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| In the family court sitting at Birmingham |
| In the matter of the Children Act 1989 |

**Local authority social work evidence template**

**(Final statement)**

This is the template for your FINAL evidence. There’s a different one for the initial statement. This report should be short and to the point, with clear references to other reports or assessments etc. Fill in one per family (not one per child).

Guidance notes are provided here to help you and it should be deleted before sending this to legal. The guidance is all in red text, so make sure any red text is deleted before you submit.

Example text has been put throughout this form (also in red, to be deleted) to help you know how to fill it in/how much to write. If there is no guidance for a section, just put the information asked for in full.

You should have downloaded this guide from [Practice Guidance](https://birminghamcs.proceduresonline.com/local_resources.html) (clicking on “Pre-proceedings and Court Work and then Care Proceedings). Make sure you also download the SWET Resources file to use alongside this guide/template, the Initial SWET guide/template (in case you need to re-visit thoroughly some areas in this statement) and the Final Care Plan template/guide that you will need to file too.

 **The children**

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| --- | --- | --- | --- | --- |
| **Names** | **Gender** | **Date of birth** | **Child’s current placement status** | **Child’s current legal status** |
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| **Local Authority and Social Worker details** |
| Court case number | You can find this on any court order at the top right. |
| Filed by  | Birmingham City Council by its agent Birmingham Children’s Trust |
| Social work statement number in the proceedings | Count up how many social work statements in total there have been so far (including the initial SWET) and then add one – just print the number here |
| Social work statement number of this witness, including position statements and initial statements | Count up how many social work statements there have been so far and then add one – just print the number here |
| This author/witness’s name, qualifications and office address | Put here your name, qualification (what qualifications you have – from which university in which year but no need to put what you achieved e.g. 2:1), and an office address where post can reach you. Example: My name is Saqib Bhatti. My office address is 1 Avenue Road, Aston, Birmingham, B6 4DU. I obtained an MA in Social Work from the University of Birmingham in 2012.  |
| This author/witness’s Social Work England registration number | If you do not know your SWE registration number you can search [here](https://www.socialworkengland.org.uk/umbraco/surface/searchregister/results): |
| I have been the allocated social worker for the children since | Insert date |

**I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.**

 **I believe that the facts stated in this witness statement are true.**

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Signed:

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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.**

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## **Child/ren’s details**

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| Just include any updates arising since the last statement or court hearing – anything you’ve said before doesn’t need repeating. For example:*Since my last court statement there has been little change for Aqis. His developmental check on 15th August showed he has caught up somewhat in his cognitive development. He continues to meet his physical developmental milestones.* |

## **The social work chronology**

ONLY record significant changes or events arising since the last statement was filed here. Do not repeat anything in a statement you’ve filed before.

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| **Date** | **Incident or sequence of incidents relevant to the child/ren’s welfare** | **Significance/ Impact on child/ren** |
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## **Analysis of risk and protective factors**

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| In this section, use these headings.Protective factors - Identify and summarise the protective factors for each child – including anything you have successfully tried to change things. As you are summarising, if these are not recent concerns tell the court which document the evidence for these things can be found in.Risk factors- Set out the things you are worried about. Again, point to where this can be found in the court bundle.Example:*Protective factors**As set out in the initial social work evidence template, when he was in the care of his mother, Aqis was generally taken to nursery, which he enjoyed very much and where he was well stimulated. His mother was sometimes able to play with him and to wash him, feed him and dress him. Whilst he has not been in her care since the initial hearing, it seems likely she would be able to continue in this way. She has attended around half of the family time sessions she has been offered and has shown him affection, been able to play with him well and has brought appropriate food and toys with her.**Risk factors**The main risk factors in this situation are set out in the initial social work evidence template. These include Stacey’s alcohol misuse, domestic abuse, and threats of violence to Aqis from Jermaine. As outlined in the chronology, Stacey has regularly drunk alcohol to excess for many years; there have been regular domestic abuse reports since Stacey and Jermaine began their relationship; and Jermaine has both threatened to physically assault Aqis and has, one at least one occasion, assaulted Aqis as set out in the child protection medical dated 13th November. We do not know if this was on purpose or by accident. As the statement of Peter Bales sets out, Stacey has attended around half of her appointments with the drug and alcohol service. As evidenced by the drug and alcohol test results dated 13th December and 29th February, Stacey has continued to drink alcohol to a chronic and excessive degree. As show by the police logs dated 15th January and 29th January, Jermaine has continued to assault Stacey. Jermaine has not engaged with me or any service I am aware of to address his challenges.* |

