



Title: Section 6 - Initial child protection conference and decision making

Policy Summary

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SECTION 6: INITIAL CHILD PROTECTION CONFERENCE AND DECISION MAKING

6.1 INTER-AGENCY COLLABORATION

All agencies must ensure that staff involved in child protection work are committed to and achieve:

- Appropriate sharing of information
- Careful preparation for conferences, including the provision of reports
- Attendance at conferences
- Contributing to decision making
- Following up agreed action to safeguard the child

Purpose of initial conference

The initial child protection conference brings together family members, the child (where appropriate), supporters/advocates and those professionals most involved with the child and family to:

- Share and evaluate information in an inter-agency setting regarding the child/ren's health, development and functioning and the parent/carer's capacity to ensure the child's safety and promote their well being
- Make judgements about the likelihood of the child/ren suffering future significant harm and whether there are sufficient concerns to make the child/ren's the subject(s) of a child protection plan
- Decide what future action is needed to safeguard the child/ren and promote their welfare, how that action will be taken forward and with what intended outcomes and time-scales
- Allocate a key worker for children who are made the subject of a child protection plan to develop, co-ordinate and implement the plan
- Identify a multi-agency core group to formulate, implement and review the inter-agency child protection plan.
- Develop an agreed Child in Need plan and identify a lead professional where a decision is made not to have a Child Protection Plan and refer the case down into the children in need system with an agreed outline plan of continuing work.

The conference must consider all the children in the household, even if concerns are only being expressed about one child.

Section 47 enquiries and initial child protection conferences

For all children there should be a section 47 enquiry prior to deciding to hold a child protection conference. Conferences should not be held or a decision made to make the child the subject of a Child Protection Plan without a section 47 enquiry, even in the case of an unborn child. To make a child the subject of a child protection plan without having a section 47 enquiry contravenes the Human Rights Act 1998. Government guidance is clear that:

- A child cannot be the subject of a Child Protection Plan without an initial child protection conference having been held.
- A child cannot be the subject of an ICPC without having been the subject of a section 47 enquiry.
- All children subject to section 47 enquiries must be the subject of a core assessment.
- Not all child protection referrals should result in section 47 enquiries.
- The decision to initiate section 47 enquiries will normally be taken within the context of a strategy discussion unless already begun, e.g. in an obvious emergency situation.

6.2 CRITERIA FOR CONVENING AN INITIAL CHILD PROTECTION CONFERENCE

It will be neither necessary nor appropriate to convene an initial child protection conference in respect of every child who is subject to a section 47 enquiry. A conference should only be convened where it appears that the following criteria are met:

- Following Section 47 enquiries, where the concerns have been substantiated that a child is continuing to be at risk of significant harm
- Following Section 47 enquiries, where concerns have been substantiated that a child has suffered significant harm, unless discretion not to hold an initial conference has been agreed
- When a child currently subject to a Child Protection Plan with another Authority moves into Stockport
- When a child moves into or is born into a household in which resides a child currently the subject of a Child Protection Plan
- When a child is expected to be born and there are serious concerns that the child is likely to suffer significant harm
- A Conference may also be considered where the return home of a child is being considered and that child has previously been the subject of a Child Protection Plan and was only de-registered because s/he was living away from home
- Where a child is alleged to have abused another child and the recommendation from the enquiries/assessment is for a Child Protection Conference
- Where it becomes apparent that a person assessed as presenting a risk to children following a conviction is living in a household with children and is considered to present a risk of significant harm to them.

It is essential, however, that any section 47 enquiries that do not proceed to initial conference are agreed with the Children's Social Care Safeguarding Unit and the reasons recorded.

Where other agencies are seriously concerned that a child's welfare may not otherwise be adequately safeguarded, they should convey their judgment that a conference should be held to the appropriate Children's Social Care operational team. Any such request should normally be agreed. However, if the Team Manager and the referring agency are in dispute about the need for a child protection conference the matter should be referred to the respective agency lead for safeguarding who will discuss the matter and reach a decision. In the event of any continuing dispute, the matter will be referred to the Corporate Director, Children and Young People whose decision will be final.

Timing of initial conference

The initial child protection conference **MUST** take place within **15 working days** from the strategy/ discussion at which it was decided to start a section 47 enquiry. In those circumstances where a section 47 enquiry was not initiated (such as neglect and emotional abuse cases, concerns in relation to unborn children, or notification by another authority that a child on their register has moved into our area), then the date when a decision to convene a conference will be used as the start date of the section 47 enquiry. Within this timescale, however, it is important to convene the conference to allow a full investigation, the attendance of relevant staff, and ensure the availability of information. Should more than 15 days be necessary Social Workers must be confident that the child is adequately protected and the Safeguarding Unit must be contacted in order to record the reason for the delay. It may be appropriate to conduct an assessment before convening an initial child protection conference in those cases where an adult assessed as posing a risk to children has moved into a family to determine what the ongoing risks may be. In order to comply with police requirements for notifications and compliance with timescales, conferences should be booked within 2 days of the strategy discussion.

Pre-birth conferences

On occasion, there will be sufficient concerns about the future risks to an unborn child to warrant the convening of a child protection conference to consider the need for registration and an inter-agency child protection plan.

This decision will normally follow on from a pre-birth risk assessment. This conference should have exactly the same status as any initial child protection conference.

A pre-birth conference must be held:

- Where a pre- birth assessment gives rise to concerns that an unborn child may be at risk of significant harm
- Where a previous child has died or been seriously injured or been removed from parent/s as a result of significant harm
- Following assessment where a child is to be born into a family or household which already have children on the child protection register
- Following assessment where an individual assessed as presenting a risk to children following a conviction resides in the household or is known to be a regular visitor.

Other risk factors which must be considered are:

- The impact of parental risk factors such as mental ill-health, learning disabilities, substance misuse and domestic violence
- A mother under sixteen about whom there are concerns regarding her ability to self care and/or to care for the child

All agencies involved with pregnant women should consider the need for an early referral to Children's Social Care so that assessments are undertaken and family support services provided as early as possible in the pregnancy.

