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**Independent  
Advocacy for  
Children and  
Young People  
within Child  
Protection  
Conferences**

# Entitlements to advocacy

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16 and 17 year olds who are homeless

16 and 17 year olds who lack mental capacity

Care leavers

Children and young people in custody

Children and young people in England who are detained under the Mental Health Act

Children and young people in receipt of health or social care services (including child protection) who wish to make a representation/complaint

Children and young people living in children's homes

Children who may continue to need care and support in adulthood

Children with special educational needs and disabilities

Looked after children and young people who go missing

Looked after children whose care and progress are being reviewed

Young carers

No specific duty on local authorities to ensure children subject to child protection procedures have access to an independent advocate.

- The extent to which children's wishes and feelings are ascertained and taken account of is part of Ofsted's framework for inspecting the arrangements made by local authorities to protect children.
- Statutory safeguarding *guidance* explains that independent advocates can '*play a vital role in ensuring children have appropriate information and support to communicate their views in formal settings, such as child protection conferences*'- HM Government (2010) Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children. The Stationery Office. Page 285.

## Involved By Right Research the voice of the child in the child protection conference

<http://dev.ncb.org.uk/resources-publications/involved-right-voice-child-child-protection-conferences>

### Key Messages

- Children and young people are really good at judging whether adults respect them
- Children and young people have lots of ideas and views about how they are cared for, and what would make life better for them. They are willing to share these ideas and views but professionals have to be genuine about wanting to listen and learn
- Social services can make things much worse for children and young people when they do not support them to make and influence decisions about their own lives
- Many of the changes which children and young people want, would not cost a lot of money: *what's extremely important is that social workers and others have a good attitude and show they care about children and young people.*

# Different rules in the 4 Nations

- The UK's four nations – England, Northern Ireland, Scotland and Wales – each have **their own** child protection system and laws to help protect children from abuse and neglect.
- Each nation has a framework of legislation, guidance and practice to identify children who are at risk of harm, take action to protect those children and prevent further abuse occurring.



# Start of Child Protection Process – the child is in immediate danger

If the child is in immediate danger the local authority can take the following action through the courts:

- an **emergency protection order** can be issued to immediately remove a child to a place of safety.
- an **exclusion order** can be issued to remove the abuser from the family home.
- a **child assessment order** can be issued for a children's social worker to assess the child's needs without the parents' or carers' consent.
- the police can remove a child to a place of safety for up to 72 hours without obtaining a court order.
- a **female genital mutilation protection order** can be applied for through a family court and offers the means of protecting actual or potential victims from FGM under the civil law.

# Start of Child Protection Process – the child is **not** in immediate danger

There will be an assessment of the child's needs. Within one working day of a referral being received, a local authority social worker should acknowledge receipt to the referrer and make a decision about next steps and the type of response required. This will include determining whether:

- the child requires immediate protection and urgent action is required
- the *child is in need* and should be assessed under *section 17* of the Children Act 1989
- there is reasonable cause to suspect that the child is suffering or likely to suffer **significant harm**, and whether enquires must be made and the child assessed under *section 47* of the Children Act 1989
- any services are required by the child and family and what type of services
- further specialist assessments are required to help the local authority to decide what further action to take.

# Significant Harm

- “Harm” is the “ill treatment or the impairment of the health or development of the child” (Section 31, Children Act 89)
- Seeing or hearing the ill-treatment of another person is also a form of harm (Section 120, Adoption and Children Act 2002).
- Harm can be determined “significant” by “comparing a child’s health and development with what might be reasonably expected of a similar child”.