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

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| In this section, set out any additional evidence and your analysis of it in terms of what harm you have found, how serious this harm is, and the impact of this harm on the child/ren now and into the future, plus any updates to the child/ren’s previously expressed views. What you write in this section will depend on what’s happened since your initial statement. Your evidence may have changed – things may seem better or worse and new concerns may have emerged. Your analysis then may have changed too – if this is the case, see the Initial SWET for further guidance. When writing up, use the headings below.*Example:**Impact analysis**Since the initial social work template, as outlined above, neither Stacey or Jermaine have been able to show they can change, and the concerns which brought this matter to court have continued, despite the increased scrutiny of them and the fact they are represented in court and are aware of the consequences of not showing the court they can make and sustain change.* *In terms of my analysis, I am now more strongly of the view that Aqis has suffered and will suffer physical harm, emotional abuse and neglect if he returns to the care of his parents.**Aqis will be really frightened, stressed and scared has likely been hurt could be hurt again in the cross-fire if he returns home and hears or see loud arguments or fighting. As outlined in the chronology, there is a history of domestic violence in this situation with many domestic abuse reports over the period these parents have been in a relationship, but also with previous partners.* *Aqis has experienced and directly observed repeated incidents of really serious and severe domestic violence perpetrated by Jermaine. Aqis will be injured and hurt, and will be frightened and angry if he is assaulted again if he returns home. Jermaine has also made threats to physically assault Aqis which appear to be serious and he would be at serious risk of serious physical injury if he returned home.**Furthermore, Aqis has been and will likely again be caught up in violence, not be kept safe, not given the attention he needs to learn and develop as he should, and will be ill and unhealthy if he is cared for by people who are drinking alcohol to excess. As outlined in the chronology, the harm for Aqis includes being regularly left alone. This would have left him feeling scared and anxious, and potentially suffering accidental physical injuries due to a lack of parental supervision.* *Aqis’ speech development is also delayed, likely because of the lack of consistent care and stimulation he received at home (as he has begun to catch up since he has been consistently stimulated in foster care). Should he return home, he would not receive the stimulation he needs and his development, rather than catching up, would fall further behind which would have serious life consequences for him.**Child’s views**Aqis’ wishes and feelings continue to be difficult to know, due to his age and delayed language development. From both my observations and from the statement from nursery, Aqis has presented as happier and less anxious since being in foster care.* |

## **Analysis of parenting capability**

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| In this section, set out your final assessment of parenting capability, including a brief summary of any assessments completed since the initial hearing (and state how contact / family time has informed this view).Again, what you write here will depend on what’s happened and what evidence has been put before the court since the initial social work statement. You may need to re-do your analysis, or you may be able to state that your view has not changed, or perhaps has become stronger. See the intial social work evidence template for an example of a full parenting capacity analysis and headings you could use if you need to do a full analysis. Mention at the end that you have considered the welfare checklist (see the example) in making your statement.Example:*Summary of needs**I have set out Aqis’ needs in my initial social work evidence template. My view remains (for the reasons given there) that he needs a caregiver who can give him a high level of care and attention in addition to the needs all children of his age have. He has an increased need for stimulation and for consistent emotional warmth to feel accepted, loved and safe. Due to his experiences, he needs a caregiver who is able to provide him with a higher level of parenting capacity than another child of his age would need to help him recover, settle, and develop.* *How far they are met**At times when he was at home, Stacey and Jermaine seemed capable of meeting Aqis’ needs. Aqis was taken to nursery some days, there was usually food in the home, and on some days Aqis was got up, fed and washed. Sometimes he was played with in the evenings. Some evenings in the home seem to have been calm.**On the other hand, as set out above, Aqis was often left to fend for himself at home and was left at home alone, and he saw and heard serious and frequent violence in the home. Aqis did not get consistent affection and attention. Aqis was seriously hurt by Jermaine, who threatened to do so again.**As set out above, during proceedings, Jermaine has not engaged with me or any service or any family time session. Stacey has continued to drink alcohol heavily and has been unable to attend around half of all family time sessions and has not agreed to attend domestic abuse work. Both Stacey and Jermaine would clearly still struggle to meet Aqis’ needs**Why there may be a gap and how far this might be bridged.**My view about why there is a gap between the care Aqis needs and the care he receives has not changed since my initial statement. Efforts to bridge this gap via drug and alcohol work and domestic abuse work in proceedings have been unsuccessful so it seems unlikely this gap can be bridged in the children’s timescales. Given his history as set out in the chronology, Jermaine seems unlikely to stop being violent and controlling. The wider family and friends network would not be able to make Aqis returning home safe.**Capacity to change**Using Bentovim’s model for assessing prognosis and capacity for change (Bentovim, A. et al. (2009) Safeguarding children living with trauma and family violence) it seems Stacey and Jermaine have a poor/very poor prognosis for change.* *They largely deny responsibility for the situation; they have consistently refused interventions or services; they appear to have fairly poor empathy for Aqis and his experiences; there is a long history of abuse; there is a lack of acknowledgement of the impact of alcohol use or violence; and change seems unlikely to happen in the Aqis’ timescale given the history.**Conclusion**As I have shown previously, through neglect and emotional abuse and physical abuse the level of harm and risk in this situation is very high indeed and the likelihood of this harm coming about and/or continuing to happen, given the history and the lack of change in proceedings, is also very high indeed. I do not think that either parent has a high likelihood of changing or maintaining change in the near future. I do not think that there are any other services or interventions that we can put in place which would mitigate these risks, nor could the wider family and friends network. I therefore do not think these parents can be helped to provide the parenting capacity to look after Aqis at the moment. This is unlikely to change in a reasonable timescale for Aqis.* *Therefore, it is my view that Aqis cannot return to live with his parents. Aqis will experience emotional harm through being separated from his parents, but this is clearly far outweighed by the level of harm he would experiencing in their care, so long-term removal is therefore proportionate and necessary in this instance.**I have considered the welfare checklist when making this conclusion and throughout this statement.* |