TIMING OF CONFERENCE

The conference should be convened in time to pool and share information and identify an inter-agency child protection plan where necessary. The timing of the conference should take into account the expected date of delivery. Ideally the pre-birth conference should take place at least eight weeks before the due date of delivery, or earlier if there is a history of premature birth.

If a decision is made that the unborn child be included on the child protection register from birth the main cause for concern should determine the category of registration. The core group must be established at the initial conference and meet prior to the birth and certainly prior to the baby's return home after a hospital birth. The first child protection review will take place within three months from the date of birth and registration.

The Safeguarding Children Unit must be notified of the child's name and correct birth date immediately following the birth.

The Safeguarding Children Unit will record the pre birth conference decision and expected date of delivery as part of the register prior to the birth.

If it is not possible to hold a child protection conference before the birth of a baby who is considered at risk of significant harm, contact should be made with the relevant Children's Social Care team for immediate action to protect the child, and consideration should be given to them convening an initial child protection case conference at the earliest opportunity.

Transfer-in conference

When Children's Social Care are notified that a child, subject to a child protection plan in another area, is living within its own boundaries, a transfer in conference should be held within 15 working days of the notification of the move by the originating authority.

Responsibility for the case rests with the original authority until the conference has been held, but local staff should co-operate with the key worker from the originating authority to implement the child protection plan and record a 'temporary child protection plan' on the child's social care record.

The key worker from the originating authority must be invited to the transfer conference and asked to submit a report.

The transfer conference is an initial conference. However, discontinuation of the child protection plan from the previous local authority should only be agreed at this conference following a full assessment of the child and family in their new situation.

If a child protection plan is agreed at a transfer conference, a review conference should be held within 3 months.

6.3 PROFESSIONAL ATTENDANCE OF AN INITIAL CHILD PROTECTION CONFERENCE

6.3.1 A conference should consist of the people consistent with effective case management, but the following should normally be invited:

- Parents/carers and other family members (see paragraph - Family involvement in Child Protection Conferences). In situations of conflict, the attendance of the person who has the primary care of the child should be prioritised.
- Children's Social Care staff, including those who have undertaken the Section 47 enquiry.
- Police Family Support (Headquarters).
- Senior Nurse, Child Protection.

Professionals directly involved with the child, eg:

- Teaching staff
- Education Welfare Officer
- Health Visitor
- School Nurse
- Early Years Staff
- Paediatrician
- G.P.
- Educational Psychologist
- Mental Health Professionals
- YOT
- Foster Carers
- Residential Workers
- CAFCASS.

Relevant Professionals directly involved with parents eg:

- Midwife
- Mental Health Staff
- Probation Officer
- Alcohol/substance abuse staff.

Consideration should also be give to:

- Local Authority Solicitor
- Representative from Voluntary Organisation (eg. Sure Start, Women's Refuge)
- Housing Officer.

6.3.2. Agencies should limit their representation to a maximum to two specialists, so as to minimise the intimidating effect of large meetings on parents and children and ensure efficiency. Those attending conferences should be there because:

- They have a significant contribution to make, arising from professional expertise, knowledge of the child and/or family
- They can enable the conference to make informed decisions about what action needs to be taken to safeguard the child and promote his or her welfare
- They can make realistic and workable proposals for taking that action forward.

All invited agencies and professionals must attend or send a representative to contribute information and to be part of the evaluation and decision making process. Professionals who are invited but unable to attend for unavoidable reasons should inform the conference administrator and submit a written report.

Quoracy

6.3.3 The primary principle for determining quoracy is that there should be sufficient agencies present to enable safe decisions to be made in the individual circumstances. *Working Together to Safeguard Children* states that as a minimum, Children's Social Care plus at least two other agencies, 'who have had direct contact with the child who is the subject of the conference', should be in attendance. Where a conference is inquorate it will not normally be able to proceed. In such circumstances the chair must ensure that either:

- An interim plan is produced or
- The existing plan is reviewed with the professionals and family members that do attend, so as to safeguard the welfare of the children. Another conference date must be set immediately, and within three weeks.

6.3.4 At review conferences in exceptional cases, where one agency is absent and they have sent a report which specifically recommends continued registration, the Chair may decide to proceed with the conference and record the reason in the minutes.

The decision to remove a child's name from the list of those subject to a child protection plan can only be made at a quorate conference.

6.3.5 In exceptional circumstances i.e. where a child has not had relevant contact with three agencies, the minimum quorum can be breached; the decision to proceed with a conference which is not quorate must be agreed by the chair and the reason clearly recorded on the minutes.

6.4 INVOLVING CHILDREN AND FAMILY MEMBERS IN AN INITIAL CHILD PROTECTION CONFERENCE

Invitations

6.4.1 Written invitations must be sent to all people to be invited to attend the Initial child protection conference by the Safeguarding Children Unit. A map should also be included.

6.4.2 Parents and young people aged 11 plus should receive an explanatory leaflet about the conference and also a pro-forma to complete if they wish to do so. Their participation should be carefully planned by the Chair and Social Worker. See also Children's Participation in Child Protection meetings

Specific communication needs

6.4.3 If the parent, family member or child have specific communication difficulties, because of language or disability, the Social Worker is responsible for ensuring the services of an interpreter or specialist worker are made available, or that specific communication aids are provided wherever possible. Particular care should be

taken in choosing an interpreter, having regard to their language skills their understanding of the issues under discussion, their commitment to confidentiality and their position in the wider community. Refer to 'Use of Interpreters, Signers or Others with Special Communication Skills Procedure', in Section 11.

6.4.4 The Social Worker must inform the conference Chair of any family member with communication difficulties and of what provision has been organised to address these.

6.4.5 Any professional invited to a conference who has specific needs is asked to inform the chair in advance of the conference, so that appropriate action can be taken.

Family Involvement In child protection case conferences

6.4.6 Stockport Local Safeguarding Children Board have agreed that relevant adults and children/young people should be able to attend throughout the conference unless they fulfil the criteria for exclusion or there is a need for confidential discussion. Family members who attend will take no part in the formulation of the decision on whether to place the child's name on the child protection register. Relevant Adults would be:

- Both parents - provided they have a significant relationship and contact with the child
- A parent's partner, if the parent and partner both have care of the child or significant relationship/contact
- Other relatives who may be providing direct care to the child
- An appropriate adult supporter whose role is to support the carer as circumstances warrant.