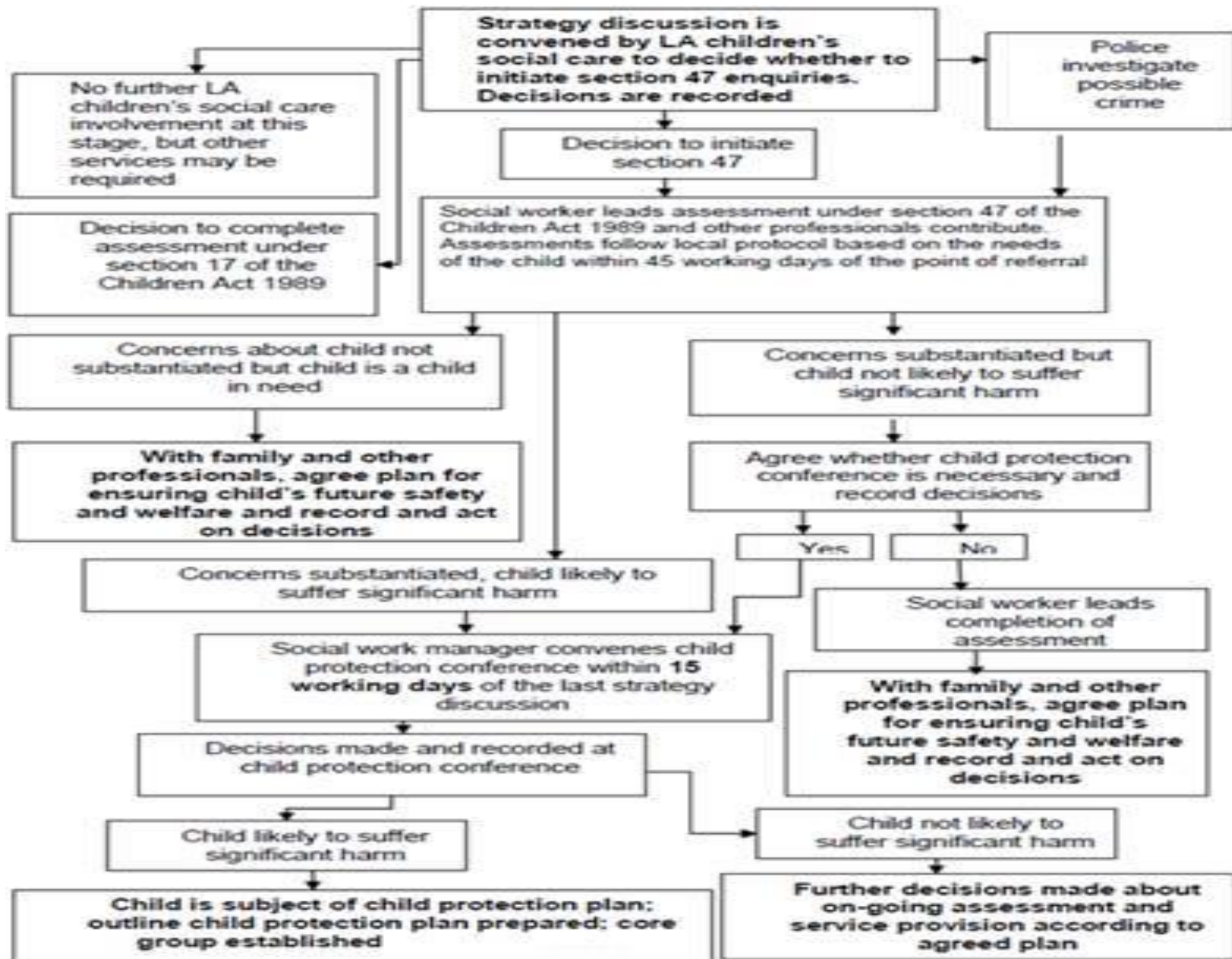
# Next Steps – strategy meeting

- If the information gathered during the initial assessment suggests that a child is suffering or likely to suffer significant harm, the local authority should hold a **strategy discussion** to enable it to decide, with other agencies, whether it must undertake a section 47 enquiry.
- A Section 47 enquiry refers to Section 47 of the Children Act 1989 and involves social workers gathering evidence and speaking with the child, family and other relevant professionals to determine if any interventions may be beneficial to the child's welfare.
- All assessments should be completed within **45 working days** from the point of referral into local authority children's social care.

