

**Children's Services Scrutiny Committee – 25<sup>th</sup> January 2012**

**Report of the Acting Director of Children's Services**

**Referrals to Local Authority Children's Social Care where there are concerns about a child's safety or welfare.**

**Purpose of Report**

1. The purpose of the report is to present to Scrutiny Committee an overview of the processes which are involved when a referral is made to Social Care which raises concerns about a child's safety or welfare.

**Background**

2. This is the third in a series of reports which have been presented to Scrutiny Committee and which have provided an overview of the work of the Social Care within the Children's Services Directorate.
3. Information has specifically been provided about the arrangements which are made to receive referrals from service users and other professionals in relation to children in need, the management of referrals and the supports which are available specifically to children in need to enable them to remain within their birth families.
4. At Scrutiny Committee 16<sup>th</sup> November 2011 a report was presented which specifically focussed on situations where it had become necessary for the Local Authority to intervene by application to the court to ensure that a child's safety and welfare were protected and in those instances to remove the children from their families and place them in the care of the Local Authority.
5. To complete the range of activities undertaken by Children's Social Care this report specifically focuses on situations where concerns have been raised that a child may be suffering or is likely to suffer significant harm but where the threshold for care proceeding have not been met and through assessment it has been judged that child(ren) can remain with their birth families but with the support of a Child Protection Plan.

## **Referrals to Local Authority Children's Social Care**

6. Local Authorities with Children's Social Services functions have particular responsibilities towards all children whose health or development may be impaired without the provision of services or who are disabled.
7. When a parent professional or another person contacts Children's Social Care with concerns about a child's welfare it is the responsibility of Children's Social Care to clarify with the referrer:
  - The nature of the concerns, how and why they have arisen
  - What appeared to be the needs of the child and the family
  - What involvement they are having or have had with the child and/or family members

Children's Social Care should decide how they will respond to the referral and record the next steps of action within one working day.

8. Where it is suspected that a child is suffering or is likely to suffer significant harm the Local Authority is required by Section 47 of the Children Act 1989 to make enquires to enable it to decide whether it should take any action to safeguard and to promote the welfare of the child. In these circumstances there will be a strategy discussion involving Children's Social Care, the Police, Health and other bodies as appropriate who are able to contribute information in order to determine how the Section 47 enquiry should be conducted and to agree what action is required immediately to safeguard the welfare of the child and to provide interim services and support. The discussion may also determine if legal action is required and if it suspected that a criminal offence has taken place to agree the conduct and timing of any criminal investigation.
9. A strategy discussion is led by Children's Social Care and may take place as a meeting or by other means for example by telephone.

### **Section 47 enquiry**

10. A Core Assessment is the means by which a Section 47 enquiry is carried out. This is led by a qualified and experienced Social Worker with Children's Social Care having lead responsibility for the Core Assessment under Section 47.
11. Scrutiny Committee will appreciate that Section 47 enquiries can be complex and distressing. Children are a key and sometimes the only source of information about what has happened to them especially in child sexual abuse cases but also in physical and other

forms of abuse and it may require more than one opportunity in order to develop sufficient trust to communicate with children about any concerns that they may have. Social Care will make all reasonable efforts to persuade parent to cooperate with Section 47 enquiries but in some instances this can be very difficult and challenging to the Social Workers who are involved in managing the case.

### **The outcome Section 47 enquiries**

12. In the majority of cases following a Section 47 enquiry children remain with their families and a plan is developed between the various agencies in collaboration with the family to ensure the child's future safety and welfare. For example, a parent, care giver or other members of the child's wider family may be willing and able to cooperate with various actions to ensure that the child's future safety and welfare is maintained and that the child is therefore not continuing to be or likely to be at risk of suffering significant harm.
13. Decisions to support children at home following a Section 47 enquiry are taken very carefully and based on a detailed assessment of need. Decisions are always made by a suitably experienced and qualified Social Worker with a plan endorsed by a suitably experienced and qualified Social Work Manager.
14. However in some circumstances where concerns are substantiated and the child is judged to be continuing or likely to suffer significant harm a Child Protection Case Conference will be convened to enable professionals involved with the child and the family, and the family themselves to consider the information gained through the assessment and to plan together how best to safeguard and promote the welfare of the child.

