**SCS Guidance Notes for Preparing Statements:**

The following template has been adapted for use In Surrey. These notes and those in blue italics are for guidance only and *should be deleted prior to the statement being finalised. Please also see further detailed guidance on producing social work statements for Court at* <https://adcs.org.uk/care/article/SWET>

There are three templates:

1. **Short form** statement for **urgent hearings only such as EPO applications** including a short chronology **(Appendix 1)**

2.**Full** **Initial** statements filed at the start of proceedings ~~9~~ or after urgent application by time of CMH) to include a chronology **(Appendix 1**) and mandatory genogram **(Appendix 2**).

3. For the **Final** Statement – this will include only updating information as well as the SW analysis based on any further assessments and its final recommendations to the Court.

Initial and Final statements will be supported by a Care Plan (see SCC Care Plan Template) which will summarise the LAC Care Plan documents. The Care Plan should explain **what** the plan is for the child and the statement should include the explanation of **why** the Care Plan is as proposed.

All statements need to:

* be succinct and avoid repetition and refer the Court to assessments already completed
* ensure all family members’ names and titles are accurate and consistent throughout the document
* provide a proper analysis of the impact of the *evidenced* concerns on the child
* evidence the assessment of parenting capacity
* identify the child(ren)’s needs
* outline the need for further assessment, (for initial statements only)
* Outline what Order/interim Order is being sought and why and type of placement
* Set out the child’s needs in respect of contact and how these can be met in the short and longer term - remember to include wider family and any siblings
* consider additional support needed for the child and/or carers
* Include a case specific Re BS analysis of realistic placement options
* If separation is the plan, be clear about what the immediate safety risk is and detail the alternatives (even if these are not your plan)
* consider all aspects of the welfare checklist –(see below) In final statements where adoption is under consideration, reference should also be made to the Adoption and Children Act 2002 Welfare Checklist

Legal advice is subject to legal privilege and should never be included in the chronology or statement.

**Spell Check/Quality Assurance:** The draft statement must be quality assured by a Team Manager before sending to the legal team. Avoid cutting and pasting from other reports and if overwriting ensure all names, gender and other information is correct. To turn on the spell check facility, highlight text, click **Review** on top of document, then select **Set Language** and then ensure box marked **Do not check spelling or grammar** is not checked.

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

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

**urgent hearings only**

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| --- |
| **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)] |  |

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| *Guidance: Do not sign and date the document until it has been reviewed by Team Manager and Legal Services and any revisions made.* |

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

Signed:

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|  |

Date of completion:

 ***A short chronology should always be included in the Appendix***

**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?**

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| --- | --- |
| **No Order (indicate preferred option with ‘X’)** |  |
| **Interim Supervision Order**  |  |
| **Interim Care Order** |  |
| **Other Orders Sought** |  |

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| --- |
| **Reasons for an application for interim order(s):**  |
| ***Guidance to be over written/deleted:*** 1. State the order being sought from the courts.
2. Explain why the local authority believes the threshold for immediate separation has been met by outlining why action is required now e.g. police protection, possible non-accidental injury, ongoing or serious incident of domestic abuse, international element, Section 20 consent being withdrawn or capacity to consent to Section 20 (this list is non-exhaustive).
3. 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.
4. If the pre-proceedings Public Law Outline (PLO) process has not been used explain why not. Please refer to the social work chronology in Appendix 1, as necessary.
5. Please also state where the child is living/placed now.
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1. **The impact of harm on the child/ren (including an initial analysis of risk and protective factors)**

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| ***Guidance:***1. 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.
2. State how capable their parents in meeting their needs.
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1. **Initial analysis of the evidence of wider family and friend’s capabilities to meet the needs of the child/ren**

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| ***Guidance:***1. Reference any work undertaken with the parents, child/ren and the wider family.
2. Note and refer to any assessments that have been completed or that are in progress and any relevant interventions along with the effectiveness of this activity.
3. Assessments already completed can be filed alongside this statement
4. Ensure rationale for maintaining contact / family time with anyone mentioned here is included.
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1. **Realistic placement option(s)**

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| **The preferred and proposed placement option for [child] is [placement]** |
| ***Guidance****:* 1. 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.
2. Include a brief analysis of how you have balanced the various placement options to demonstrate how the preferred placement option was reached.
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**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*

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| **5.1 Views of the child/ren** |
| ***Guidance****: 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.* |

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| **5.2 Mother’s views (include full name and date of birth)** |
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| **5.3 Father’s views (include full name and date of birth)** |
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| **5.4 Views of wider family members (include full name and date of birth)** |
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| **5.5 Views of IRO/CP Chair if known/relevant**  |
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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.

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| ***Guidance:*** *Detail initial arrangements for each child including:* 1. Who contact is with plus their relationship to the child/ren.
2. The proposed frequency and duration.
3. Whether support or supervision is required to facilitate family time activities.
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1. **Statement of procedural fairness**

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| ***Guidance to be deleted/overwritten:***1. Confirm here that the local authority’s concerns and proposed Care Plan have been communicated to the child/ren, mother, father, and significant others, and when and how this has been communicated.
2. State whether these concerns have been understood and how the contents of this statement have been shared with them.
3. 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?
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**[All guidance text to be deleted before submitting to the court]**

**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.*
* *Do not include legal advice*

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| --- | --- | --- |
| **Date** | **Incident or sequence of incidents relevant to the child/ren’s welfare** | **Impact on the child/ren** |
|  | **CPMs PLAN to ADD AN EXAMPLE HERE**  |  |
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**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:

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| --- | --- |
| 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. |

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 theirlife) 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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