**Annex A: Local authority social work evidence template**

PLEASE NOTE: This document has been developed by ADCS and Cafcass and is not owned by the DfE

**Local Authority Social Work Evidence Template**

**Under the Public Law Outline. This version released 11th February 2014.**

**[Name]**, **Social Worker**

**Name of Local Authority**— **[Address]**

|  |  |  |  |
| --- | --- | --- | --- |
| **Name of child** | **Date of birth** | **Child’s current carer** | **Child’s current legal status** |
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**N.B**. Using the child(ren)’s photograph(s) on this page can assist all those involved in the court case to be able to constantly visualise the child(ren) in question. The local authority must obtain consent to the use of a photo/s if it does not have parental responsibility.

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1. About this template

**For those completing the social work template:**

* The social work template should be submitted with the C110A application.
* All documents such as assessments should be filed or served in accordance with the Public Law Outline.
* The social work template 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 in accordance with s1(4) of the Adoption and Children Act 2002, if a Placement Order is being sought.
* This template must be completed to include all the children subject to this application.

*Further information about the template is available in Section 14, ‘Guidance for completing the local authority social work template’.*

2. Case details  
 **2.1 Family composition**

This section should include family members and relationships, especially the primary carers and significant adults/other children and should specify the relationship in respect of each child subject to the application.Please set out the family members' full names, their dates of birth and their current addresses.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Name** | **Relationship** | **Parental Responsibility** | **DOB** | **Nationality** | **Ethnicity** | **Address** |
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**2.2 Genogram**

Include known family members and their relationship to each child

Include all other relatives

**Key:**

Female

Male

3. Social Work Chronology

|  |  |  |
| --- | --- | --- |
| **Date** | **Event or sequence of events** | **Significance** |
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4. Threshold Analysis

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| --- |
| **4.1 The social work analysis of the harm the child (or each child) has suffered and/or the risks the child faces, including the events that led to the application** |

|  |
| --- |
| **4.2 The outcome and analysis of local authority involvement in relation to the concerns in above, including why a Court Order is felt to be necessary** |

|  |  |  |  |
| --- | --- | --- | --- |
| **4.3 The outcome and analysis of the involvement of other professionals with the family** | | | |
| **Organisation** | **Description of involvement or service offered** | **Dates of involvement** | **Suitability and effectiveness of involvement** |
|  |  |  |  |
|  |  |  |  |
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5. Case Management Analysis

|  |
| --- |
| **5.1 Analysis of the timetable for the child (or each child) in relation to these proceedings** |

|  |  |  |  |
| --- | --- | --- | --- |
| **5.2 Any proposed further assessments & interventions (with reasons and relevance)** | | | |
| **Assessor/ Service** | **Reasons and relevance of the proposed Assessment/Intervention/Treatment Programme** | **Dates** | **Timescale for Letter of Instruction** |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

|  |
| --- |
| **5.3. Any proposed Directions** |
| **On issue:** |
| **At the Case Management Hearing:** |

|  |
| --- |
| **5.4** **Any steps needed to provide services, such as translating and interpreting where required, in order to support the capacity of any party to understand and participate in the litigation** |

6. Analysis of Parenting Capability

|  |
| --- |
| **6.1 Analysis of each parent’s capability to meet each child’s needs, including analysis of any capability gap and whether this can be bridged in the child’s timescale** |
| **Mother** |
| **Father** |
| **Other adult with parental responsibility** |

7. Analysis of wider family capability

|  |
| --- |
| **7.1 Analysis of wider family capability to meet each child’s needs and the support available to them** |