6.4.7 Alternatively, a parent may bring a solicitor to the conference on the understanding that the solicitor acts as a **supporter, not as a legal representative**. The role of the supporter is to enable the parent/ carer to put her/ his point of view, not to take an adversarial position or cross-examine participants. In exceptional circumstances, where a parent is unable to attend (e.g. is in hospital or prison), the Social Worker should discuss with the chair how the parents' views can be represented effectively.

If parents are unable or do not wish to attend the conference they must be provided with full opportunities to contribute their views. The social worker must facilitate this by:

- Providing alternative means to communicate with the chair
- Exploring the use of an advocate or supporter to attend on behalf of the parent
- Enabling the parent to write or tape their views
- Agreeing that the social worker, or any other professional, expresses their views

Preparation for attendance: parents/carers

The social worker must facilitate the constructive involvement of parents/ carers by ensuring in advance of the conference that they are given sufficient information and practical support to make a meaningful contribution. **The Social Worker report should be given to parents, carers 48 hours in advance.** The social worker must explain to

parents/ carers the purpose of the meeting, who will attend, the way in which it will operate, the purpose and meaning of a child protection plan and the complaints process. Preparation should include consideration of childcare arrangements to enable the attendance of parent/s.

Written information should be left with the family regarding conferences, the right to bring a, friend, supporter (including an advocate) or solicitor (in role of supporter), details of any local advice and advocacy services and the conference complaints procedure.

Parents/ carers will be invited to attend the conference venue 30 minutes prior to professionals. This will allow for a period of pre-conference preparation. They will be able to read the Social Worker's report and again meet with the chairperson in order to clarify their understanding of the conference in terms of its purpose and process. The Chair will explain that only the agency representatives will make the decision about the need for a child protection plan although the views of parents/ carers will be listened to and recorded.

Preparation for attendance of young person

Each child's ascertainable wishes and feelings and the means by which these have been obtained must be available for the conference. For some children and young people actual attendance will be in their best interests. For the policy in relation to children and young peoples' participation (see section 6.10).

Young people aged 11 plus should receive an explanatory leaflet about the conference and also a pro-forma to complete if they wish to do so. Their participation should be carefully planned by the Chair and Social Worker.

Attendance of other professionals

6.4.18 The Local Authority Legal Services are to be consulted by the responsible Children's Manager before the initial child protection conference where legal proceedings are pending to determine whether a solicitor needs to be present. When parents and children's solicitors attend conference, their role at the conference should be outlined by the chair.

6.4.19 Where a children's guardian has been appointed in relation to pending court proceedings, they should be invited to attend the conference.

6.4.20 Interpreters must be used in all cases where there is a member of the family who does not clearly understand English. Interpreters invited to initial child protection conferences must be fully briefed prior to the conference.

6.4.21 Professional requesting the attendance of observers must seek the permission of the chair prior to the conference. The views of the child and family members will be sought and will inform the decision.

Exclusions

6.4.22 In exceptional circumstances relevant adults and young people can be excluded from the conference. Any exclusion of parents/carers should be decided by the chair according to the following criteria:

- There is a continuing police investigation, which may make attendance inappropriate.
- There is a threat of violence to members of the conference or a significant threat of disruption to conference proceedings. In addition, where there has been a history of violence or disruption, exclusion will be considered.
- The adults concerned are under the influence of alcohol or other substances.
- The bail conditions, or any other legal order, preventing one person having contact with another who will be attending the conference.
- The circumstances of the case indicate that the presence of a parent may seriously prejudice the welfare of the child.
- Conflicts between different family members who may not be able to attend at the same time.

6.4.23 The chair has discretion in deciding if any particular person fulfils the criteria for exclusion. Should any agency believe that a person fulfils the criteria for exclusion then that agency has responsibility to discuss the issue with the chair as soon as they think exclusion may be necessary, prior to conference. The chair will liaise with the Police, as required, about the management of any potential risk. If parents/ carers are excluded prior to the conference, this must be communicated in writing to the parent, who should be invited to communicate their views to the conference by another means. They should also be informed how they will be told of the outcome of the conference and about the complaints procedure.

6.4.24 Parents are excluded because of above, they will not be sent copies of the minutes and reports. However the conference must agree how the decision and recommendations of the conference are to be conveyed to them and by whom.

6.4.25 If a decision to exclude a parent is made, this must be fully recorded in the minutes. If parents are excluded because of other reasons, they should, other than in exceptional circumstances, be sent copies of the minutes and reports. Any variation from this should be clearly recorded in the minutes with the reason's why. The conference must agree how the decisions and recommendations of the conference are to be conveyed to them and by whom.

6.4.26 Exclusion at one conference is not reason in itself for exclusion at further conferences.

Confidential slot

- 6.4.27 If any member of the conference wishes to exercise their right to withhold confidential information from the family members, this must be discussed with the chair beforehand.
- 6.4.28 If it is appropriate for the information to be withheld from the family, then the chair will ask the family to leave the conference briefly for a closed session.
- 6.4.29 It is rare for a confidential slot to be required except when there is police information about a third party. Any period of exclusion should be kept to a minimum and the reasons for this explained to parents.
- 6.4.30 On occasion it may be appropriate to agree that information shared in the confidential slot must be shared with a parent in order to protect the child. In this instance this should be clearly recorded in the minutes and the process by which this should be done, agreed. Most commonly this will be by the Social Worker outside of the conference. In cases of suspected Fabricated or Induced Illness, refer to both the specific procedure relating to this, and the Home Office Guidance.

6.5 PRE-BIRTH CONFERENCES

- 6.5.1 A pre-birth conference is an initial child protection conference concerning an unborn child. Such a conference has the same status and purpose and must be conducted in a comparable manner to an initial child protection conference.
- 6.5.2 Pre-birth conferences must always be convened where there is a need to consider if any inter-agency child protection plan is required. This **decision** will usually follow from a pre-birth assessment.