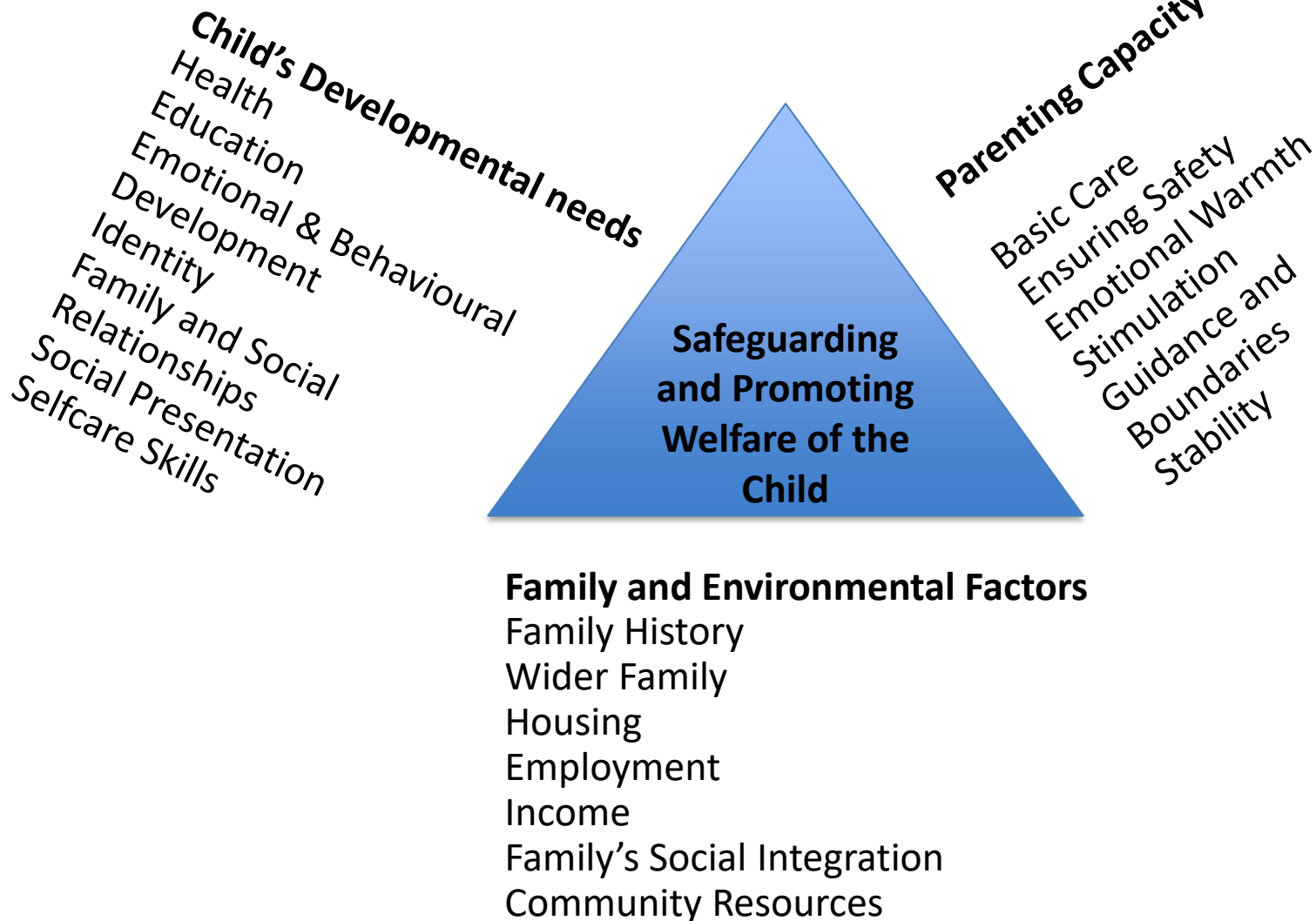
# Child Protection Conference

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- A child protection conference is held if a child is assessed as being at risk of significant harm. It may also take place where there are concerns about an unborn child.
- At the case conference relevant professionals can share information, identify risks and outline what needs to be done to protect the child.
- In England, this must happen within **15 working days** of the strategy discussion.
- Professionals draft a child protection plan which the core group will develop and implement.
- A core group is set up of family members and professionals.



# Assessment Framework used when conducting assessments



# Who's involved in a case conference:

Chair

social worker

the police

health  
services/GP

education

family  
members

the child,  
when  
appropriate.

