

For general release

| | |
|--|---|
| REPORT TO: | Children and Young People's Scrutiny Committee |
| SUBJECT: | Use of pre-birth assessment and legal planning to support early permanency decision making |
| LEAD OFFICER: | Barbara Peacock, Executive Director, People |
| CABINET MEMBER: | Councillor Flemming |
| PERSON LEADING AT SCRUTINY COMMITTEE MEETING: | Philip Segurola, Director of Early Help and Children's Social Care |

| | |
|---------------------------------|--|
| ORIGIN OF ITEM: | This item was added to the work programme for this sub-committee at its 17 October meeting. |
| BRIEF FOR THE COMMITTEE: | To outline current practice in relation to use of pre-birth assessments and legal planning processes to secure early permanency decisions, and identify actions to improve outcomes for children |

1. EXECUTIVE SUMMARY

- 1.1 The recent Ofsted inspection (June – July 2017) identified that early permanency planning for babies and young children is not ambitious or assertive enough to ensure that a range of permanence options are considered and pursued. The use of Public Law Outline (PLO) was not fully embedded and numbers of cases in pre-proceedings were low. Inspectors commented that contingency and parallel planning for vulnerable babies, including those subject to pre-birth assessment are often not evident and which leads to avoidable delays for children when a preferred care plan, such as a family care arrangement, proves to be unviable.
- 1.2 One of the cases escalated by the Ofsted inspectors under Annex H related to the very young child of a care leaver. No assessment of the baby's needs had been undertaken and despite the vulnerability of the mother, there was no clear plan in place to safeguard her child or clarify her support needs.
- 1.3 A second Annex H case related to a baby aged 3 weeks at the time of the inspection. His mother has learning disabilities and is unable to care for her three older children, all of whom live with their respective fathers. A child protection conference and legal planning meeting were held prior to birth and legal proceedings were instigated following a premature birth; the child was made subject to an interim care order. The inspector's concern was that parallel planning for adoption and use of the Public Law Outline (PLO) prior to birth was not in place.

1.4 Recommendations relevant to this areas of practice are as follows:

1.4.1 **Recommendation 6.** Ensure that thresholds are rigorously applied at all levels, including care thresholds and the timely and proportionate use of the pre-proceedings phase of the PLO, so that children who cannot live with their parents find permanent alternative homes as quickly as possible.

1.4.2 **Recommendation 8.** Review the roles and responsibilities of managers at all levels in relation to decisions about children's permanent care, to ensure that they are confident and competent enough to make these decisions. Establish robust tracking processes to ensure that plans are progressed and delay is minimised.

1.4.3 **Recommendation 9.** Ensure that there is routine and comprehensive oversight of all decisions and actions relating to children who are subject to pre-proceedings or court proceedings, to eliminate all avoidable delay in deciding permanent arrangements for children.

1.5 This paper summarises:

- the current performance data in relation to use of pre-birth assessment
- current use of PLO
- recent audit activity to test the quality of work in this area
- current partnership working
- emerging themes and challenges
- the practice development work which has been undertaken to date to address the identified challenges and associated actions with timescales
- the impact of good, early permanency planning for our most vulnerable babies illustrated through case examples.

2. Current performance in relation to pre-birth assessment and use of PLO

2.1 Pre-Birth Assessments

2.2 There were 2,095 assessments carried between April 2017 and September 2017, of which 86 were pre-birth assessments. This represents 4% of the total assessments. Of these assessments 26 (30%) resulted in no further action (NFA), although this includes cases stepped down to early help services which the system does not currently report on. The average duration of the assessment was 28 days.

2.3 17 parents of these unborn children have been a subject of a previous referral and 7 of these parents were open cases to the service at the time of the pre-birth assessment (open between 02/02/2015 and 30/06/2017).

2.4 5 of these parents are currently allocated to care planning & permanence teams, 1 is allocated to the leaving care team and 1 to the assessment team.