THRESHOLD CONFERENCE

- 6.5.3 Pre-birth conferences must always be convened where there is a need to consider if an inter-agency child protection plan is required. This decision will usually follow from a pre-birth assessment. A pre-birth conference must be held:
- Where a pre-birth assessment gives rise to concerns that an unborn child may be at risk of significant harm.
 - Where previous child has died or been removed from parent/s as a result of significant harm.
 - Following assessment where a child is to be born into a family or household which already have children on the child protection register.
 - Following assessment a schedule 1 offender resides in the household or is known to be a regular visitor (see `Criteria for Conference` beginning of this section).
 - Where a previous child has died or been seriously harmed because of abuse or neglect.

6.5.4 Other risk factors which must be considered are:

- The impact of parental risk factors such as mental ill-health, learning disabilities, substance misuse and domestic violence.
- A mother under sixteen about whom there are concerns regarding her ability to self care and/or to care for the child.

6.5.5 All agencies involved with pregnant women should consider the need for an early referral to Children's Social Care, so that assessments are undertaken and family support services provided as early as possible in the pregnancy.

TIMING OF CONFERENCE

6.5.6 The pre-birth conference should take place as soon as practical and at least eight weeks before the due date of delivery.

6.5.7 Where there is a known likelihood of a premature birth, the conference should be held earlier.

ATTENDANCE

6.5.8 Those who normally attend an initial child protection conference must be invited, with the important addition of a representative of the midwifery services.

6.5.9 Parents or carers should be invited as they would be to other child protection conferences and should be fully involved in plans for the child's future.

6.5.10 Consideration must always be given to the attendance of a legal representative for Children's Social Care.

6.5.11 If a decision is made that the child needs to be made the subject of a child protection plan, the main cause for concern must determine the category of registration and the plan outlined to commence prior to the birth of the baby.

6.5.12 The core group must be established and meet if at all possible prior to the birth, and certainly prior to the baby's return home after a hospital birth.

6.5.13 If a decision is made to make the unborn baby subject to a Child Protection Plan, it will commence immediately, the child's name (or `baby`, if not known) should be added to the register at birth. The name and correct birth date must be notified to the Safeguarding Children Unit immediately following the birth.

6.5.14 The Safeguarding Children Unit will formally record the decisions, and estimated delivery date (EDD) of all pre-birth conferencing of the baby.

TIMING OF REVIEW CONFERENCE

6.5.15 The first review conference will be scheduled to take place within one month of the child's birth. This may be extended to two months with the written authorisation of the service manager if information from a postnatal assessment is crucial for a well-informed review conference.

6.6 PROVISION OF INFORMATION FOR AN INITIAL CHILD PROTECTION CONFERENCE

6.6.1 Written reports detailing relevant information, with a summary of child protection concerns, as well as family strengths, should be prepared by all agencies represented at the conference and **forwarded to the Chair at least 48 hours before conference**. Wherever possible, the standard pro-forma should be used (see Appendix 4)

6.6.2 Reports must be shared by the authors with parents 48 hours prior to the initial conference and five working days in advance of a review conference. The reports should distinguish between fact, observation, allegation and opinion. Wherever possible, evidence should be provided to substantiate statements made.

6.6.3 All written information for conference will be shared with the parents and other members. In cases where a child or young person is attending, careful consideration should be given as to whether or not written reports are shared.

6.6.4 The Social Care report should include the following:

- Details of the concerns and child protection enquiries.
- Background information i.e. chronology of significant events and agency and professional contact with the child and family.
- Observations about parenting ability.
- Information about child's health and development.
- Family strengths.
- The child's views, wishes and feelings.
- Views of parents/carers and other significant family members as appropriate.
- Analysis of risk.
- Recommendation about the need for a Child Protection Plan.

6.6.5 Other professionals should prepare their reports to conference detailing:

- Their involvement with the child and family
- Information about the child's health and development
- Capacity of the parents to safeguard the child's health and development, if they are able to comment
- Information about the family's strengths and areas of concern, including child protection concerns
- It is important that all professionals share their reports with joint members prior to the conference.

6.7 THE ROLE OF THE CHAIR OF THE CONFERENCE

6.7.1 The chair of the conference should be a professional who is independent of operational or line management responsibilities for the case and the status of the chair should be sufficient to ensure inter-agency commitment to the conference and the child protection plan. In Stockport, conferences are chaired by an Independent Reviewing Officer based in the Safeguarding Children Unit.

6.7.2 The responsibilities of the chair include:

- Meeting the parents/carers prior to the conference to ensure that they understand the purpose and the process of the conference. The chair will also ensure that they have copies of the reports.
- Ensuring that the conference is quorate, and if it is not, to make the decision as to whether, in exceptional circumstances, the conference should proceed. The chair will ensure this decision is recorded.
- Setting out the purpose of the conference to all present and emphasising the principle of confidentiality, with the conference context (See Appendix 5 – Agenda for Initial Child Protection Conference).
- Ensuring conferences adhere to Stockport’s Anti-Discriminatory Policy.
- Enabling all those present to make their full contribution to the discussion.
- Ensuring that contributions from people who do not attend are circulated to conference members.
- Ensuring that the conference takes the decisions required of it, in an informed, systematic and explicit way.
- Ensuring that, if a child is made the subject of a Child Protection Plan, Core Group members are identified, the Child Protection Plan is drawn up and a date set for the review conference and a date for the first Core Group.
- Arranging for a conference secretary to take and produce accurate minutes.

6.8 DECISION MAKING AT AN INITIAL CHILD PROTECTION CONFERENCE

6.8.1 The main actions and decisions to be made by the conference are:

- Whether a child needs to become the subject of a Child Protection Plan and if so, to do the following:
 - To record the category of abuse or risk
 - To formulate the Child Protection Plan
 - To formulate recommendations
 - To identify the designated key worker
 - To identify the Core Group members

- To specify the date for the review conference.

6.8.2 As outlined in *Working Together to Safeguard Children* the Conference should consider the following question when determining whether to make a child the subject of a Child Protection Plan:

- Is the child at risk of significant harm?
- The test should be that either:
 - The child can be shown to have suffered ill treatment or impairment of health or development as a result of physical, emotional or sexual abuse or neglect, and professional judgement is that further ill treatment or impairment is likely. Or,
 - Professional judgement, substantiated by the findings of enquiries in this individual case or research evidence, is that the child is likely to suffer ill treatment or the impairment of health or development as a result of physical, emotional or sexual abuse or neglect.