8. Child impact analysis (make specific references to each child)

|  |
| --- |
| **8.1 Analysis of the child’s daily life and experience at the time harm was identified** |

|  |
| --- |
| **8.2 Any continuing risks of maltreatment or impairment of development to the child plus any factors which are helping and supporting the child** |

|  |
| --- |
| **8.3 Analysis of the child’s welfare and development needs, in the short-term and in the longer-term** |

|  |
| --- |
| **8.4 The child’s wishes and feelings and how identified** |

|  |
| --- |
| **8.5 The child’s own statement (where applicable)** |

9. The proposed care plan

**9.1 Table of realistic placement options**

Add additional tables for each child in a sibling group

|  |  |  |
| --- | --- | --- |
| **Child** | **First realistic option: [please describe option]** | |
| **Factors in favour** | **Factors against** |
|  |  |  |
|  | **Second realistic option: [please describe option]** | |
| **Factors in favour** | **Factors against** |
|  |  |
|  | **Third realistic option: [please describe option]** | |
| **Factors in favour** | **Factors against** |
|  |  |

|  |
| --- |
| **9.2 The preferred and proposed placement option for each child, with the reason/s provided** |

**9.3 The Contact Plan**

The contact plan must be kept under review as circumstances change.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Child** | **Contact with** | **Relationship to child** | **Brief rationale for the level of contact proposed** | **Level of support/supervision** | **Frequency and duration** |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

|  |
| --- |
| **9.4 The rest of the care plan**  Include education, health and other plans for each child which taken together make the overall care plan |

**9.5 What support for the care plan as a whole will be put in place and who will provide this support?**

10. Views and issues raised by other parties (where known)

|  |
| --- |
| **10.1 Mother’s position (where known)** |

|  |
| --- |
| **10.2 Father’s position (where known)** |

|  |
| --- |
| **10.3 Position of wider family members (where known)** |

|  |
| --- |
| **10.4 Position of any other parties or significant others (where known) e.g., the Independent Reviewing Officer (IRO)** |

11. Update

This update is only suitable for minor changes. A new template should be completed when there have been major changes

|  |
| --- |
| **List of minor changes** |

12. Statement of procedural fairness

|  |
| --- |
| **12.1 How has the Local Authority been clear in its communications, transparency and disclosure/s of its concerns to mother, father and wider family members?** |

13. Statement of truth, professional title, qualifications and signature

“I declare that the facts I have listed are true to the best of my knowledge and that as far as matters of opinion are concerned, they are my professional judgement*”*

Signed ………………………………………………… Dated …………………………………………

**Name and Professional Title:**

**This document is confidential and contains sensitive information. It should not be disclosed without permission of the court. Data protection standards must always be complied with.**

14. Guidance for completing the local authority social work evidence template

1. This template is aligned with the Public Law Outline and the court application form C110A. Once published, following any changes made as a result of consultation, the template will be available to download on the DfE, MOJ, ADCS and Cafcass websites. The template covers all pre-proceedings evidence. The updating section (11) may be completed for the Issues Resolution Hearing (IRH) and/or the Final Hearing if changes are minor. A new template should be produced if changes are major. In the final version for publication, cross referencing to the Public Law Outline and the C110A will be inserted into the template.

**COMPLETION OF THE SOCIAL WORK TEMPLATE**

1. It is one template per family, not one per child. The template allows for the common issues for all children in a family to be recorded, as well as for the distinct issues for each child to be set out. Each section within the template should be completed with a small number of dot points or a small number of paragraphs. The template has the status of 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 10.
2. Each section of the template has to take account of the relevant welfare checklist (see below at points 17 and 18). 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.
3. 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.
4. A case analysis can be strengthened by using well-validated tools such as a recognised parenting scale or emotional availability scales, for example. Such tools can support and strengthen the accuracy of evidence, if used appropriately.
5. 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**

1. The chronology (in section 3) 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 significance.
2. The threshold analysis (in section 4) 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 that level of risk.
3. A child impact analysis (in section 8) 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.
4. The care plan, including the placement and contact framework (in section 9) covers how the local authority proposes a child can best be given the security, stability and care she or he needs, both in the short-term and for the rest of their childhood.

