

Guidance from ADCS and Cafcass about completing the national local authority social work evidence templates (initial and final case analyses)

1. All social work statements should be submitted on the national template and filed and served with the C110A application and in accordance with the Public Law Outline (April 2014 version)
2. This template must be completed to include all the children subject to an application. Whilst the social work statement is a legal document, its primary purpose is to tell the child's story and to advise the court how the child can best be helped in the future.
3. The template is available to download on the DfE, MoJ, ADCS and Cafcass websites. The statement should include the totality of social work evidence gathered in the case. The statement should support the judicial management of the case and also be fair to all parties and balanced (see section 10). The updating section (9) may be completed for the Issues Resolution Hearing (IRH) and/or the Final Hearing if updates are minor. It will be more normal to file and serve a final case analysis on the national template provided for this purpose.
4. Use one template per family, not one per child. The template allows for the common concerns for all children in a family, identified in assessments, to be recorded, as well as for the distinct needs of each child to be set out. The template is designed to set out clearly the social work evidence. That evidence can be primary – the direct experience of the social worker – or secondary – evaluation by the social worker of evidence from assessments or from the views and judgments of other people who know the child or who have assessed the child's needs. Facts should be confined to those relied upon in evidence. An indication of whether they are accepted or contested should be given where possible in section 8.
5. Each section of the template has to take account of the relevant welfare checklist (see below at paragraphs 24 and 25). The social work statement must apply a welfare checklist analysis throughout, as relevant to each section and in accordance with section 1(3)(a)-(g) of the Children Act 1989 and with s1(4) of the Adoption and Children Act 2002.
6. With respect to each child, when making recommendations on the appropriate order to be made, the report writer must be mindful of the 'no order' principle (Children Act 1989, s1(5) and the Adoption and Children Act, s1(6)). This legal principle states that the making of any order must be better for the child than making no order at all.
7. Experience has shown that local authorities with a strong case management and case progression function and capacity have been able to support social workers to write and submit a good evidence-informed social work analysis. This benefits the court and all parties equally.
8. A case analysis can be strengthened by using well-validated tools for the assessment of domains like parenting capability and children's resilience. Such tools can support and strengthen the accuracy of evidence, if used appropriately.
9. To show due respect, adults should be referred to as Ms, Mr, Mrs...and children should be referred to by full names initially and thereafter by their first names. Professionals should be referred to as Dr, Ms, Mr, Mrs...with their professional role identified.

Key terms and practical points about using the templates

10. The genogram (in section 1.2) must be completed and this will normally be through using standard software.

11. Use of an ecomap (in section 1.3) can be helpful by setting out diagrammatically those individuals who are keeping a child safe and those individuals who pose a risk or a threat to that child.

12. The chronology (in section 2) lists those events or a sequence of events which are significant in terms of their impact on the child. The chronology should be confined to the last two years unless an event before that point in time has a current – and therefore lasting – significance. The chronology can be cut and pasted into a stand alone document if required.

13. The analysis of harm (in section 3) is the social work analysis of the significant harm the local authority says the child has suffered or is likely to suffer, and why the child is at a continuing high level of risk.

14. A child impact analysis (in section 4) demonstrates an understanding of the impact on the individual child of what has been happening to them. The impact of the same event can be different on different children within the same family, so this section analyses the differential impact, as well as the factors supporting a child's resilience in the face of what has happened.

15. The analysis of parenting capability (in section 5) and of wider family and friends capability (in section 6) should address the fundamental question in each case – 'can this parent or carer provide this child with a good enough standard of care for the rest of their childhood?'

16. The care plan, including the placement and contact framework (in section 7) must set out how the local authority proposes a child can be given the security, stability and care she or he needs, for the rest of their childhood. This plan for placement and contact is separate from the LAC Care Plan, which should be filed separately.

