --- |
|  |

Date of completion:

**Accompanying guidance for completing the SWET can be found here:** <https://adcs.org.uk/care/article/SWET>

1. **Order being sought from the courts and a summary of the reasons why?**

|  |  |
| --- | --- |
| **No Order** |  |
| **Interim Supervision Order** |  |
| **Interim Care Order** |  |
| **Other Orders Sought e.g. EPO, child assessment order** |  |
| **Other Orders recommended e.g CAO, non-Molestation Order, occupation order** |  |

|  |
| --- |
| **Reasons for an application for interim order(s):** |
| ***NB DELETE guidance once complete:***  *Reminder: If the child(ren) is already in a placement not with parents, and the proposal is for a placement change, the IRO is to see child before any placement move and social worker should factor in those timescales.*  *The chronology is at the end of the Statement. It may be helpful to start by completing this before writing your statement, so that you do not duplicate information and can refer to events in the chronology when analysing harm already experienced, and/or the risk of further harm to the child(ren).*     * *State the order being sought from the Court.*      * *Please state where and with whom the child/ren are currently living*      * *Please include interim plan for each child*      * *Explain why the local authority believes the child/ren’s safety demands immediate removal/continued removal (remember to evidence this)* * *Why now e.g. precipitating event such as police protection, non-accidental injury, ongoing or serious incident of domestic abuse, international element or capacity to consent to Section 20, compounding impact of neglect (this list is non-exhaustive).*      * *Detail presenting features and why the risks to the child/ren have moved from significant to immediate harm, plus the evidence of impact or the likelihood of impact.*      * *If the Public Law Outline (PLO) process has not been used explain why not. Please refer to the social work chronology in Appendix 1, as necessary.*   *If applying for an EPO:*   * *Set out why you have reasonable cause to believe that the child(ren) is likely to suffer significant harm if they are not removed to accommodation provided by or on behalf of the LA or if they do not remain in the place where they are being accommodated* * *Confirm that enquiries are being made in respect of the child under s47 and the enquiries are being frustrated by access to the child being unreasonably refused and you have reasonable cause to believe that access to the child is required as a matter of urgency* * *Why you don’t believe any other order would keep the child safe* * *How long do you seek for the order to remain in place (maximum 7 days)* * *If you are asking for the order to be made without notice to the parents, explain why* * *If you have tried to inform parents of the LA application, explain the steps you have taken*   *If applying for an urgent ICO with removal:*   * *Explain why you believe the child has suffered or is at risk of suffering significant harm which is attributable to the care given to the child, or likely to be given to them if the order were not made, not being what it would be reasonable to expect a parent to give or why you believe the child I beyond parental control* * *Why do you seek interim removal from parents* * *Why is the application urgent and why should it be dealt with outside of the usual timescales* |

1. **The impact of harm on the child/ren (including an initial analysis of risk and protective factors)**

|  |
| --- |
| ***Guidance NB delete guidance once completed:***   * *Have regard to the welfare checklist when completing this section, namely the child’s age and needs, their wishes and feelings and the harm they have (or are at risk of) suffered.* * *Reference any work undertaken with the parents* * *State how capable their parents, or wider family members are, in meeting each child’s needs.* * *Note any assessments that have been completed or that are in progress and any relevant interventions along with the effectiveness of this activity.* * *State whether there is any support/services that can be provided to enable to children to remain with parents from local authority, multi-agency partners, family and friends.* * *Please ensure you reference peer researched material as this needs to be included.* |

1. **Initial analysis of the evidence of wider family and friend’s capabilities to meet the needs of the child/ren**

|  |
| --- |
| ***Guidance NB delete guidance once completed:***   * *Reference any work undertaken with the parents, child/ren and the wider family.* * *Note any assessments that have been completed or that are in progress and any relevant interventions along with the effectiveness of this activity.* * *Ensure rationale for maintaining contact / family time with anyone mentioned here is included.* * *State whether there is any support/services that can be provided to enable to children to remain with wider family and friends from local authority, multi-agency partners, family and friends.* * *Include details of support or interventions (either past or present) from any professional agency involved with individual members of the family or the family as a whole, as applicable, detailing learning, changes, progress and the gaps that remain* |

1. **Realistic placement option(s)**

|  |
| --- |
| **The preferred and proposed placement option for [child] is [placement]** |
| **Guidance NB delete guidance once completed:**  **This should be urgent interim placement options only**  *PLACEMENT SOUGHT*    *CHILD REMAINING WHERE LIVING AT PRESENT*    *CHILD LIVING WITH ALTERNATIVE CARER*    *Include a brief analysis of the impact on the child of the preferred placement option*    *and how parents and carers will be supported after the move.* |

