

# Supporting young people in meetings



# Introduction

Reviews are an essential part of care planning, and the main opportunity to decide what care and support the child or young person needs in order to be safe and live a great life.

All children and young people who are cared for by their local authority are legally entitled to a review - and to receive the support of an independent advocate.

# Introduction

But before we move on, the first thing to understand about the review process is that reviews are NOT meetings.

A review is a *process* which may involve or culminate in a meeting where final decisions are discussed and agreed. As an advocate however you will want to see most of your work within the review process as taking place *before* the final meeting.

# About this info pack

In this information pack we will look at the following reviews and meetings that impact on children and young people:

- Looked After Child Review
- Child Protection conference
- Family Group Conference
- Personal Education Plans
- Education & Health Care Plans

**Looked After Reviews**

# Looked After Reviews

The purpose of the review is to ensure that the plan is accurate, fit for purpose and an appropriate response to each child's individual needs. Reviews allow the child's plan to change and progress as his / her needs and circumstances change over time and significant changes to a child's plan can only be made through a looked after review.

The objective is to ensure that timely action is taken to safeguard and promote the welfare of the child so that s/he has the best chance of fulfilling his/her potential.

# How often should they take place?

The first Looked After Review must take place within 20 working days from the date the child become looked after.

The second review must take place within 3 months of the initial review and subsequent reviews at intervals of not more than 6 months thereafter.

Reviews should be timed to take place in line with the child's needs so that a child in a more settled placement may be reviewed less often than a child who is experiencing difficulties. Similarly, if things are not going to plan a review can be called earlier.

# What is discussed at the review?

The review is without doubt the child's meeting and so should first ensure that the child understands his / her plan and has had the opportunity to share his / her views about the plan.

**It is after all *their* plan.**

The review process also enables information to be shared by others including parents and carers as well as agencies such as schools and health to ensure that all aspects of the child's needs are understood and addressed.



# What is discussed at the review?

The review meetings must look at the child's health and educational plan and progress. They discuss contact between the child and his or her family and how family members are to be involved in the child's life and the care planning process. The meetings will also address the child's interests and hobbies and make sure the child has access to an independent visitor or an advocate where this is required. The review will consider the child's legal status and his/ her plan for permanence, which is how the child's long term needs will be met.

# What is discussed at the review?

The child's social worker will be responsible for producing a written report for the LAC review and this report will contain information about the child and the progress with the care plan. Parents, carers and other agencies can also prepare a report for the review if they want.

# What should happen before the review?

Before the review, it's important to help the child or young person understand what is happening, work out what they want to say and then support them to say it. Reviews (and many other meetings) can often be very difficult and full of emotional intensity, particularly when people are present whose relationships are strained. Bad reviews often occur when big decisions are dropped in or unexpected announcements mean people are taken by surprise and have to think on their feet.

Good advocacy places an emphasis on doing the majority of work before the meeting so the young person understands exactly what people are saying and other people know exactly what the young person wants.

# Working with the IRO

Part of the advocacy role is supporting the young person to speak to the Independent Reviewing Officer (IRO) who is responsible for signing off the plan and monitoring its implementation.

Before each review, the IRO is required to:

- speak to the child or young person in private
- make sure the child or young person understands their right to have an advocate with them at the review
- find out if the child or young person wants specific people to attend the review (they may have a trusted teacher for instance) or if there is anyone they do not want to attend
- speak to the child's or young person's social worker
- involve the parents and others with parental responsibility (in exceptional circumstances the parents could be excluded from the meeting if the IRO and social worker thinks it is not in the child's or young person's interests for them to attend)

# Working with the IRO

The IRO will also:

- check back on previous decisions to make sure that any things that should have been done get done; and
- make sure that the person who is responsible for implementing decisions of the review are identified.

Whilst the advocate must not replicate the role of the IRO, you can always check that this is taking place and the young person is empowered to speak to the IRO about any concerns or their desires.

# What should happen after?

After the review the main role of the advocate is to help the young person understand what happened, any decisions that were taken and the impact of these decisions.