**PRE-PROCEEDINGS**

1. Pre-proceedings work 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 care a child receives should be set out. Depending on the severity of the parent/s problems, the help offered needs to be intensive and should be the best local programme possible to meet the mix of problems a 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 an evidence base for the standard and level of parenting accumulates.
2. 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 family group conference which involves all potential alternative family carers. Parents should be supported to engage with their wider family in this way, even if they intend to contest the local authority application. The local authority should resource any advocacy one or both parents need in order to participate. They should also carry out viability assessments of each alternative family carer identified.
3. 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 support services set out in a written agreement, 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**

1. The social worker must evaluate all realistic options for the child’s future. The advantages and disadvantages of each option should be listed, with reasons for the preferred option highlighted and analysed.
2. The proposed care plan for the child should be the one most likely to achieve permanence. 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 were 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**

1. 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**

1. 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:
2. The ascertainable wishes and feelings of the child/children concerned (considered in the light of his/her/their age and understanding);
3. His/her/their physical, emotional and educational needs;
4. The likely effect on him/her/them of any change in his/her/their circumstances;
5. His/her/their age, sex, background and any characteristics of his/hers/theirs which the court considers relevant;
6. Any harm which he/she/they has/have suffered or is/are at risk of suffering;
7. 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;
8. The range of powers available to the court under this Act (Children Act 1989) in the proceedings in question.
9. The full Adoption and Children Act welfare checklist, to be used 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):
10. the child’s ascertainable wishes and feelings regarding the decision (considered in the light of the child’s age and understanding),
11. the child’s particular needs,
12. 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,
13. the child’s age, sex, background and any of the child’s characteristics which the court or agency considers relevant,
14. any harm (within the meaning of the Children Act 1989 (c. 41)) which the child has suffered or is at risk of suffering,
15. 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
    1. the likelihood of any such relationship continuing and the value of the child of its doing so,
    2. 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,
    3. the wishes and feelings of any of the child’s relatives, or of any such person, regarding the child.

**Annex B- Public Law Outline Flow Chart (26 weeks)**- To be updated before publication

**Initial Referral**

Legal Planning meeting

*LA child protection plan*

**Pre-**

**proceedings**

Connected person’s and Special Guardianship Order Assessments

*Letter before proceedings*

*(legal aid trigger) followed*

*by pre-proceedings meeting*

*or*

*immediate issue (alert*

*Cafcass)*

**By Week 20**

**or earlier**

**By Day 12**

Stage 1

Issue & allocation

S31 application and

annex docs copied to

Cafcass. May include

arrangements for contested

ICO/ISO

Listing of possible

contested hearing

**Day 1**

***By Day 2****: serve docs on parties,*

*allocate proceedings, appoint*

*CG& child’s solicitor (litigation*

*friend If needed), court gives std*

*directions*

*Experts letter of*

*instruction*

Connected Person’s and Special Guardianship Order Assessments (if required)

*Conduct contested*

*ICO/ISO if not already*

*held*

Stage 2

Case Management Hearing (CMH)

*Court gives case*

*management directions*

If required, Further Case

Management Hearing

(FCMH) –

ASAP and not later than

week 4 and by day 20

*Consider possible*

*extensions. Record*

*in CMO*

**If required**, Fact Finding

hearing

*Issue CMO*

*Timetable for the child*

*(LA and CG input).*

*Timetable for the*

*proceedings.*

*Cafcass final*

*case analysis*

Stage 3

Issues Resolution Hearing (IRH) which could also become the Final Hearing

*Final Case Management*

*directions including*

*Extensions court issues*

*CMO*

**By Week 26**

**or earlier**

Final Hearing (FH)

If necessary

*Output*

PLO stage

FGC: Family Group Conference CG: Children’s Guardian

CMO: Case management order ICO: Interim Care Order ISO: Interim Supervision Order

Note: The court may give directions without a hearing, including setting a date or period for the FH. Reference to Cafcass includes CAFCASS CYMRU

**Early work with the family to try to avoid proceedings, including family group meetings, should have taken place prior to the legal planning meeting**