NB: A child can only be made the subject of a Child Protection Plan at an Initial conference. If there are other children who are already the subject of a Child Protection Plan, they can be reviewed at the Initial conference convened on another child in the household/family.

6.8.3 The child should be recorded as a child with a Child Protection Plan under the category of physical, sexual or emotional abuse or neglect

- The category/(s) used must indicate to those consulting the record of children with Child Protection Plans the primary presenting concerns at the time of the plan being agreed.
- Multiple categories should not be used to cover all eventualities, but it may, on occasion be appropriate to use more than one category if it is clear that the child is at risk of continuing significant harm to an equal extent.
- Emotional abuse should only be used as a second category if there is evidence of substantial concern.

6.8.4 When the decision is made to make a child the subject of a Child Protection Plan the following will be agreed at the conference.

- The category – to be decided by the chair
- The Child Protection Plan
- Additional Recommendations with timescales
- Name of designated key worker
- Identification of the Core Group members and date of first Core Group Meeting
- Date for completion of the Core Assessment
- Date of the Review Conference.

Dual Process

6.8.5 Where a child is made the subject of a Child Protection Plan and is looked after by the Local Authority at the same time, this is described as Dual Process. In such circumstances it is expected that the child would no longer be the subject of Child Protection Plan (or not given such a plan at all if it is the Initial Conference) and the child's protective needs should be met under the looked after procedures. In exceptional circumstances, where a Child Protection Plan is felt necessary, agencies should discuss this with the chair prior to the conference.

Purpose and scope of Dual Process

6.8.6 This procedure deals with children subject to the dual planning of a Child Protection Plan and who are looked after at the same time. This is referred to as Dual Process. The procedure is to standardise the approach in dealing with Dual Process.

Context

6.8.7 A Child Protection Plan involves a child living in the community who is deemed to be at risk of significant harm. A formal Protection Plan is agreed by professionals to support the child and his /her family so the risks can be managed and reduced. The Outline Plan is agreed at a child protection conference and is then built on and monitored through regular meetings (Core Groups).

6.8.8 The procedures underpinning Child Protection Plans are set out in *Working Together* and the Safeguarding Children policies and procedures.

6.8.9 The term looked after refers to children who are usually placed away from home by the Local Authority in a residential establishment, foster placement or with a relative or friend. A child can be placed away from home either through a voluntary agreement with the parent (Section 20 Children's Act 1989) or by an order of the court (Section 38 Interim Care Order when court proceedings are on-going) and (Section 31 when a final Care Order is made). Children placed at home with their parents are only classed as looked after if they are subject of an Interim or final Care Order.

6.8.10 It is expected practice within the Authority that where a child is the subject of Child Protection Plan and is or becomes looked after, the outstanding protection needs of the child can be managed through the looked after children review system. Both systems operate and are managed through the Safeguarding Children Unit.

6.8.11 When a child who is subject to Child Protection Plan becomes looked after it is expected that the child will be removed from that plan at the next child protection review. The review will ensure that sufficient safeguards are in place such as frequency of meetings, inter-agency liaison and access to relevant police information to be included in the care plan of the child, which will then be reviewed through the Looked after children process. This plan should be endorsed by the relevant Team Manager and agencies involved with the child. Where it is required, it will be recommended that the Core Group identified at the child protection conference continue to meet and contribute to the overall care plan for the child.

6.8.12 However, there may be some exceptional circumstances where Dual Process is appropriate, for instance where a child becomes accommodated under Section 20 and is likely to return home in the near future.

Resolving Professional Agreement

Dissent at enquiry stage

6.8.13 If the professionals concerned are unable to resolve their differences within an acceptable time scale for both of them, their respective line managers must immediately be invited to consider the issues.

Difficulties will require a Children's Social Care Team Manager liaising with his/her equivalent in the relevant agency e.g. a Detective Sergeant in the FSU, a Senior Health Visitor/ Nurse/ GP.

6.8.14 If agreement cannot be reached following discussions between the above `first line` manager (if necessary taking advice from designated/named/lead officers), the issue must be referred without delay through the levels of accountability to the equivalent of Service Manager/ Detective Inspector/ Head Teacher or designated professional.

6.8.15 Records of discussion must be maintained by all the agencies involved.

Dissent of Child Protection Conferences

6.8.16 The chair should enable those present at the conference to reach agreement on decisions if at all possible. If there is dissent over the question of whether a child should be subject to a Child Protection Plan then the following should apply:

- The chair will be the final arbiter after giving due consideration to the views of the representatives from the statutory agencies, particularly those with lead responsibility and involvement in the Core Group.
- Dissent to the decision to develop a Child Protection Plan or not as expressed by particular agencies should be clearly recorded.
- If a professional concludes that a conference decision places a child at risk, he/she must seek advice from his/her named or designated or lead professional or manager.

6.8.17 If the named designated lead professional or manager believes that the decision reached by the chair places a child at (further) risk of significant harm, it is expected that she/he formally raises the matter with the Custodian of the list of cases of children with child protection plans. The Custodian will liaise with the conference chair and either:

- uphold the decision reached by the conference chair or
- require that the conference be re-convened.

6.8.18 This decision will be recorded and put in writing to all those invited to attend the conference within 28 days.

Deferred Decision on whether a Child Protection Plan is needed

6.8.19 In exceptional circumstances a decision can be taken to defer a decision about a Child Protection Plan. This should not be used to avoid a difficult decision but in the event of a crucial piece of information not being available. The deferment should be as short as possible and no longer than four weeks.

Dissent regarding the implementation of the Child Protection Plan

6.8.20 Concern or disagreement may arise over another professional's decisions, actions or lack of actions in the implementation of the Child Protection Plan, including Core Group meetings. The line managers of the professionals involved should address these concerns in the first instance.

6.8.21 If agreement cannot be reached following discussions between the above `first line` managers (if necessary taking advice from designated/ named/ lead officers), the issue must be referred without delay through the levels of accountability to the equivalent of Service Manager/ Detective Inspector/ Head Teacher or designated professional. Records of discussions must be maintained by all the agencies involved.

