**This guidance is to be used for both discharges of care order where children are placed with their parents under care orders and for applications by relatives for SGO/CAO where they are currently LA foster carers.**

**It is taken from the agreed local procedure between the Family Court and BCT dated 4th January 2022.**

**There is separate guidance for social workers and template documents at this link:**

[https://birminghamcs.proceduresonline.com/local\_resources.html#](https://birminghamcs.proceduresonline.com/local_resources.html) in the pre proceedings and court work section.

**Legal Team**

On receipt of the full set of documents from social work team follow the 2022 fast track process and keep the social work team informed of progress.

Step 1

Prepare bundle using the care discharge bundle template in line with Accelerated process Appendix B as far as possible and send to Cafcass by email with heading:

Care Discharge/SGO application Accelerated Procedure- Care Proceedings Case No – Previous CG name.

Address for Bundle = PublicLawIntake@cafcass.gov.uk

The Appendix B Bundle Index at this point:

The previous proceedings, to include:

* + Judgment, where available.
  + Agreed threshold document.
  + Care order, final CMO.
  + Care plan.
  + Final analysis of the guardian.

Current application

* A brief relevant chronology.
* Statement in support by the social worker
* An assessment of the parents if relevant.
* Child in need plans, where relevant.
* Where the court will be invited to make an SGO, the SGO assessment together with the agreed support plan.
* A signed consent from the parents and/or carers to the application being made and the orders sought.
* A signed consent from the parents and the carers to the disclosure of the pre-proceeding’s information to Cafcass.
* Signed consent to disclosure of key documents from previous proceedings into current proceedings.
* The minutes of the last child in care review, including the recommendation of the independent reviewing officer.
* Any relevant reports from other professionals

A bundle template is available in bundle templates in eclipse.

Step 2

On receipt of the letter of recommendation from Cafcass complete Appendix A certificate (CD5) and add to bundle. Make application via the FPL portal. Documents to be uploaded are:

* The bundle sent to Cafcass updated with the appendix A certificate and the letter from Cafcass.
* The draft order on issue (CD6).

Note that it is the bundle that should be uploaded on the portal rather than individual documents.

The Lawyer will state that the case is suitable for accelerated process and involvement of CG is not necessary because of pre proceedings management review by Cafcass and letter of recommendation.

**Also note that in SGO cases it is necessary to make the Care Discharge application and once this has been through gatekeeping to upload the SGO application and pay the fee separately using the “upload additional applications” function in the drop-down tab.**

On receipt of sealed copies of application, order and notice the lawyer will serve parties.

The lawyer will keep the social work team advised of hearing dates and the outcome of the application.

Applications where accelerated procedure not appropriate.

Some applications may be opposed or Cafcass may recommend the appointment of a child’s guardian.

If instructions remain in place to continue with the application this should be made on the Portal with all the documents as for accelerated process but without consents, Cafcass approval and certificate of suitability for accelerated process.

January 2024