Remember that young people often need some space to digest decisions so its important to work at the pace of the young person and take time.

# What should happen after?

After the meeting the IRO must prepare a written record of the review decisions or recommendations within 5 days and a full record by 15 days. As an advocate you may not receive the minutes but the young person will always receive a copy. You should go through these with the child or young person and check that the views of the child or young person are clearly captured within the minutes - especially where these views differ from the parents or professionals.

# What should happen after?

It is important that all decisions have timescales attached to them and clearly identifies who is responsible for taking action. It is the responsibility of the IRO to monitor the implementation of the plan and check that things that have been agreed are taking place and followed through.

If anything is unclear then you should help the young person ask their questions - and if you find anything unclear you should say so.



# **Child Protection Conference**

# Child Protection Conferences

A Child Protection Conference is a meeting between family members, the child (where appropriate), and professionals involved with the family about a child's future safety, health and development.

The Child Protection Conference is designed to look at all the relevant information and circumstances to determine how best to safeguard the child and promote their welfare.

An Initial Child Protection Conference (ICPC) must be convened when concerns of significant harm are substantiated and the child is judged to be suffering, or likely to suffer, significant harm.

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

# Child Protection Conference

For all cases going to a conference there should have been a Strategy Meeting/Discussion including the Police and a relevant Health representative.

The Team Manager is responsible for making the decision to convene a Child Protection Conference. The reasons for calling it (or deciding not to call a conference following completion of a Section 47 enquiry) must be recorded within the Children's Social Care Case Management System.

A request for an initial conference from any involved professional, which is supported by a senior manager/named or designated professional in their agency, should normally be agreed.

# Timing of an Initial CP Conference

All Initial Child Protection Conferences (ICPCs) should take place within **15 working days of:**

- The Strategy Meeting (at which the Section 47 enquiries were initiated), or
- Notification by another authority that a child subject to a Child Protection Plan has moved into the area

Where a Child Assessment Order has been made, the conference should be held immediately on conclusion of examinations and assessments.

Where a child has been subject to an Emergency Protection Order the Conference should be held in time to agree next steps prior to the end of the Emergency Protection Order.

Where there is delay, this must be reported by the Independent Reviewing Officer (IRO) to the IRO Manager and the Group Manager, Children and Families (including the reasons for the delay) and Children and Families must ensure risks of harm to the child are monitored and action taken to safeguard the child.

# Membership of CP Conference

Those attending conferences should only be there because they have a significant contribution to make either because of their expertise relevant to the case or their knowledge of the child or family.

There should be sufficient information and expertise available, through attendance and written reports, to enable the Conference to make an informed decision about what action is necessary to safeguard and promote the welfare of the child.

If a strategy meeting has decided that an ICPC is needed and for whatever reason the conference is not quorate information must be heard and an Interim CPP put in place that will protect the child until such time as a full meeting can be arranged – this must be **within one month** of the inquorate ICPC.

# Location & timing for the Conference

The location and timing of the conference should be planned to ensure maximum attendance from everyone. Conferences should not be scheduled for times when parents will be busy looking after children at home (e.g. after the end of the school day).

Wherever possible, the Local Authority should provide parents with the opportunity to utilise appropriate day care for their children to enable their attendance at the conference.

# Who chairs the Conference

All Child Protection Conferences will be chaired by an Independent Reviewing Officer (IRO). This person will be a suitably trained social work professional, experienced in child protection at management level or above in Children and Families and independent of the case management.

IROs will be registered with the Health and Care Professionals Council (HCPC). They will not have or have had operational or line management responsibility for the case.

The status of the Chair should be sufficient to ensure multi-agency commitment to the conference and the CPP. Wherever possible, the same person should also chair subsequent child protection reviews in respect of a specific child.

# Structure of the Conference

Child Protection Conferences are based around the following structures:

- The Chair will meet with the parents/child before the review to clarify the conference process whilst the professionals read all the reports;
- The Chair provides a brief explanation of the purpose of the meeting, introducing all participants and noting apologies;
- Professionals will then be invited to contribute any additional information including any developments since the reports were

Where necessary, those at the conference agree a clear plan of actions which are needed to keep the child(ren) safe.