Where Professional differences remain

6.8.22 If professional disagreements remain unresolved, the matter must be referred to the heads of service for each agency involved.

6.8.23 In the unlikely event that the steps do not resolve the issue described previously and/or the discussions raise significant policy issues, it may be helpful to refer the matter to Safeguarding Children Board policy and practice sub-committee.

Decision that a Child Protection Plan is not needed

6.8.24 In the event of no Child Protection Plan being required, the conference should consider whether the child might still require help to promote his/her health or development. If so, the conference should transfer the case to the Child In Need process, and ensure arrangements are in place to consider, with the family, what assistance may be needed. A Child In Need meeting should be held within 15 working days and this will be monitored by the Common Processes Team. It may still be appropriate to continue with a core assessment of the child's needs to help identify what support may be required. If further concerns arise following the conference, these must be conveyed to Children's Social Care and consideration given to convening another Initial case conference.

6.9 ADMINISTRATION ARRANGEMENTS AND RECORD KEEPING FOR INITIAL CHILD PROTECTION CONFERENCE

- 6.9.1 The Safeguarding Children Unit will be responsible for the production and distribution of the minutes of child protection case conferences
- 6.9.2 The minutes will be provided within 15 working days to all those who attended or were invited to the conference.
- 6.9.3 Child protection case conference minutes are strictly confidential to its constituent members. They should not be disclosed to third parties without the permission of the conference chair or the key worker.
- 6.9.4 However, in cases of criminal proceedings, the Police may reveal the existence of the notes to the Crown Prosecution Service in accordance with the Criminal Procedure and Investigation Act 1996.
- 6.9.5 Child protection case conference minutes and reports should be retained by the recipient agencies and professionals in accordance with their record retention policies.
- 6.9.6 Children's Social Care retain conference records for 75 years.

6.10 FORMULATION OF THE CHILD PROTECTION PLAN

6.10.1 When a child becomes the subject of a Child Protection Plan, it is the responsibility of the conference to formulate the Child Protection Plan in as much detail as possible: this should enable the family and professionals to understand exactly what is expected of them and what they can expect from others.

The core group of workers will use the Child Protection Plan with the family at the first Core Group meeting which must be held **within 10 working days** of the initial conference.

6.10.2 The aim of the Child Protection Plan is to:

- Safeguard the child from further harm
- Promote the child's health and development
- To support the family and wider family members to promote the welfare of the child provided that it is in the best interests of the child.

6.10.3 The Child Protection Plan should set out what work needs to be undertaken, the reasons for this work, who is responsible for undertaking it and the agreed timescale.

6.10.4 The Core Group is responsible for reviewing and updating the plan. The following areas are to be considered when drawing up the plan:

- Identification of risks to the child and means of protection.
- Identification of what needs to change to reduce the risk of significant harm.
- A description of the identified needs of the child and what services are required
- Ethnic/cultural/religious consideration e.g. necessity of an interpreter or significant religious festivals to avoid.
- Issues arising from any disability, including any communication difficulties.
- Identification of actions to promote the child's health and development.
- Identification of actions to support the family and wider family members in promoting the welfare of the child.
- A clear identification of roles and responsibilities of professionals and family members.
- The nature and frequency of contact with the child and the roles and responsibilities of professionals including specialist resources.
- Identification of what further core and specialist assessment is necessary to assist in judgements about safeguarding and promoting the welfare of the child.
- Identification of who (including family members) will be responsible for what actions, taking into consideration the wishes and feelings of the child.
- A consideration of the views of the parents, insofar as this is consistent with the child's welfare.
- Establishment of specific short term and long term aims and objectives.
- Identification of time scales for the objectives to be achieved.
- Identification of measurements for success (how will the family and professionals know there has been change) and how this relates to the assessment of risk.
- Lay down points at which progress will be reviewed, noting specific dates and the means by which that progress will be judged.
- Consideration of a contingency plan if circumstances change quickly, or if insufficient change occurs.
- The key worker must ensure that a record of the Core Group meetings is made and formulate the detailed Child Protection Plan for all parties to sign.
- The Plan should be constructed with the family in its preferred language wherever possible.

6.10.5 Copies of the notes and the Child Protection Plan must be circulated to Core Group members **within 10 working days** of the Core Group meeting. The signed copy of the Plan must be returned to the key worker **within another 5 working days**.

6.10.6 Any dissent about the plan, by family or professionals, must be recorded with reasons.

6.10.7 The family must be told about their right to complain and the procedure for doing so.

6.10.8 “All members of the Core Group have equal ownership of, and responsibility for, the Child Protection Plan, and should co-operate to achieve its aims”. (*Working Together, 2006*).

6.11 PARTICIPATION OF CHILDREN AND YOUNG PEOPLE AT CHILD PROTECTION MEETINGS: POLICY AND PROCEDURE

“**Working Together to Safeguard Children 2006**” requires Local Authorities to take steps to actively consider the attendance of Children and Young People at Child Protection Conferences. (Working Together Paragraphs 5.82,5.84,5.128)

POLICY

Principles

Children and young people should, where they are able and when the experience will not be detrimental to them as individuals, be active participants in meetings making decisions about their lives.

Children and Young People’s participation should be promoted at Initial and Review Child Protection Conferences, and at Core Groups formulating and reviewing the Child Protection Plan. Meeting attendance will only be appropriate for some young people but their views must always be included.

Decisions to invite children and young people to attend conference should be based on the likelihood that their attendance be a positive experience.

Fundamental to the attendance of children and young people will be preparation, a sensitive process and post conference support.

In considering attendance at a Child Protection Case Conference the young person’s race, gender and culture should be considered and how any of these may affect their attendance. Any disability of the young person also needs to be considered and steps taken to ensure their opportunity to participate fully.

Young People’s Views

Young people were consulted in relation to their involvement in conferences and after experiencing a mock conference stated the following:

- It is important for them to be there and hear what is said about them.
- It was difficult at times to say what they wanted, especially when a parent was angry.
- They needed to be involved in the Child Protection Plan as they knew what would work at home.
- The meeting was boring at times and it was probably better just to be there for part of it.
- It was difficult to remember who everyone was and photographs beforehand might help.
- Pictures in the conference room would make it friendlier.

