

**ENFIELD CHILDREN AND FAMILY SERVICES
PRACTICE GUIDANCE NOTE**

TITLE:	Public Law Outline (PLO) Process and Timeline
Who is it for?	
Children and Family Services Teams – Social Workers, Social Work Managers and Lawyers	
When is it in effect from?	
Monday 27 th February 2023	
What is it in response to?	
The courts have re-launched the PLO outline and LAs are expected to instigate the PLO pre-proceedings in every case before commencing care proceedings except in exceptional circumstances. Tracking of PLOs has identified that there is room for improvement by the LA in compliance with processes and timeframes.	
What is its purpose	
<ol style="list-style-type: none"> 1. To provide clarity on the processes to be followed when the legal threshold has been met for cases to enter into the PLO pre proceedings process. 2. To provide clarity on timeframes for when certain tasks need to be undertaken/completed and who is responsible for such tasks. 3. To support good compliance through the implementation of this practice guidance note resulting in improved practice and performance and timely improved outcomes for children and families. 	
What does it amend/or replace? Not applicable	
Practice Guidance Note	

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1. LPM:

Where the Social Work Team have been advised that the legal threshold has been met for care proceedings to be issued, consideration **must** first be given to whether or not the case is suitable to enter into the PLO Pre-Proceedings process first.

If yes, a PLO plan should be agreed at the LPM outlining the work to be undertaken including assessments, referrals to other agencies, direct work with children/parents and if an advocate/intermediary/interpreter for the parents should be appointed, alongside **timescales for such work** (Section D of LPM referral/minutes template August 2023 version).

Timescales will run from the date of the LPM

Timescales are to be agreed for:

- Preparation of the PLO letter and written agreement
- When the PLO letter and written agreement will be sent to Legal
- When the letter and written agreement will be shared with the parents
- Instruction of the type of expert needed to assess the parents and the timescales for finding experts and drafting the letters of Instruction
- When the initial and review PLO meetings will take place (Section D of LPM referral/minutes template August 2023 version)

Week 1 – Day 1 to Day 5 (working days)

Day 1

- The LPM chair notifies the business support team leader responsible for updating the PLO tracker of a new PLO case and PLO plan (information noted in Section D of the LPM minutes)
- Business Support Team Leader updates the PLO tracker spreadsheet.
- The social worker is to draft the PLO letter and PLO Written Agreement for parents.

Day 2

- The PLO Letter and PLO written agreement are to be sent to the Team Manager to be reviewed and quality assured before they are sent to the allocated Lawyer in Legal.
- Separate PLO letters and written agreements are to be sent in all circumstances to parents irrespective of whether they are to have joint or separate meetings.
- Social Worker to consider their diary to enable them to complete the PCA of the parents. Social Workers are experts and responsible for PCAs. ISWs will only be used in exceptional cases.
- Social worker/Team Manager to provide the allocated Lawyer in

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legal with details of any preferred expert for any psychological, psychiatric, or other assessment.

Day 3

- Allocated lawyer to consider/make suggestions to the draft PLO letter and PLO Written Agreement and send back to the SW team.

Day 4

- Allocated lawyer to make enquiries for experts including their timescales and costs. Such information to be sent to the social worker and team manager on receipt for instructions on any experts found.

By Day 5

- The social worker to hand deliver the PLO letter and PLO Written Agreement to parents and anyone else who holds parental responsibility (PR). The social worker should go through the letter with the parents/person with PR to provide them an opportunity to discuss the contents and for any further information.
- If the PCA needs to be commissioned externally, the Service Manager should present a robust business proposal seeking authorisation from the relevant Head of Service
- Social worker to provide instructions to the Allocated lawyer on the preferred expert/assessment so they can draft Letters of Instruction (LOI) for independent/expert assessments

Week 2-4 Day 6 to Day 25 (working days)