2.5 Summary Tables on pre-birth assessments

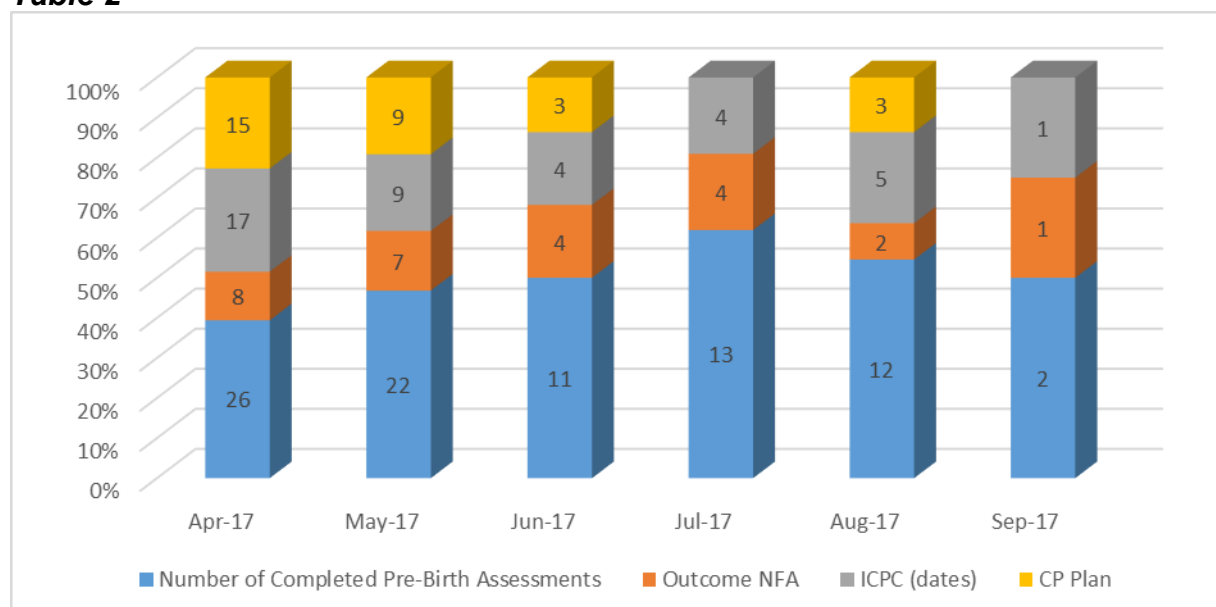
Table 1

Please note that the numbers are based on the completed assessments. The September figure is low as some

assessments started in September are yet to be completed.

| Month of Assessment start | Number of Completed Pre-Birth Assessments | Outcome NFA/early help | ICPC | CP Plan |
|--|---|------------------------|-----------|-----------|
| Apr-17 | 26 | 8 | 17 | 15 |
| May-17 | 22 | 7 | 9 | 9 |
| Jun-17 | 11 | 4 | 4 | 3 |
| Jul-17 | 13 | 4 | 4 | |
| Aug-17 | 12 | 2 | 5 | 3 |
| Sep-17 | 2 | 1 | 1 | |
| Total number of pre-birth assessments | 86 | 26 | 40 | 30 |
| % based on total pre-birth assessments | | 30% | 47% | 35% |