Professionals learnt from young people that:

- They need to keep the language clear both written and spoken and avoid jargon.
- Advocacy and good support for a young person will be essential.
- The Chair needs to allow plenty of time to talk to the young person before and after the meeting.
- Managing the meeting will be challenging and will need careful preparation and effective working together.

PROCEDURES

It is impossible to set precise criteria for the attendance of children and young people at conferences. In determining the decision, the following should be considered as well as the guide for children attending conference. (appendix A).

Factors To Be Considered When Inviting Children And Young People To Attend Child Protection Case Conferences And Reviews

1. Nature Of Participation

Participation does not necessarily equate with attendance throughout the conference. Alternatives may be partial attendance, video, text, consultation document, email to the chair, letter or drawn material.

2. Age

Given the inevitable differences between young people's levels of maturity and ability to benefit from attendance at Case Conferences there can be no prescribed age format. However, the following should be considered:

- a) Consideration should be given to young people between the ages of eleven to thirteen to attending (Year 7 to Year 8).
- b) From fourteen years to fifteen years young people should be invited unless there are clear reasons why this should not be the case.(Year 9 to Year 10)
- c) Over the age of sixteen years young people would have a right to attend unless exceptional reasons exist. (Year 11 plus)

In general it is considered that children under eleven should not attend and their views should be represented by other methods. (Year 6 and below).

3. Assessment

Once a referral has been received by the Early Intervention Team and a decision is made to call a Case Conference consideration needs to be given to whether a child or young person wishes to attend. If they are not attending consideration is needed as to how their views are going to be obtained.

Young people need to be fully informed of the purpose of a Case Conference, the procedure and their potential role in the meeting. Careful consideration should be given where there is any conflict between the interests and wishes of the young person and parents. A parent should not be in a position to veto the young person's attendance. In such circumstances it may be appropriate that they attend different parts of the conference. Having considered all of the

above further assessment using the tool in Appendix A will be required and the Social Worker will need to consider;

- a) the level and maturity of the child or young person
- b) the issues that led to the conference being convened
- c) the Young Person's ability to benefit from attendance at the conference

Any assessment of the appropriateness of the attendance of the young person should seek to consider the views of those people or professionals who have direct knowledge of the relevant issues e.g. teacher, health professionals.

If young people are to attend consideration will be given to scheduling the meeting at an appropriate time. However, it must be acknowledged that this is not always possible and agencies must be prepared to facilitate and support the young person's attendance.

The final decision to extend an invitation to a child or young person should be based on agreement between Social Worker and the relevant Chair of the conference who have considered all the factors above.

NO YOUNG PERSON SHOULD ATTEND A CONFERENCE WITHOUT THE CHAIR BEING MADE AWARE BEFOREHAND.

4. Representation Of Young Person's Views

Where an invitation to a Child Protection Conference is extended to a child and they elect not to attend or if it is not felt appropriate due to age or other factors then discussions need to be held about how the Social Worker will obtain their views.

It will be an expectation that the views of any child aged 4 years plus who is the subject of a Case Conference are represented.

It is essential that the child or young person is confident their views will be accurately and appropriately expressed. Awareness in relation to this will obviously increase with age. The representation role would generally be undertaken by the Social Worker but consideration with the Young Person, should be given to other professionals who may more effectively fulfil this role. The Young Person should be clear about what will be said on their behalf, what other information will be shared and who will hear it.

Anyone representing the views of a young person should be clear in the meeting about when they are representing the child and when they are carrying out their own professional role.

If a young person is not attending, as well as a professional obtaining their views there are also a variety of other methods which young people may prefer i.e. text (technology will hopefully be available for this to occur in the near future) video diary, email, drawing, consultation form.

Children and young people's views will be clearly minuted in conference reports.

5. Preparation for attendance

Preparation of the young person for attendance at a case conference is essential if they are to benefit from attendance. Consideration of who is most appropriate to undertake the work to prepare the young person should take place. Normally this would be the Social Worker but the young person may choose another adult (who has a working knowledge of the process of child protection meetings) because of a positive relationship with the young person. The Social Worker will discuss with the young person and identify the appropriate person or worker to support. If it is another person the Social Worker will approach them as soon as possible. The child is not responsible for organising their own support. An independent advocacy service is being developed and will be available within the next few months to prepare and support young people wishing to attend Conference.

6. Support For Young Person Attending Conference

Discussions should take place about the possibility of them being accompanied by an adult of their choice who could offer them support during the Case Conference. The Social Worker will be expected to bring the young person and support them afterwards and take them home or to make sure this task is undertaken by the chosen supporter. The young person must not make their own arrangements.

Process of the Case Conference/Review

The Chair of the Case Conference will have additional responsibility to meet with the young person immediately before the meeting (as they currently do with parents). This should be a joint meeting with parent and child unless reasons exist why this should not be the case. In addition they should ensure that the meeting proceeds in a manner that is appropriate and sensitive to the needs of the young person e.g. that the language used is appropriate to the young person's age and understanding. Chair will agree whether the young person will be present for all or part of the meeting.

1. Reports

It is essential that any written information to be presented at the Conference should be available and that the professionals share the content with young people prior to the meeting. The expectation is that Social Workers will prepare the young person before the conference and ensure that they go through their report at least 2 days before the conference. It is especially important that the Reviewing Officer receives the report in good time to ensure their preparation.

2. Confidentiality

Young people who are involved in the Child Protection process should be party to information that is necessary for them to protect themselves. Confidentiality of other members of the family must be considered as it may not be appropriate for a young person to hear information regarding either siblings or adults in the family. The Chair of the conference will have to meet with the child's parents beforehand to ascertain if there is any information which the child will be unaware of. **The Young Person should not hear new information about their family or themselves at the conference.**

3. Agenda

If the young person has expressed a wish to attend an alternative agenda will be provided to make the conference more child friendly. (Appendix B).

4. Size of Meeting

In order that the young person is not intimidated by a large number of professionals being present, only be those professional who need to attend will be present. No observers will be given permission to attend. Social Worker will have to consider who will support the young person and represent their views if necessary.

4. Decisions of the Case Conference/Review

Whether or not the child/young person attends they should be given full information regarding the decisions and recommendations that affect them. Young people will be given their own version of minutes. Social Worker needs to ensure that the young person understands the importance of confidentiality of information and explore whether the young person has a suitable place to keep them safe.