**Immediate decision to apply for a Care/Supervision Order**

**Local Authority social worker meets with Local Authority legal advisers**

**eg: legal planning meeting**

**Pre- proceedings Flow chart**

**Decision to apply for a Care/Supervision Order agreed in**

**principle, but level of urgency of Local Authority concerns**

**does not require immediate application**

**Threshold**

**not met**

**Social work team manager issues a**

**‘Letter before Proceedings’**

**Intervention**

**continues**

**with updated**

**Child plan, ie:**

**Child in Need,**

**Child Protection,**

**or Looked After**

**Child Care Plan**

**If unsuccessful, legal**

**planning meeting**

**held** **and decision immediately**

**to issue application**

**Meeting with social worker, manager, parents and**

**parents’ legal representative to discuss ‘Letter before**

**Proceedings’ and as far as possible, agree further**

**action to safeguard the child**

**Collate documents to be disclosed from**

**Local Authority files, prepare documents**

**for court proceedings**

**Parents and their legal representatives provided with a**

**new plan for the child setting out what the parents and**

**Local Authority will do to safeguard the child and**

**what action will be taken by the Local Authority to**

**safeguard the child if this is not followed**

**Plan reviewed and explained, the timing of which is in**

**accordance with the needs of the child. Written**

**outcomes to be sent to all parties and orally**

**reiterated to parents**

**Application for a Care or Supervision**

**Order**

**If successful**

**Annex C: Template for Letter Before proceedings**

**PLEASE DO NOT IGNORE THIS LETTER TAKE IT TO A SOLICITOR NOW**

**Office Address Contact**

**Direct line**

**My ref Fax**

**E-mail Date**

Dear [parent and/or full name(s) of all people with parental responsibility]

**Re: [insert name of Local Authority] CONCERNS ABOUT [insert name(s) of child(ren)] –**

**LETTER BEFORE PROCEEDINGS - HOW TO AVOID GOING TO COURT**

I am writing to let you know how concerned [name of LA] have become about your care of your child/ren. I am writing to tell you that [name of the Local Authority] is thinking about starting Care Proceedings in respect of [name(s) of child(ren)]. This means that we may apply to Court and [name(s) of child(ren)] could, if the Court decides that this is best for him/her/them, be taken

into care.

We are so worried about your child/ren that we will go to court unless you are able to improve things. There are things you can do which could stop this happening. We have set out in this letter the concerns that we have about [name(s) of child(ren)] and the things that have been done to try to help your family.

**AN IMPORTANT MEETING ABOUT WHAT WILL HAPPEN NEXT**

Please come to a meeting with us to talk about these concerns on [date and time] at the [insert name of office]. The address is [address] and there is a map with this letter to help you find it. Please contact your social worker on [[tel.no](http://tel.no).] to tell us if you will come to the meeting

At the meeting we will discuss with you and tell you what you will need to do to make your child safe. We will also talk to you about how we will support you to do this. We will also make clear what steps we will take if we continue to be worried about [name(s) of child(ren

**PLEASE BRING A SOLICITOR TO THE MEETING ON [insert date]**

Take this letter to a solicitor and ask them to come to the meeting with you. The solicitor will advise you about getting legal aid (free legal advice). We have sent with this letter a list of local solicitors who work with children and families. They are all separate from children’s services. You do not have to bring a solicitor to the meeting, but it will be helpful if you do.

Information your Solicitor will need is:

Local Authority Legal Contact: Name, Address & Telephone:

**WHAT WILL HAPPEN IF YOU DO NOTHING**

If you do nothing we will have to go to Court. If you do not answer this letter or come to the meeting, we will go to Court as soon as we can to make sure [name(s) of child(ren)] are safe.

**YOUR WIDER FAMILY**

Our concerns about [name(s) of child(ren)] are very serious. If we do have to go to Court and the Court decides you cannot care for your children, we will first try and place them with one of your relatives, if it is best for your child to do this. At the meeting we will want to talk to you and your solicitor about who might look after your child if the Court decides that it is no longer safe for you to do so.

We look forward to seeing you at the meeting with your solicitor on [date]. If you do not understand any part of this letter, please contact your social worker [name] on [tel. no.]. Please tell your social worker if you need any help with child care or transport arrangements in order to come to the meeting, and we will try to help.