- Parents to be supported in seeking legal advice if necessary
- LOI to be sent to the parent/s lawyers prior to the PLO meeting so they can discuss/agree within the required timeframes

By day 10

- Initial Pre-Proceedings PLO meeting to be held
- Separate PLO Meetings to be held for parents who are estranged and where domestic abuse has been of concern
- Team Manager to chair these meetings
- Minutes to be taken of the meeting by the social worker or team manager
- Allocated Lawyer will attend where parents are legally represented
- Where parents lawyer(s) are invited but fail to attend without good reason, the meeting can go ahead
- Chair ensures the parents understand the LA's concerns and what will happen if things do not change

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- Parents are to be informed of any assessments/referrals that will be undertaken/made and the timescales for these
- Genogram is to be discussed and agreed with the family to highlight any potential alternative carers and discussions around a family group conference (FGC).
- Review PLO meeting dates agreed based on the PLO Written Agreement. Review meeting should be held at week 8 (6 weeks from the initial PLO meeting)

Post PLO meeting

- Social worker to make referrals to agencies in line with the PLO plan/PLO Written Agreement including commissioning HST if applicable
- Letters of instruction to be sent to experts by legal if agreed or in any event by **day 20**
- Family members contacted for the FGC/viability assessments.

Week 6

- Management Review: Service Manager, Team Manager and Social Worker to review progress of the PLO plan/PLO Written Agreement including engagement of parents and demonstrable change in family behaviour, progress of assessments, safety planning/wellbeing of the child
- Service Manager to confirm whether the PLO should continue or if a review LPM needs to be convened to consider issuing proceedings
- Service Manager to record the outcome of the review on the child's case file
- Legal to be updated

Week 8

- Review PLO Meeting to be held with parents together or separately if estranged and where domestic abuse is of concern
- Team Manager to chair the meeting
- PLO Plan and PLO Written Agreement to be reviewed with provision of an update supported by evidence
- Any further actions/timelines to be made clear and agreed.

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Week 12

- Management Review: Service Manager, Team Manager and Social Worker to review findings from the assessments and decide whether:
 - The LA's concerns have reduced sufficiently in which case the social worker, team manager and service manager should consult with the Allocated lawyer for the case to be stepped down from PLO before seeking authorisation from the relevant Head of Service
 - Care proceedings should be considered in which case a **review LPM** should be held within 5 working days

Week 13

- Where the decision is for care proceedings to be issued, the case is to be presented to the Placement Panel within **5 working days of the review LPM** to seek ratification of the decision(s) made.

Week 14 – final PLO meeting

- Final PLO Meeting to be convened with the parent(s) and their lawyers which should take place **within 10 working days** of the management review to confirm the LA's position and for this to be put in writing to them.
- **In the event that a decision is made to issue care proceedings, the final PLO meeting to take place immediately before the application for the interim care order is sent to the court.**

Week 15 - Care proceedings

In the event placement panel has given authorisation for issuing care proceedings the following will apply:

- *Letter of Issue* - within **2 working days** of placement panel authorisation, the social worker to draft the letter(s) of immediate issue for parents. The letters are to be reviewed and quality assured by the Team Manager and then sent to the Allocated lawyer.
- Allocated Lawyer to review the draft letter of issue within **3 working days**

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- Within **5 working days** of the placement panel authorisation for issuing of care proceedings, the social worker is to hand deliver/send letter to parents and anyone else that holds PR
- *SWET* – the social worker should start to draft their initial statement (full SWET template April 2021 version to be used)

Week 16-17

- *Application to Court* –within **2 weeks** of the authorisation from the placement to issue, the social worker is to send final court statement to the Allocated Lawyer
- **In the event that the level of risk to the child is high/ child is at risk of immediate danger then within an hour or the same day the social worker is to send the final court statement to the Allocated lawyer.**
- Within **5 working days** of receipt (depending upon the level of risk) – the legal team to make the application to issue care proceedings

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