# Structure of the Conference

If a decision is made that a child requires a protection plan to safeguard their welfare, the Chair should ensure that:

- They summarise and state the risks to the child, strengths in the family on which safety for the child may be developed and specify what is needed to change
- A qualified Children's Social Worker is identified as a key worker to develop, co-ordinate and implement the CPP
- A core group is identified of family members and professionals
- A date is set for the first core group meeting within ten working days of the initial conference and timescales set for subsequent meetings
- A date for the child protection review conference is set
- A date is set for a core group meeting to be held at least two weeks before the CPRC
- The outline CPP is formulated and clearly understood by all concerned including the parents and, where appropriate, the child

# Decision not to make a CP plan

If the conference determines that a child does not need the specific assistance of a protection plan but does need help to promote their welfare, the Chair should ensure that the conference draws up a child in need plan.

If a decision is taken that a child does not need to be the subject of a CPP, the conference, together with the family, should consider the child's needs and what further help would assist the family in responding to them. Subject to the family's views and consent, it may be appropriate to continue with and complete an assessment to help determine what support might best help promote the child's welfare.

Where the child's needs are complex, inter-agency working will continue to be important. Where appropriate, a Child in Need Plan should be drawn up and reviewed at regular intervals, on a multi-agency basis. The conference may wish to set the date for the first CIN review meeting and recommend how often the multi-agency meetings should take place.

# Dealing with disagreement(s)

In all cases, the conference record should set out clearly where there is dissent from a conference decision and the reasons why there is disagreement.

If a professional considers that a conference decision places a child at risk of significant harm, they must seek advice from their agency's designated person for child protection or manager. They should make verbal and written representation to the Conference Chair copied to an IRO Manager.

# Recording the meeting

Conference records should include:

- The purpose of the conference;
- Name, date of birth and address of the subject/s of the conference, parents and other adults in the household;
- Who was invited, who attended the conference and apologies;
- A list of written reports available to conference and whether open to parents or not;
- All the essential facts;
- Opinions of conference members, clearly identified as such;
- Views of child;
- Views of parents;
- A summary of discussion at the conference, accurately reflecting contributions;
- All decisions reached (e.g. to make a child subject of a protection plan, category of abuse or neglect), with information outlining the reasons;
- An outline or revised CPP;
- Name of the lead social worker (i.e. the social worker who is the lead professional for the case);
- Date of next conference

# Recording the meeting

The conference record, should be sent to all those who attended or were invited to the conference within **fifteen working days** of the conference. Any amendments should be received within **one week of receipt** of record. The record is confidential and should not be passed by professionals to third parties without consent of the Chair.

A written copy of the outline CPP should be made available to parents and professionals **within one working day**. The conference record should be discussed with the parents by the Social Worker.

The conference Chair may decide that confidential material should be excluded from the parent's copy.

# Recording the meeting

The child should be given a copy of the CPP written at a level appropriate to his or her age and understanding.

Where a friend, advocate, supporter or solicitor has been involved, the Chair should clarify with the parent whether a record should be provided for those individuals.

Relevant Sections of the record should be explained to and discussed with the child by the children's Social Worker.

The conference Chair should decide whether a child should be given a copy of the record. The record may be supplied to a child's legal representative on request.

# Confidential nature of reports

Conference records are confidential and should not be shared with third parties without the consent of either the conference Chair or order of the court.

In criminal proceedings the police may reveal the existence of child protection records to the Crown Prosecution Service, and in care proceedings the records of the conference may be revealed in the court.

The record of the decisions of the child protection conference should be retained by the recipient agencies in accordance with their record retention policies.

# **Family Group Conference**



# What is a family group conference?

A family group conference (FGC) is a family-led decision making and planning process whereby the young person, parents and wider family group make a plan for the child or young person where there are concerns about the child's welfare or safety.

A family group conference lets families meet together and begin to plan how to improve the situation.