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

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| 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 including which assessments took place and their conclusion.*Example:**One connected person was put forward for assessment for Aqis during proceedings, Stacey’s sister Sharon. As evidenced by the court bundle, after a positive viability assessment, Sharon concluded on 17th February that she was not in a position to offer long-term care to Aqis and she withdrew from the assessment process. She was written to on 20th February to outline the possible consequences of this decision and to invite her to contact BCT should she change her mind. She has not been heard from since.* |

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

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| *If the realistic options and your views on them haven’t changed since the initial statement, say that here and you can then delete 7.1 and 7.2 and move on.**Generally, however, new evidence will have been put before the court since that time, so you will usually have to include an updated options table from the full social work evidence template. This has been pasted in below. If this is the case, just state in this box that as new evidence has come before the court since the initial statement, you have updated the realistic options analysis below.* |

The table below is to consider the long-term placement options for the child/ren. The first thing you have to do is identify all the options. This will usually consider living with one or both parents, foster care, adoption and potentially living with friends and family. Then consider which are realistic options. Realistic means they have the potential to be permanent. Then list them out in the table below, in order of the option you like most first all the way to the option you least like. Say which options are realistic or not, and why. See the example below.

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

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| **Permanent placement option explored** | **Is this option realistic and viable or has it been discounted?** | **Reason(s) why it is viable or why it has been discounted?** |
| Adoption | Realistic and viable | The process to enable Aqis to be adopted, should the court grant a care and placement order, has been completed. He has a realistic chance of being placed for adoption which would meet his needs. |
| Long-term foster care | Realistic and viable | Fostering placements are available and could provide Aqis with good long-term care |
| Connected persons placement with Sharon Thomas | Discounted | Sharon has said she is not able to offer care to Aqis. |
| Remaining with Stacey under no order | Discounted | The reasons are set out previously in this statement and in the parenting assessment in the court bundle. |
| Placement with Jermaine Jones | Discounted  | See above and in the parenting assessment – Jermaine has a number of serious challenges, poses serious risk and is not willing to accept help.  |

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**7.2 The preferred and proposed placement option for the child or each individual child if part of a sibling group**

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| This section needs to be fairly thorough. You need to clearly set out the factors for and against each option you mentioned above (including the ones you discounted), and then say which is your preferred option. So, you would write:*Following assessments having been completed, the factors for and against each placement are:*You would then go through all the options, looking at the pros and cons. See the “Balance sheet guidance” document in the SWET Resources file for a clear example of how to do this, including common pros/cons for most options.Finally, you would say which your preferred option is and why. Your preferred option must be the placement you think gives them the best chance of recovering from any trauma they have experienced: personal growth and development within a family where they are guaranteed unconditional love; strong educational prospects; good health outcomes; and – as far as can be predicted – one or more positive lifelong attachment/s which promotes their unique identity.  |

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

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| In this box, set out the final positions of the parents and significant others (e.g. the Guardian and you must also include the view of the IRO). If this information is elsewhere in the bundle, just provide a summary. *For example:**Stacey and Jermaine have put their position before the court several times. They are clear they want Aqis to return to their care and they oppose adoption.**Billie Swift, Aqis’ Guardian has stated she supports the plan of adoption in principle.**Michelle Thomas, Aqis’ IRO has written to the parties by email on 6th March confirming she also supports the plan of adoption.* |

## **Statement of procedural fairness**

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

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| Set out here what you have done to make sure the parents, significant others and child (as far as is age appropriate) have been told about the concerns and what this statement says since your last statement. Also comment on how far the concerns have been understood and any help these people have been given, for example legal advice, advocates, translators etc.*For example:**Both parents are represented within proceedings and have attended all court hearings.* *Since my last statement there have also been two core groups where the concerns and plans have been discussed. Stacey attended both meetings and both Jermaine and Stacey were sent the minutes of these meetings. This statement will be shared with both parties. Jermaine has declined to speak to me but Stacey has stated at both core groups that she understands the concerns although she does not share them.*  |

**[Remember, 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:

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| 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):

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| 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.
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