**5. The range of views of other parties**

***Guidance:*** *This section has an important opinion-sharing purpose. Set out and analyse the individual’s views about what should happen for the child/children in the future. Stick to the known facts and where possible, give an indication of whether the facts of the case are accepted or contested. [****This guidance text should be deleted before submitting the completed template to the court].***

|  |
| --- |
| **5.1 Views of the child/ren** |
| ***Guidance NB delete guidance once completed:****: In addition to the child/ren’s views, use this space to provide an initial indication of the appropriate level of the child/ren’s involvement in the court case, with reasons.*  **EACH CHILDS VIEWS ON INTERIM PLAN**      **EACH CHILDS VIEWS ON THEIR INVOLVEMENT IN COURT CASE**    **YOUR VIEW ON EACH CHILDS INVOLEMENT IN COURT CASE** |

|  |
| --- |
| **5.2 Mother’s views (include full name and date of birth)** |
| ***Guidance NB delete guidance once completed: –*** *Please include the mother’s view on the family plan and if in dispute, what family plan is proposed.*  **MOTHER’S VIEWS ON INTERIM PLAN**    **MOTHER’S VIEWS ON CHILD/REN’S INVOLVEMENT IN COURT CASE**    **MOTHER’S INTERIM PROPOSALS** |

|  |
| --- |
| **5.3 Father’s views (include full name and date of birth)** |
| ***Guidance –*** *Please include the father’s view on the family plan and if in dispute, what family plan is proposed.*  **FATHER’S VIEWS ON INTERIM PLAN**    **FATHER’S VIEWS ON CHILD/REN’S INVOLVEMENT IN COURT CASE**    **FATHER’S INTERIM PROPOSALS**    **[Repeat for each father if more than one father]** |

|  |
| --- |
| **5.4 Views of wider family members (include full name and date of birth)** |
| ***Guidance –*** *Please include the wider family’s view on the family plan and if in dispute, what family plan is proposed.*  **WIDER FAMILY’S VIEWS ON INTERIM PLAN**    **WIDER FAMILY’S VIEWS ON CHILD/REN’S INVOLVEMENT IN COURT CASE**    **WIDER FAMILY’S INTERIM PROPOSALS** |

|  |
| --- |
| **5.5 Views of the IRO** |
| ***Guidance****: Please include the IRO’s view on the family plan and if in dispute, what family plan is proposed.*  **IRO’S VIEWS ON INTERIM PLAN**    **IRO’S VIEWS ON CHILD/REN’S INVOLVEMENT IN COURT CASE**    **IRO’S INTERIM PROPOSALS** |

|  |
| --- |
| **5.6 Views of the Multi-Agency Partners** |
| ***Guidance****: Please include the Multi-Agency partner view on the family plan and if in dispute, what family plan is proposed.*  **MULTI-AGENCY PARTNER VIEWS ON INTERIM PLAN**    **MULTI-AGENCY PARTNER VIEWS ON CHILD/REN’S INVOLVEMENT IN COURT CASE**    **MULTI-AGENCY PARTNER INTERIM PROPOSALS**    **[Repeat for each Multi-Agency practitioner involved for each child]** |

1. **The family time / contact plan**

The family time / contact plan should seek to involve siblings and others with whom the child has a significant relationship. It must be kept under review as circumstances change.

Please include reference to peer research material

|  |
| --- |
| ***Guidance to be deleted/overwritten:*** *Detail initial arrangements for each child including:*   * *Who it is proposed the child/ren spend time with plus their relationship to the child/ren.*      * *The proposed frequency and duration and why this meets each child’s needs*      * *Whether support or supervision is required to facilitate family time activities, why and by who:*      * *Please ensure you reference peer researched material as this needs to be included.* |

1. **Statement of procedural fairness**

|  |
| --- |
| ***Guidance to be deleted/overwritten:***   * *Confirm here that the local authority’s concerns and the contents of this statement have been communicated to the child/ren, mother, father, and significant others, and how this has been communicated.*      * *State whether these concerns have been understood and how the contents of this statement have been shared with them.*      * *If not, please be explicit about attempts to engage and detail here any help that has been provided, or will be provided, in order to support participation e.g. is an advocate or interpreter required?* |

**[NB REMOVE All guidance text to be deleted before submitting to the legal]**

**APPENDIX 1: The social work chronology**

* *Recognising the gravity of the situation requiring an urgent application to the court, please list the most significant events* ***which can be evidenced*** *here.*
* *Focus on the last* ***three to six months,*** *time permitting.*
* *Make reference to any significant events in the last two years or beyond felt to be of relevance here.*

The Chronology should be succinct and relate to **significant events** that have resulted in this application being made, rather than detailing everything that has happened

|  |  |  |
| --- | --- | --- |
| **Date** | **Incident or sequence of incidents relevant to the child/ren’s welfare** | **Impact on the child/ren** |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

**APPENDIX 2: The welfare checklist in full for reference**

The full Children Act checklist, to be used in care and supervision proceedings is found at section 1(3) (a) – (g) and requires the court to have regard to the following matters:

|  |  |
| --- | --- |
| a) | The ascertainable wishes and feelings of the child/children concerned (considered in the light of their age and understanding); |
| b) | Their physical, emotional and educational needs; |
| c) | The likely effect on them of any change in his/her/their circumstances; |
| d) | Their age, sex, background and any characteristics of his/hers/theirs which the court considers relevant; |
| e) | Any harm which they have suffered or are at risk of suffering; |
| f) | How capable each of their parents, and any other person in relation to whom the court considers the question to be relevant, is of meeting his/her/their needs; |
| g) | The range of powers available to the court under this Act (Children Act 1989) in the proceedings in question. |