

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

<b>TITLE:</b>	<b>Process relating to Section 7</b>
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<b>Who is it for?</b>
Lawyers, MASH, Social Workers and Team Managers
<b>When is it in effect from?</b>
Monday 29 <sup>th</sup> January 2024
<b>What is it in response to?</b>
Inconsistency in practice across social work teams.
<b>What is its purpose</b>
<ol style="list-style-type: none"> <li>1. To provide clarity of expectations and needs to be followed where London Borough of Enfield receive a court direction to complete a section 7 report.</li> <li>2. To achieve consistency in practice across all social work teams.</li> </ol>
<b>What does it amend/or replace?</b>
Not applicable
<b>Practice Guidance Note</b>
<p><b><u>Background Information</u></b></p> <p>Under section 7 of the Children Act 1989, in private law proceedings courts can direct either Cafcass or a local authority to report on the welfare of a child. This is a decision of the court, and while representations can be made to the court about which agency is best placed to advise on the child's circumstances, views and wishes, the direction can only be amended by the court. Until the court has confirmed that an amendment has been made the original order stands.</p> <p>The court should be advised to order the local authority to complete the section 7 report if:</p> <ol style="list-style-type: none"> <li>a) A child is the subject of an open and active statutory social work case with a local authority or</li> <li>b) In the last 12 weeks, before the section 7 is ordered, there has been a statutory social work assessment of a child's welfare in accordance with the Children Act 1989 (sections 17 and 47) or</li> <li>c) In the last 12 weeks, before the section 7 is ordered, the child has been the subject of a child in need or child protection plan.</li> </ol> <p>Practice Guidance: The legal team ordinarily receives the court order directing the local authority</p>

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to complete a section 7 report. The case is allocated to paralegal and a copy of the court order is sent to MASH. MASH will create a contact record accordingly.

MASH is required to check LL to determine if either (i) the child is an open and active statutory social work case, (ii) in the last 12 weeks, before the section 7 is ordered, there has been statutory social work assessment of the child's welfare (i.e., completion of a child and family assessment), or (iii) in the last 12 weeks, before the section 7 was ordered, the child has been the subject of a child in need or children protection plan. If any of these are met, the contact record should be progressed to referral and sent to the CPCIN Duty Managers LL work tray (or to the allocated Team Manager if the case is open). The Duty CPCIN Manager/allocated Team Manager is responsible for progressing the referral to the private law proceedings pathway (the referral should NOT be progressed to the need for a child and family assessment to be completed) and for allocating the completion of a section 7 report to a social worker with provision of clear management directions. If the filing date is considered to be unreasonable and where either the court has allowed less than 12 weeks to completion and filing of the report or there has been delay in the local authority receiving a copy of the order from the court, the Duty CPCIN Manager/allocated Team Manager should contact the legal team for an extension from the court to be requested\*.

Where MASH identify that none of the three criteria requirements are met, the contact should still be progressed to referral and sent to the CPCIN Duty Managers LL work tray (or to the allocated Team Manager if the case is open) and a case note should be recorded stating 'the child is not currently an open and active case and has not had a statutory social work assessment or been subject of a child in need or child protection plan in 12 weeks from when the section 7 was ordered'. The Duty CPIN Manager/allocated Team Manager should be alerted to the case note. The Duty CPCIN Manager/allocated Team Manager will be responsible for contacting the legal team to provide clear instructions for the court to be informed that 'the child is not currently an open and active case and has not had a statutory social work assessment or been subject of a child in need or child protection plan in 12 weeks before the section 7 was ordered, that the local authority is not best placed to complete the section 7 report and that the request should be re-directed to Cafcass\*.

**\*Until the court has confirmed that an amendment has been made the original order stands.**

It is important that the section 7 report reflects that the local authority will end its involvement upon filing of the report and that it will not hold the case open and active whilst a court hearing is awaited. In these circumstances, the social worker and team manager are responsible to ensuring they have diarised the court hearing and made provisions to attend if they have been directed to do so.

Where the section 7 report has revealed safeguarding concerns, the usual

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pathway on LL for completion of a child and family assessment (s17 or s47) should be followed.

**Name of person/s  
issuing this practice  
note:**

**Rashmi Patel** (Head of Child Protection and  
Vulnerable Children)

**Date issued:**

25.01.2024