Family Group Conference is a model of working with families which aims to:

- Give family members a key and central role as decision makers.
- Enable the full participation of parents and wider family members in planning for the safety and wellbeing of their children.
- Ensure that children have a voice in the making of plans about them. Your social worker can arrange for you and your family to meet with an independent co-ordinator.

# How does it work?

There are three stages to a family group conference.

## **STAGE 1 Information giving:**

This stage is planned by the co-ordinator in advance. At the start of the meeting parent/s sit down with the family, the social worker and co-ordinator to share information about the child or young person including the concerns about their welfare or safety.

The social worker will be able to tell you about services, resources and support that are available. This is a good time to clear up any questions parent/s might have.

The beginning of the conference is chaired by the coordinator. S/he will make sure that everyone present understands the purpose and process of the FGC and agrees how the meeting will be conducted, including any explicit ground rules desired and agreed by the family.

# How does it work?

The social worker will then give information to the family about:

- the reason for the conference;
- any child welfare concerns that will affect what can be agreed in the plan, including their 'bottom line' requirements to ensure the child is safe (e.g. that the child must not have contact with a particular person);
- information about resources and support they are able to provide; and
- what action will be taken if the family cannot make a plan or the plan is not agreed.

Other agencies could also be involved at this point to share any relevant issues and most especially to inform the conference about the type of support or services they could provide. The child/young person and family members may also provide information, ask for clarification or ask questions.

# How does it work?

## **STAGE 2. Private family time:**

Once the social worker has provided this information, they, together with any other information givers and the co-coordinator, leave the family to have time to talk among themselves and come up with a plan that addresses the concerns raised in the information-giving part of the conference, identifying resources and support which are required from agencies, as well as within the family, to make it work.

The family has three basic tasks:

- agree a plan that meets the needs of the child or young person;
- agree what to do if things don't work out as expected;
- agree how to monitor and review the plan.

The co-ordinator will stay nearby to answer any questions. It is important that the family takes as much time as they need to talk things through without any staff being present.

# How does it work?

## **STAGE 3. Agreeing to the plan:**

Once the family has reached agreement, the co-ordinator will re-join them to hear what has been said and arrange any extra help that can be provided. At this stage everyone will know the expected timescales, who is responsible for different aspects of the plan and how things will be monitored. It is the social worker's task to finally approve the plan.

There is a presumption that the family's plan will be agreed by the social worker unless there is evidence that it would put the child at risk of significant harm.

# How does it work?

Contingency plans, monitoring arrangements and how to review the plan also need to be discussed and agreed.

The co-ordinator will ensure that everyone gets a copy of the plan.

Where the plan is not agreed by the social worker the reasons for not accepting the plan must be made clear immediately by the social worker and the family should be given the opportunity to respond to the concerns and change or add to the plan.

# How does it work?

Once the family plan is agreed by the social worker they will ensure that the plan is subsequently incorporated into the Child's Plan (this may be a Child Protection Plan). Involvement of the extended family in this process aims to ensure that everyone is clear what the concerns are and how the family and professionals are going to work together to reduce these concerns and keep the child safe.

As circumstances change during the course of a case there may need to be a further review FGC to consider new issues/circumstances that were not addressed at the earlier FGC.

# **Personal Education Plan meetings**



# What are they?

*Promoting the Education of Looked After Children (Statutory Guidance 2018)* provides information on the introduction of Personal Education Plans (PEP) for Looked After Children.

A PEP is a statutory requirement. It is an evolving record of what needs to happen for looked-after children to enable them to make at least expected progress and fulfil their potential. The PEP should reflect the importance of a personalised approach to learning that meets the child's identified educational needs, raises aspirations and builds life chances.

# What are they?

The quality of the PEP is the joint responsibility of the local authority that looks after the child and the school.

Social workers, carers, Virtual School Heads, designated teachers and, other relevant professionals will need to work closely together. All of those involved in the PEP process at all stages should involve the child (according to understanding and ability) and, where appropriate, the child's parent and/or relevant family member.

