|  |
| --- |
| In the Family Court sitting at |
| In the matter of the Children Act 1989 |

**Local authority
social work evidence template**

**(Final statement)**

* **The child/ren** use one template per family

Guidance notes are provided here to assist the author, this text should be removed before submitting the template to the courts.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Names** | **Gender** | **Date of birth** | **Child’s current placement status** | **Child’s current legal status** |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

|  |
| --- |
| **Local Authority and Social Worker details** |
| Court case number |  |
| Filed by [local authority] |  |
| Social work statement number in the proceedings, e.g. 1st, 2nd (**N.B**. Do not use this template for initial statements) |  |
| Social work statement number of this witness, including position statements and initial statements e.g. 1st, 2nd, 3rd and date of statement |  |
| 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 application are true to the best of my knowledge and belief and the opinions set out are my own.**

|  |
| --- |
|  |

Signed:

|  |
| --- |
|  |

Date of completion:

**Please ensure that you update the page numbers on the table by clicking on the table followed by the “update” tab, selecting “update page numbers only” once the statement is completed.**

**Table of contents**

[**1.** **Child/ren’s details** 3](#_Toc63183932)

[**2.** **The social work chronology** 3](#_Toc63183933)

[**3.** **Analysis of risk and protective factors** 3](#_Toc63183934)

[**4.** **Child impact analysis and child/ren’s views** 3](#_Toc63183935)

[**5.** **Analysis of parenting capability** 4](#_Toc63183936)

[**6.** **Analysis of wider family and friends capability** 4](#_Toc63183937)

[**7.** **The proposed S31A care plan – the ‘realistic options’ analysis** 4](#_Toc63183938)

[**8.** **The range of views of parties and significant others** 4](#_Toc63183939)

[**9.** **Statement of procedural fairness** 5](#_Toc63183940)

[**10. The welfare checklist in full for reference** 6](#_Toc63183941)

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

## **Child/ren’s details**

Include any updates arising since the last statement or court hearing, the former details of proceedings do not need repeating.

|  |
| --- |
|  |

## **The social work chronology**

Record significant changes or events arising since the last statement was filed here.

|  |
| --- |
|  |

## **Analysis of risk and protective factors**

Final position.

|  |
| --- |
| *The welfare checklist should be applied as appropriate throughout.**Consider in this section whether you are saying that the child (1) has suffered significant harm, (2) is likely to suffer significant harm or (3) both. If you are saying that the child has suffered significant harm you must provide clear, concrete examples of the type of harm which you are saying has been caused. Examples may be apparent within the child’s behaviour, for example withdrawn, anxious, clingy or fearful behaviours, or exhibiting violence or aggression. You may wish to set out how the behaviour of this child differs from what would be expected of a child of this age. Positive patterns and impacts and protective factors should be identified and an explanation of how those positive behaviours weigh in the balance should be provided. This analysis (and the child impact analysis above) results from asking yourself ‘What is the impact on the child?’ of the patterns that have been identified within the family.**The aim here is to provide an understanding of the impact of what has happened on the child (or each individual child within a sibling group). It is important to note that the same event can affect children within the same family differently, so this differential impact should be drawn out in the analysis, as well as the factors supporting a child’s resilience in the face of what has happened.**The evidence used here can be primary – the direct experience of the social worker – or secondary – the social worker’s evaluation of evidence from assessments or the views of other people who know the child/ren or who have assessed their needs.*     * *Set out the steps taken to meet the child’s identified needs e.g. the services and support that have been and/or are being provided as well as the outcomes (or intended outcomes).*

     *Set out the impact of the proposed final plan.*      |

## **Child impact analysis and child/ren’s views**

Set out any additional evidence and analysis plus any updates to the child’/rens previously expressed views.

|  |
| --- |
| *When writing your evidence, remember that when considering the impact on the child/ren and recording children’s views should not solely rely on verbal communication. Observation, play, drawings and understanding of the child’s development, behaviour, demeanour and response to the important people in their lives is central to understanding how they experience life in their family. This is particularly important for those children who do not use speech because of their age or additional needs. Their views also need professional analysis - if a child appears to be uncomfortable when sharing their views or you assess they have had their views influenced, is it important to state this within the statement, with consideration of why this might have happened and your analysis of how this impacts on each child* * *How, when and in what circumstances the child/ren’s views were expressed. (For the very young, and those with additional needs or disabilities which may limit verbal communication, the use of creative approaches and direct observation and interpretation by social workers is crucial). Include a summary of the direct work completed with each child and the outcome of this, who they enjoy spending time with, plus their view of the care plan and their understanding of proceedings (where applicable).*

      |

## **Analysis of parenting capability**

Set out the final assessment of parenting capacity, including a brief summary of any assessments completed since the initial hearing, state how contact / family time has informed this view etc.