**Yours sincerely [name]**

**Team Manager Local office/service**

Cc: Social Worker [name]

Local Authority In-house Legal Team

Enc: Map of office

List of Law Society Children Panel Solicitors List of things we are worried abo

**PLEASE SHOW / TAKE THIS TO A SOLICITOR**

**HERE ARE THE MAIN THINGS THAT WE ARE WORRIED ABOUT:**

**1. *[Outline concern and give examples of when this happened. This should capture chronic ongoing concerns as well as acute episodes/incidents]***

***Date(s) Problem***

**2.**

***Date(s) Problem***

**WHAT CHILDREN’S SERVICES HAVE DONE TO TRY TO HELP**

|  |
| --- |
| *[Who?] [What help has been given?] [When?]* |

**WHAT YOU HAVE TO DO SO THAT WE WILL NOT GO TO COURT:**

1. Confirm that you will come to a meeting to talk about these concerns. Please try to bring a solicitor with you.
2. Continue to see and work with your social worker ***[insert name]*** and allow him/her to see ***[name(s) of child(ren)]***.
3. At the meeting you will be asked to talk about how ***[name(s) of child(ren)]*** will be kept safe, with our help.

**Template for Letter of Issue**

|  |  |
| --- | --- |
| **Our Ref:** | Telephone No: |
| **Your Ref: \_** |  |
| **Date:**  \_ |  |

SENT BY [RECORDED DELIVERY/BY HAND]

Dear [parent and/or full name(s) of all people with parental responsibility]

**RE: [NAME OF LOCAL AUTHORITY] CONCERNS ABOUT [INSERT NAME(S) OF CHILD]**

I am writing as you were told I would, when you spoke to [name of social worker] on [insert date of last interaction]. As you are aware [Insert name of Local Authority] is extremely worried about your care of [name(s) of child/ren]. We told you about these main concerns in [reference to the Letter before Proceedings/PPM/child protection case conference/any social work meetings].

We have tried to work with you to help you improve your care of [name(s) of child/ren] but unfortunately things have not changed. We are writing to tell you again that we will be going to court to try and make sure [name of child] is safe. You will soon receive a copy of our application to the court and other important documents, which set out the key issues.

We would urge you, if you have not done so already, to get advice from a solicitor. We have sent with this letter a list of local solicitors who specialise in work with children and families. They are not part of Children’s Services (Social Services).

Yours sincerely

[name]

Team Manager

Local office/service

cc Social Worker [name]

Local Authority in house Legal Team

Enc: List of Law Society Children Panel Solicitors

**Annex D: Glossary**

**To be added - This will include:**

* Definitions of the relevant statutory assessments
* Definitions of lesser used public law orders
* A general glossary of terms
* Further information on detailed sections.
* A table that shows the interactions between public and private law orders.

**An example of the content is listed below**

**Contact orders (adoption):**

A contact order is an order which outlines who the child should see or keep in touch with. It may include direct [contact](http://www.frg.org.uk/need-help-or-advice/an-a-z-of-terms#Contact), such as visits, but it can also involve [indirect contact](http://www.frg.org.uk/need-help-or-advice/an-a-z-of-terms#Indirectcontact), like letters or phone calls.

**Placement order stage**

An order made under section 26 of the Adoption and Children Act 2002 requiring the prospective adopter with whom the child lives, or is to live, to allow the child to visit or stay with the person named in the order, or for the person named in the order and the child to have contact with each other.

Once a child is authorised to be placed for adoption (also in cases where a child under six weeks old has been placed for adoption) the provisions in the Children Act 1989 regarding contact cease to apply and any order for contact made under that Act will cease to have effect. Contact is dealt with under sections 26 and 27 of the 2002 Act. The court may make an order for contact under section 26 of the Act, and may revoke or vary a section 26 order under section 27 of the Act. At the time of making a placement order, the court is required by section 27(4) to consider the arrangements made or proposed by the agency for contact and invite the views of the parties. The court may also make an order under section 26 on its own initiative, i.e. even if no application has been made. When the child is placed with prospective adopters, the local authority must keep the contact arrangements under review – see regulation 46 of the Adoption Agencies Regulations 2005.

**Adoption and post adoption stage in agency adoption cases**

Where section 51A applies, an order made under section 51A of the Adoption and Children Act 2002 allowing or prohibiting contact. An order may be made requiring the adopter to allow the child to visit or stay with the person named in the order, or for the person named in the order and the child to have contact with each other. An order may be made prohibiting the person named in the order from having contact with the child.