The PEP will be reviewed at least every six months.

# What are they?

The statutory guidance on *Promoting the Education of Looked After Children (2018)* requires that a range of educational and developmental needs are covered in a PEP.

These include:

- access to a nursery or other high quality early years provision that is appropriate to the child's age and meets their identified developmental needs
- on-going catch-up support for those who have fallen behind with school work
- provision of immediate suitable education where a child is not in school
- transition support needs where needed, such as when a child begins to attend a new school or returns to school or when a child has a plan for permanence and may change schools as part of that plan;

# What are they?

It also looks at what support is needed to help the child realise their short and long-term academic achievements and aspirations. This includes:

- support to achieve expected levels of progress for the relevant national curriculum key stage and to complete an appropriate range of approved qualifications
- careers advice and guidance and financial information about further and higher education, training and employment
- out-of-school hours learning activities, study support and leisure interests
- school attendance and, where appropriate, behaviour support

# **Education & Health Care Plan**

# What is a EHCP?

An education, health and care (EHC) plan is for children and young people aged up to 25 who need more support than is available through special educational needs support.

EHC plans identify educational, health and social needs and set out the additional support to meet those needs.

# Requesting an assessment

Parents can ask their local authority to carry out an assessment if they think their child needs an EHC plan.

A young person can request an assessment themselves if they're aged 16 to 25. As an advocate you may support young people with this request.

A request can also be made by anyone else who thinks an assessment may be necessary, including doctors, health visitors, teachers, parents and family friends.

# Requesting an assessment

If the Local Authority carry out an assessment they may ask for:

- any reports from the child's school, nursery or childminder
- doctors' assessments of the child
- a letter from parents and other carers about the child's needs

The local authority must tell the family within 16 weeks whether an EHC plan is going to be made for the child.



# Creating an EHC plan

The Local Authority will usually arrange an assessment and convene a meeting which includes the parents, the child (where they can and want to attend), education professionals and any other professionals involved in the young person's life.

During this meeting they will look at the need of the child, views of the parents, views of the child, possible and preferred ways of meeting the child's needs.

The local authority will then create a draft EHC plan and send the family a copy. The family have 15 days to comment.

The final plan must be given to the family 20 weeks from the date they receive the request for the assessment.

# Dealing with disagreements

The family can challenge the local authority about:

- their decision to not carry out an assessment
- their decision to not create an EHC plan
- the special educational support in the EHC plan
- the school named in the EHC plan

If the matter cannot be resolved the family can appeal to the Special Educational Needs and Disability (SEND) Tribunal.

# Personal Budgets

The young person may be eligible for a personal budget if they have an EHC plan or have been told that they need one.

A personal budget allows the family to have a say in how to spend the money on support for their child.

There are 3 ways a personal budget can be used:

- direct payments made into parents account - they buy and manage the services themselves
- an arrangement with the local authority or school where they hold the money on behalf of the family but the family still decide how to spend it (sometimes called 'notional arrangements')
- third-party arrangements - the family can choose someone else to manage the money for them

# Appeals

The First-tier Tribunal (Special Educational Needs and Disability) is responsible for handling appeals against local authority decisions regarding special educational needs, including a refusal to:

- assess a child or young person's educational, health and care (EHC) needs
- reassess their EHC needs
- issue an EHC plan
- change what's in a child or young person's EHC plan
- maintain the EHC plan

They also handle appeals against decisions to refuse young people in custody:

- an EHC assessment
- an EHC plan after assessment
- a placement to a suitable school or other educational institution after their release

They also handle appeals against discrimination by schools or local authorities due to a child's disability. <https://www.ipsea.org.uk/>

# Further information

If you are advocating with a child or young person who is accessing, receiving or appealing an EHC plan, we strongly advise you to look up Ipsea who are a specialist service.

"Ipsea provide free and independent legally based information, advice and support to help get the right education for children and young people with all kinds of special educational needs and disabilities (SEND). We also provide training on the SEND legal framework to parents and carers, professionals and other organisations."

Their website is <https://www.ipsea.org.uk/>

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