|  |
| --- |
| *Analysis of the capabilities of each parent to meet the child/ren’s needs (including any additional/learning need), including relevant risk and protective factors and an analysis of the evidence of any capability gap. If you are saying this cannot be bridged in the child/ren’s timescale explain why. The analysis should address the fundamental question: ‘Can this person meet this child’s needs for the rest of their childhood?’**Deal with each parent in turn if there is more than one person who has been assessed**Please include details of parent’s* motivation, capacity to change and sustain change.Include analysis together and apart from current /most recent partner if parents have new partners*Please ensure you reference peer researched material as this needs to be included.*     *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:** *Have the parents made full use of the opportunities and resources afforded to them?*
* *Based on previous behaviour, what is the prognosis for change?*
* *Are the parents likely to make effective use of further assessments or interventions?*
* *What will be the impact of further delay?*

     *Ensure you refer to parenting assessments completed. You don’t need to repeat the assessments here – you can signpost to those assessments an summarise the key conclusions*     *Indicate whether there is an international dimension and whether the relevant consulate has been notified.*     *Please record details of attempts to seek out absent parents.*       |

## **Analysis of wider family and friends capability**

Set out any additonal evidence and analysis of assessments or work with the child/ren’s family and friends network during the course of proceedings.

|  |
| --- |
| ***Guidance to be overwritten or deleted****: Demonstrate what is known about the capabilities of wider family members and/or friends to meet child/ren’s needs (including any additional/learning need) as alternative carers, including an analysis of skills or resource gaps and if/how they can be bridged in the child/ren’s timescale.* *Summarise details of any family network members who have been excluded via assessment – there is no need to repeat assessments here – signpost to them and summarise the key points*     *If assessments have been attempted but not completed due to lack of engagement, remember to explain attempts made*      |

## **The proposed S31A care plan – the ‘realistic options’ analysis**

Final position/s where different from earlier statements provided to the courts. If the options and care plan have significantly changed for the child/renren since the initial statement, it may also be helpful to include an updated options table from the full SWET (6.1) here.

|  |
| --- |
| *Evidence of a robust filtering process is required to ensure each option assessed as realistic meets that standard as detailed above.**Determining the rank order between realistic options is a matter of professional judgement about the relative importance to the child/ren of various attributes of the carers and/or the relationship between the carers and the child, or the carers, child and birth parent/s. Ideally, placements should be listed in order of preference / strength.*      *If the options and care plan have significantly changed for the child/renren since the initial statement, it may also be helpful to include an updated options table from the full SWET here.*      |

## **The range of views of parties and significant others**

Final position/s, where information has already been provided to the court in previous statements this can be summarised rather than repeating it in full here. Where these differ from earlier statements this should be recorded here too. Ensure the view of the IRO (where applicable) is included.

|  |
| --- |
| *Set out here the views of all relevant people in respect of the final care plan**Mother*      *Father*      *Anyone else with PR*      *Any other significant person*      *IRO*      *Multi-agency partners*        |

## **Statement of procedural fairness**

Steps taken to ensure procedural fairness since the last statement was filed.

|  |
| --- |
| ***Guidance to be overwritten/deleted****:* * *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 state how this has been communicated.*
* *Have these concerns been clearly understood? If not, please be explicit about attempts to engage parties and any help that has been provided to them to participate in the process. This may include access to legal advice and representation, translators, advocates etc.*
 |

**[All guidance text to be deleted before submitting to court.**

**Please update the table of contents.]**

## **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 his/her/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 his/her/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. |

25. The full Adoption and Children Act welfare checklist, to be used in care proceedings where the plan is for adoption and in placement proceedings, is found in section 1 (4) (a) – (f) and requires the court and the adoption agency to have regard to the following matters (among others):

|  |  |
| --- | --- |
| a) | the child’s ascertainable wishes and feelings regarding the decision (considered in the light of the child’s age and understanding); |
| b) | the child’s particular needs; |
| c) | the likely effect on the child (throughout their life) of having ceased to be a member of the original family and become an adopted person; |
| d) | the child’s age, sex, background and any of the child’s characteristics which the court or agency considers relevant;  |
| e) | any harm (within the meaning of the Children Act 1989 (c. 41)) which the child has suffered or is at risk of suffering; |
| f) | the relationship which the child has with relatives, and with any other person in relation to whom the court or agency considers the relationship to be relevant, including:1. the likelihood of any such relationship continuing and the value of the child of its doing so,
2. the ability and willingness of any of the child’s relatives, or of any such person, to provide the child with a secure environment in which the child can develop, and otherwise to meet the child’s needs,
3. the wishes and feelings of any of the child’s relatives, or of any such person, regarding the child.
 |