Mental health  
services

Drug and  
alcohol  
services

Advocate for  
parents

Advocate for  
child

# Location, timings, safety



The location and timing of the conference should be planned to ensure maximum attendance from key agency representative.



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 LA should provide parents with the opportunity to utilise appropriate day care for their children to enable their attendance at the conference.



The LA is responsible for taking into account health and safety issues and security arrangements when planning each conference

# What's considered during a child protection conference

background information about the family



findings from the child protection investigation



ongoing assessments



# Case Study - Marco

You are Marco's advocate and you attend a child protection meeting with him. During the meeting the following things happen:

- Marco says that he does not understand the purpose of the meeting or what will happen
- He is treated in a patronising way during the meeting. He is not given a chance to express his opinions but all the professionals involved have a view which they express. The meeting discussed him as though he was not there
- He is only asked leading questions
- He had talked to his social worker about a problem that he would like the meeting to talk about. The discussion about this problem was very brief and the person leading the meeting quickly moves on to the next agenda item.

What would you do to support Marco?





# 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 and:
    - 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 RCPC
  - The outline CPP is formulated and clearly understood by all concerned including the parents and, where appropriate, the child
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# Child Protection Plan


A child becomes the '**subject of a child protection plan**' if they are assessed as being at risk of harm, at an initial child protection conference.

The child protection plan sets out:


- how social workers will check on the child's welfare
  - what changes are needed to reduce the risk to the child
  - what support will be offered to the family.
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# Core Groups

A core group is responsible for making sure that the child protection plan is supporting the child effectively on an ongoing basis.



The members of this group include the person who has been nominated as the Lead Professional (usually the social worker), the child, parents, anyone who is supporting the implementation of the plan; they report outcomes to CP Conferences



The core group should be set up within 15 days of the initial child protection case conference

# Public Law Outline (PLO)

If the LA have concerns of significant harm they may follow the Public Law Outline or PLO as it may be called, this is the procedure the LA MUST follow

- The LA will send a 'letter before proceedings' or otherwise known as a PLO letter.
- The Social Worker will inform parents of the PLO meeting that has been arranged for them to discuss these concerns.
- Parents may have previously been invited to Child Protection Conferences, or had a social worker complete an assessment of the family set up.

# Public Law Outline – The Meeting

At the meeting, the Social Worker will attend as well as their Team Manager and someone from the Local Authority's legal department.

- The LA will discuss with the parents what they are worried about, and what the plan is going forward.

The point of the meeting is to address the concerns and to put a plan in place to stop them from escalating further.

- Parents may be asked to participate in a parenting assessment after the meeting to assess whether you can stop the concerns from getting worse.

The LA may ask parents to sign up to a 'written agreement'. This agreement is not binding; however, it is a way of showing the Local Authority that parents are working with them and by their rules.

- The PLO process can last between 6-9 months

# Government Statistics as at 31<sup>st</sup> March 2020

Number of	Children In Need - 389,260
Number of	Child Protection Plans – 51,510
Number of	Section 47 enquiries 201,000,
Number of	Initial stage child protection conferences 77,470.

# Child protection plans by initial category of abuse, England 2015 to 2020

	2015	2016	2017	2018	2019	2020
<b>Initial: Neglect</b>	22,230	23,150	24,590	25,820	25,330	<b>26,010</b>
<b>Initial: Emotional abuse</b>	16,660	17,770	17,280	18,860	18,460	<b>18,380</b>
<b>Initial: Physical abuse</b>	4,350	4,200	3,950	4,120	4,170	<b>3,820</b>
<b>Initial: Sexual abuse</b>	2,340	2,370	2,260	2,180	2,230	<b>1,970</b>
<b>Initial: Multiple</b>	4,110	2,810	3,010	2,820	2,070	<b>1,330</b>
<b>Number of children who were the subject of a child protection plan</b>	49,690	50,310	51,080	53,790	52,260	<b>51,510</b>

# Jargon

- CP – Child Protection
- CPP – Child Protection Plan
- CPC – Child Protection Conference
- ICPC – Initial Child Protection Conference
- SW – Social Worker
- YP – Young Person
- IRO – Independent Reviewing Officer
- CA89 – Children Act 1989