Post Case Conference Responsibilities

After the conference the young person will be debriefed by the Chair to ensure that they understand what's happened, clarify any issues, inform them of their rights and what will happen next. Social Worker or young person's supporter will be present during the debriefing meeting.

It is hoped that every young person that attends will be given a card from Kooth.com which will give them instant access to a counsellor. This will provide ongoing support that the young person can access to their own requirements.

Process for Core Group

The young person will be encouraged to attend core group meetings and to make a full contribution to The Detailed Child Protection Plan.

As the core group meeting is smaller and less formal the child/young person may be less intimidated.

1. Preparation

The key worker will be responsible for making sure that the young person knows what will be discussed at the meeting and what contribution the young person is expected to make.

2. Non Attendance

If the young person chooses not to attend the meeting, the key worker will be responsible for ensuring that the young person's views are given to the meeting. It is especially important that the core group knows what the young person wants to change, how this is to take place and who will undertake the action.

3. Detailed Child Protection Plan/Core Group Minutes

The young person should be given a copy of the Detailed Child Protection Plan. It is the key workers responsibility to make sure the young person understands the detailed plan and that the young person agrees with it. Issues around confidentiality and storage remain as before.

4. Timing of Meetings

If the young person is to attend the core group meeting it needs to be held at a time and place that is appropriate for the young person.

**APPENDIX A: MAKING DECISIONS ABOUT A CHILD
OR YOUNG PERSONS ATTENDANCE AT CHILD
PROTECTION MEETINGS**

About the child

| Actions to consider when a child attends ← | Factors which would support attendance | Factors that would mitigate against attendance. | Actions to consider when a child does not attend to enable participation → |
|--|---|---|--|
| Using an advocate to attend with the child who can support him/her or video link/recording or drawing | Child is in year 7 or above | Child is still at Primary school. | Use a video/audiotape to allow child to answer or ask questions about the process. Texting the chair |
| Asking the child to nominate an adult friend | Is expressing a wish to attend | Is expressing a wish not to attend | Encourage the child to draw or write about their thoughts and feelings |
| Limiting the number of professionals at the conference | Shows a good understanding of language | Has limited understanding of language | Use a semi-structured questionnaire to ensure the child can comment about the process |
| Inviting the child/young person to attend part of the conference | Can read at an age appropriate level | Finds reading/ written information overwhelming | Provide support to help the child understand the information |
| DO use the information leaflet for children | Has some understanding of cause and effect | Has difficulties understanding cause and effect | |
| DO ensure that the child/young person is adequately prepared | Does not feel that he/she is totally to blame for the problem | Blames him/herself | |
| Do ensure that it is an empowering experience and the child understands that the process is not about blame | Does not feel afraid of any adult who will be present | Shows fear/anxiety of adults involved | Do ensure that it is an empowering experience and the child understands that the process is not about blame |
| | Child is emotionally mature | Child is socially or emotionally immature | |

| | | | |
|--|--|--|--|
| | | There is evidence of emotional distress/depression including: weepiness, sleep problems, clinginess, eating problems, toileting problems | |
| | | There is evidence of attachment problems | |
| | | Child has serious mental health problems which are likely to be increased by the information given at the conference | If child wishes to attend check out with mental health specialist |





About the
abuse/neglect

| Actions to consider when a child attends | Factors which would support attendance | Factors that would mitigate against attendance | Actions to consider when a child does not attend to enable participation |
|---|--|--|--|
| Allowing the child to make a written statement to be read at the conference | The abusive incident occurred outside of the family | The abusive incident involved both parents | Use techniques to ensure that the child can give an accurate account of the abuse as they see it |
| Make arrangements for the child to have some time in and out of the conference | The incident is a single incident of alleged physical abuse | There is evidence of several incidents of physical abuse | Ensure that the child can express their fear/feelings about the alleged abuse. |
| Make sure that child does not hear information which is inappropriate | The incident involves physical neglect with no evidence of emotional neglect | The alleged abuse has occurred in the context of emotional abuse, involving a high level of criticism and low warmth | Help the child to think about what will help them to be or feel safe in the future |
| Offer the child the opportunity to talk/read out information while parents are not present | The incident involves child to child abuse and the parents believe the child | The incident involves sexual abuse and the perpetrator is to be present at the conference | Help the child to understand why the incident might harm them |
| Ensure that the information given by professionals is done so in a way which is empowering/supportive to the child | The incident involves sexual abuse and the alleged perpetrator remains in the home and the child is over the age of 12 years | | Help the child to understand that it is the abusive act that professionals are worried about or consider to be wrong |

About the family

| Actions to consider when a child attends | Factors which would support attendance | Factors that would mitigate against attendance | Actions to consider when a child does not attend to enable participation |
|--|---|---|---|
| ← | _____ | _____ | → |
| Consider child's attendance in light of all other elements | Parents do not blame the child | Parents blame the child | Consider other ways of child participating |
| | Parents are expressing a wish to work with services | Parents have a history of verbal or physical aggression towards professionals | |
| | Parents are warm in their relationship with the child | The alleged abuser remains in the home | |
| | | Parents are known to have mental health problems | |
| | | Parents are known to the police | |
| | | Domestic Violence within the home | |
| | | Alcohol/substance misuse in the home | |

About the conference

| Actions to consider when a child attends  | Factors which would support attendance  | Factors that would mitigate against attendance  | Actions to consider when a child does not attend to enable participation  |
|--|--|--|--|
| Suitable room with refreshments and magazines | There are a small number of professionals present | Many agencies will be present | Ensure child views represented (see previous sections) |
| Professionals to use child friendly language | The conference is to be split into sections | It will be difficult to organise the conference | |
| Professionals to explain their roles | The professionals are confident that there is no third party information to be disclosed to the child | There is considerable police and other third party information | |
| Professionals to be mindful of the child's emotional state throughout the conference | The issues to be presented is easy to understand | The information to be presented is complex | |
| Child to leave conference if disagreement arises which may distress the child | There is a fair amount of agreement between the professionals and parents | Professionals and/or parents are likely to disagree | |