Gathering and collating evidence

17. Gathering and collating evidence starts as soon as a case is opened to a local authority at a high level of risk and concern. Planning for the child's future starts at this stage, initially by ensuring the help a parent needs to keep a child safe and at home is made available. The timescale for improvement in the quality and safety of care a child receives should be set out. Depending on the nature and/or severity of the parent/s problems, the help offered may need to be intensive and should be the best possible to address the mix of problems the parent/s is going through. In some cases, a longer-term less intensive or episodic service may need to be available e.g, when parents or a child have a disability or a long-term mental health condition. Progress should be kept under regular review, with the assessment of a child's needs evolving over time and as the evidence base for the standard and level of parenting accumulates.

18. If the local authority considers it may have to apply to court to remove a child from home on either a short-term or permanent basis, it is essential to explore alternative care options for the child other than remaining at home. Parents should be fully involved in that discussion and decision. Consideration should always be given to holding a family meeting or a family group conference which involves all potential alternative family carers being explored. Parents should be supported to engage with their wider family for this purpose, even if they intend to contest the local authority application. The local authority should resource any advocacy one or both parents and/or wider family members needs in order to participate. They should also carry out viability assessments of each alternative family carer identified.

19. Should the local authority's concerns remain high, legal advice should be sought and care proceedings should be considered as one possible action when the child's needs are being reviewed. At this stage, whenever it comes, sufficient assessment work should have been completed to inform this decision. Engagement with the family remains crucial, even if the programme of early help has not resulted in a better outcome for the child. At varying points, the local authority concern can be reflected in a written agreement drawn up with the parent/s, a child protection plan or, in cases where the local authority feels the threshold for a care application is met, through deciding – usually after a legal planning meeting - whether to step involvement up to formal pre-proceedings status by issuing a letter before proceedings, so that the parent/s can obtain their own legal advice.

Consideration of alternative care options

20. The social worker must evaluate all realistic options for the child's future. The advantages and disadvantages of each option should be listed in section 7, with reasons for the preferred option being given.

21. The proposed care plan for the child should be the one most likely to achieve positive long-term outcomes for the child. The care plan set before the court must include how the child's array of needs are going to be met in the future. The Court's care plan should, in accordance with the Children and Families Act 2014, be clear about the 'permanence provisions to the child setting out the long term plan for the upbringing of the child' being concerned with the following – 'a) the child to live with any parent of the child or with any member of, or any friend of, the child's family - b) adoption – c) long term care not within a) or b)'. When adoption is the care plan, it must be because 'nothing else will do'. To arrive at this conclusion, social workers must analyse the discounted options giving a brief summary of why other realistic options should be discounted in favour of adoption.

22. It is envisaged that at the IRH or final hearing, concurrent Care and Placement Orders could be made, should the court decide that is in the best interests of the child. Care and Placement Orders should only be considered separately and sequentially where there are good reasons for the applications to be separate and sequential. Such good reasons may include more complex cases, possibly with older children: sibling groups where children may have different needs, where it is clear that whilst a care order is needed, further assessment is necessary before arriving at the permanence plan most likely to achieve the child's long-term welfare. The local authority must take all possible steps to achieve permanence for the child, including consideration of a fostering for adoption placement where appropriate.

Children's involvement

23. Children should be as fully involved in their own cases as their needs dictate. Through their solicitor and their guardian from Cafcass, children must be kept informed of what is happening in their case and fully consulted, subject to their developmental age and understanding. In deciding with the child the appropriate level of involvement in their own case, the guardian, solicitor and the court must take the child's best interests into account.

The welfare checklists in full

24. 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:

- (a) The ascertainable wishes and feelings of the child/children concerned (considered in the light of his/her/their age and understanding);
- (b) His/her/their physical, emotional and educational needs;
- (c) The likely effect on him/her/them of any change in his/her/their circumstances;

(d) His/her/their age, sex, background and any characteristics of his/hers/theirs which the court considers relevant;

(e) Any harm which he/she/they has/have suffered or is/are at risk of suffering;

(f) How capable each of his/her/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 his life) 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

i) the likelihood of any such relationship continuing and the value of the child of its doing so,
ii) 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,

iii) the wishes and feelings of any of the child's relatives, or of any such person, regarding the child.