

**Children's Services Scrutiny Committee – 23 June 2011**

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

**Contact, Referral and Assessment Arrangements for Children in Need**

**Purpose of Report**

- 1.0 To advise Children's Services Scrutiny members of the practice, process and legal framework for the assessment of children in need.

**Background**

- 2.0 The report is intended to take Members of Select Committee through the process from Initial Referral to the making of provision of individual and family support services for children in need.
- 2.1 The process for decision making, planning and placement is made within a legal framework and associated guidance set out in detail within The Children Act 1989, The Framework for Assessment of Children in Need and Their Families 2000 and Working Together to Safeguard Children 2010.
- 2.2 The Children act 1989 places a general duty on children's services authorities to:
- Safeguard and promote the welfare of children within their area who are in need
  - So far as is consistent with that duty, to promote the upbringing of children by their families
  - Range and level of services appropriate to those children's needs.
- 2.3 A child is 'in need' if they are unlikely to experience a reasonable standard of health or development without assistance or if they are disabled. When a child is or may be 'in need' an assessment should be carried out using the framework for assessment of children in need and their families. Assessments should cover three areas:
- The child's developmental needs
  - The capacities of parents/ carers to respond to those needs
  - The impact of wider family and environmental factors on parenting capacity and on children
- 2.4 The framework recognises that there are situations where children and parents do not reach services' eligibility criteria and yet support is necessary to prevent problems from arising:

'For example, a mother with a mild learning disability may not reach the criteria for help from an adults' services team and her child's standard of care may not be sufficiently poor to meet the criteria for children's services intervention. However, the failure to recognise the need for early intervention to provide support to the child and family on a planned basis from children's and adults' services may result in the child's current and future development being impaired.'

In these kinds of situations, the statutory guidance says children's services should:

- Recognise the cumulative effect of lower levels of needs
- Ensure a high degree of cooperation and coordination between staff in different agencies
- Take extra care to ensure that there is an holistic view of the child and that the child does not become lost between the agencies involve and their different systems and procedures.

2.5 The guidance also stresses that children should not be expected to carry inappropriate levels of caring which have an adverse impact on their development and life chances and where there is a danger of this happening, services should be provided to parents to enhance their ability to fulfil their parenting responsibilities. Children and young people who are taking on a caring role are entitled to an assessment under section 1 (1) of the carers (recognition and services) Act 1995 and this assessment must be taken into account when a decision is made about what services to provide to the parent. Children's services should consider whether a child's welfare or development might suffer if support is not provided to the child or family. 'Services should be provided to promote the health and development of young carers while not undermining the parent.

2.6 Where a child is assessed as needing services to achieve a reasonable standard of health and development a 'child in need' plan should be drawn up with the agreement of the child and key family members, detailing the services to be put in place and the aims to be achieved. The objectives should be reasonable and timescales not too short or unachievable and the plan should not be dependent on resources which are known to be scarce or unavailable.

### **Referral and Assessment**

2.7 The Local Authority has a duty to investigate concerns about any child if they have reasonable cause to suspect that a child who lives in or is found in their area is suffering or likely to suffer significant harm.

2.8 An initial assessment must be carried out by children's social care when there is information that suggests that a child is in need. Children's social care must determine the nature of their response within 24 hours of receipt of referral and complete any initial assessment within 7 working days.

2.9 If a child is assessed to be in immediate danger both the Police and the Local Authority can by application to the court have emergency powers to remove the child to a place of safety to safeguard them.

- 3.0 If the child is judged to have suffered or is at risk of significant harm then a strategy discussion is held. Professionals from the relevant agencies will meet to decide whether to initiate a Section 47 enquiry. This refers to an enquiry under Section 47 of the Children Act 1989.
- 3.1 A Core Assessment is the means by which a Section 47 enquiry is carried out. It will typically follow a Referral and Initial Assessment. It involves gathering more information from the child, parents, family members and other professionals in order to determine whether the child is at risk of continuing harm.
- 3.2 Following an initial assessment if the information and assessment indicates that the child is in need action should be taken to provide services to meet any immediate needs and determine any further action that might be required to put a comprehensive child in need plan in place which will be monitored to ensure that the services are meeting the needs of the child and their family in order to ensure that their safety and ongoing welfare is addressed.
- 3.3 Appendix 1 provides more detailed information regarding the nature of assessments and child in need plans.
- 3.4 Appendix 2 provides specific data around activity levels relating to children in need referrals, initial assessments and core assessments.
- 3.5 Appendix 3 provides information on the types of services which are available in the Council and partner agencies to support children in need.
- 3.6 Contact, referral and assessments arrangements are subject to an unannounced inspection OfSTED. We have had two inspections in Dudley which have identified areas of strength and development but no priority action areas. The latest inspection report can be found at Appendix 4 to this report.
- 3.7 Appendix 5 provides a flowchart of the process after the initial assessment has taken place.
- 3.8 The family support information is provided under Appendix 6

## **Finance**

- 3.9 There are no direct financial implications arising from this report.

## **Law**

- 4.0 The Children Act 1989 sets out in detail what courts and Local Authorities should do to protect the welfare of children.
- 4.1 The Children Act 1989 sets out in detail what local authorities and the courts should do to protect the welfare of children. Local authorities are charged with the "**duty to investigate**

if they have reasonable cause to suspect that a child who lives, or is found in their area, is suffering or is likely to suffer significant harm" (Section 47, Children Act 1989).

4.2 Local authorities are charged with a duty to provide "services for children in need, their families and others".

4.3 **The Children Act 2004:**

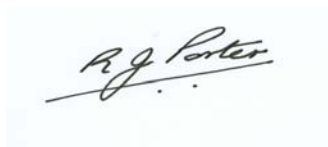
- The Children Act 2004 sets out the process for integrating services to children so that every child can achieve the five outcomes laid out in the Every Child Matters green paper.
- Places a duty on local authorities and their partners (including the police, health service providers and the youth justice system) to co-operate in promoting the wellbeing of children and young people and to make arrangements to safeguard and promote the welfare of children

**Equality Impact**

4.4 The provision of contact, referral, assessment and care management services ensure that children's needs are assessed and that families receive support to ensure that the welfare of their children is promoted and safeguarded, and that services are targeted to the most vulnerable children in the Borough.

**Recommendations**

4.5 That Children's Services Scrutiny Committee receive, discuss and review the report relating to processes and procedures for assessment and decision making for children in need.



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