### **The initial Child Protection Conference**

15. The initial Child Protection Conference brings together family members, the child who is the subject of the conference and those professionals most involved with the child and family. The specific purpose of the conference is to:
  - Analyse the information which has been obtained
  - To consider the evidence presented to the conference and to make judgements about the likelihood of the child suffering significant harm in the future and to decide whether the child is continuing to or is likely to suffer significant harm
  - To decide what future action is required in order to safeguard and promote the welfare of the child including the child becoming the subject of a Child Protection Plan

A Child Protection Conference should take place within fifteen working days of a strategy discussion.

16. Child Protection Conferences are chaired by an Independent Reviewing Officer, independent of operational or line management responsibilities for the case. The conference chair is accountable to the Director of Children's Services.
17. Children's Social Care will provide the conference with a written report that summarises and analyses the information obtained in the course of the initial assessment and the Core Assessment undertaken under Section 47 of the Children Act 1989. Other professionals attending the conference will also bring details of their involvement with the child and the family and wherever possible provide a written report to conference.
18. The conference decides the following questions when determining whether the child should be subject to a Child Protection Plan:
  - Has the child suffered significant harm?
  - Is the child likely to suffer significant harm in the future?
19. If the Child Protection Conference decides that the child is likely to suffer significant harm in the future, the child will require an inter-agency intervention which will be delivered through a formal Child Protection Plan. The purposes of this plan are to prevent the child's suffering harm or a reoccurrence of harm in the future and to promote the child's welfare.
20. If the conference decides that the child is in need of a Child Protection Plan the chair will determine which category of abuse or neglect the child has suffered or is likely to suffer. The categories used are physical, emotional, sexual abuse or neglect.

### **Actions following the initial Child Protection Conference**

21. When a conference decides that a child should be the subject of a Child Protection Plan Social Care will designate a dedicated experienced Social Worker to be the Lead Professional. Each child who is subject of a Child Protection Plan will have a named Lead Social Worker and in Dudley we have achieved 100% allocation in this respect.
22. The Lead Social Worker is responsible for making sure that the Child Protection Plan is developed into a detailed inter-agency plan and he/she is responsible for acting as the Lead Professional for the inter-agency work with the child and the family.
23. The Lead Social Worker will convene a Core Group Meeting within ten working days of the initial Child Protection Conference. Core Groups are an important forum for working with parents, the wider family members and children who are of a sufficient age and understanding. The Core Group is responsible for developing the Child Protection Plan as

a detailed working tool and implementing it. All members of the Core Group are jointly responsible for carrying out the identified tasks and monitoring progress against the outcomes set out in the plan.

## **Review**

24. When a child is made subject to a Child Protection Plan a Child Protection Review Conference will be held within three months of the initial conference and further reviews will be held at intervals of not more than six months for as long as the child remains the subject of a Child Protection Plan.
25. A child should no longer be the subject of a Child Protection Plan if it is:
  - Judged that the child is no longer continuing or be likely to suffer significant harm and therefore require safeguarding by means of a Child Protection Plan. Under these circumstances only a Child Protection Review Conference can decide that a Child Protection Plan is no longer necessary.
26. For the information of Scrutiny Committee data is provided at Appendix 1 which details the numbers of children who are subject to plans and Local Authorities performance in relation to the profile of children with a protection plan duration of plans and deregistration and re-registration information. This information is benchmarked against the England and West Midlands averages for comparison.

## **Finance**

27. The frontline District teams (including Children with Disabilities) undertake the Section 47 enquires/assessments on behalf of the Directorate. Funding is available from District Teams to support the function.
28. The Independent Reviewing Officers are involved within the process, however, the service is managed by Safeguarding within the Quality and Partnership Division and funding is available to support the function.

## **Law**

29. The law governing the Local Authorities duties in respect of referrals of a child protection nature, is set out primarily in the Children Act 1989, with further guidance under The Framework for the Assessment of Children In Need and their Families 2000 and Working Together to Safeguard Children 2010.

## **Equality Impact**

30. Carrying out Section 47 duties ensures that the Local Authority is identifying vulnerable children within the borough and taking actions to ensure that they are safeguarded.

## **Recommendations**

31. The Children's Services Scrutiny Committee is recommended to note the contents of this report.



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