Table 2

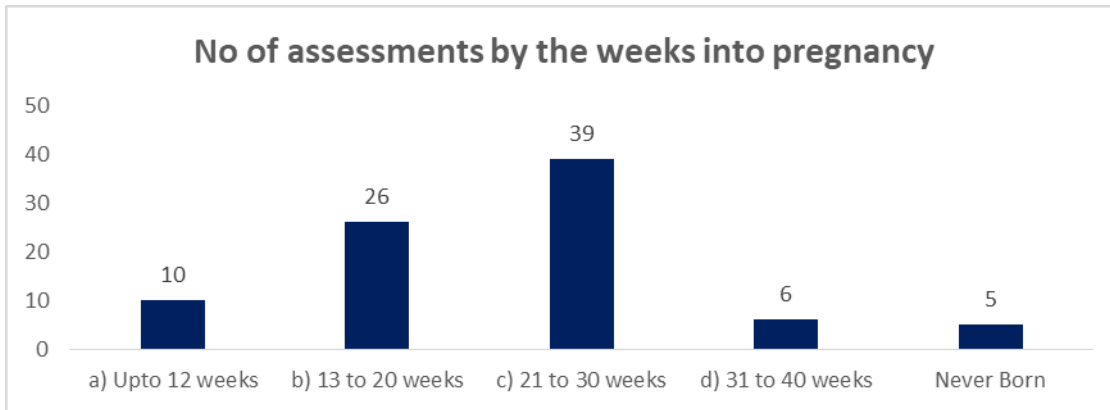


2.6 47% of assessments progressed to an initial child protection conference (30 of these have gone on to become subject to a CP plan). Average time taken from assessment to Initial Child protection Conference (ICPC) is 33 days.

2.7 The contributing factors were recorded for 70% of these pre-birth assessments. 29% of these recorded domestic violence, 24% mental health & 62% alcohol or drug misuse.

2.8 12% of assessments were carried out in the first 12 weeks of pregnancy. 7% of assessments were carried out in the last 10 weeks of pregnancy.

Table 3



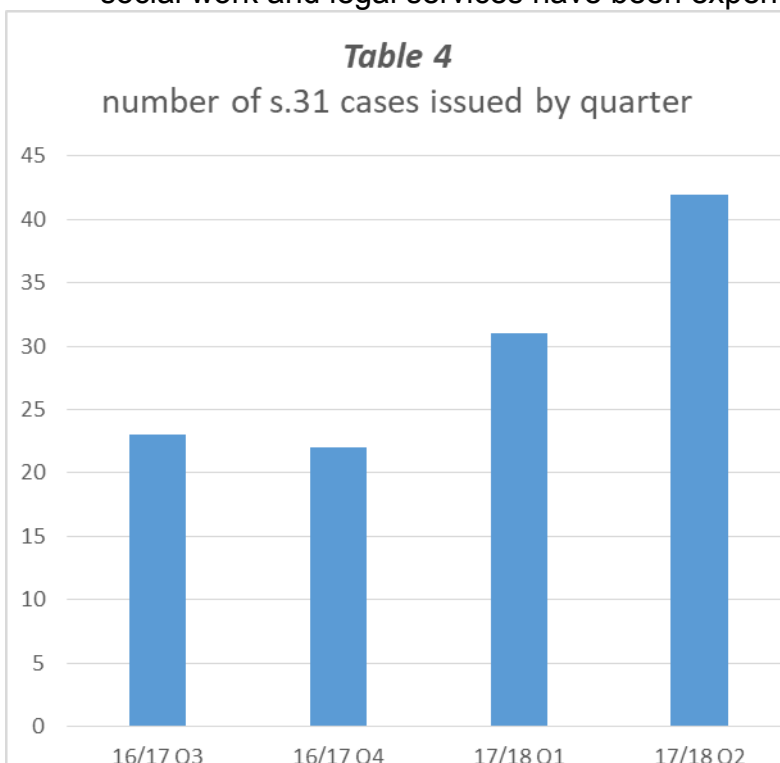
2.9 Use of Care Proceedings and pre-proceedings April to September 2017

2.9.1 Care proceedings

2.9.2 As of end October there are 98 cases (a case is a family which may include one or more children) within s.31 care proceedings; this is approximately 24% higher than the average taken over the 12 months prior to the Ofsted inspection. There are a further 6 cases which are anticipated to be issued in the next 10 days.

2.9.3 The reasons for this increase relate to a more robust review of thresholds for proceedings at legal planning meetings, including those cases which have progressed through pre-proceedings and no progress has been made, as well as some continued legacy cases which had been subject to previous drift and have now been proactively moved forward into proceedings. There has also been a significant number of new-borns (see table below).

2.9.4 The bar chart below reflects the increase in number of applications, by quarter over the last 12 months. This correlates to the increased pressure that the social work and legal services have been experiencing.

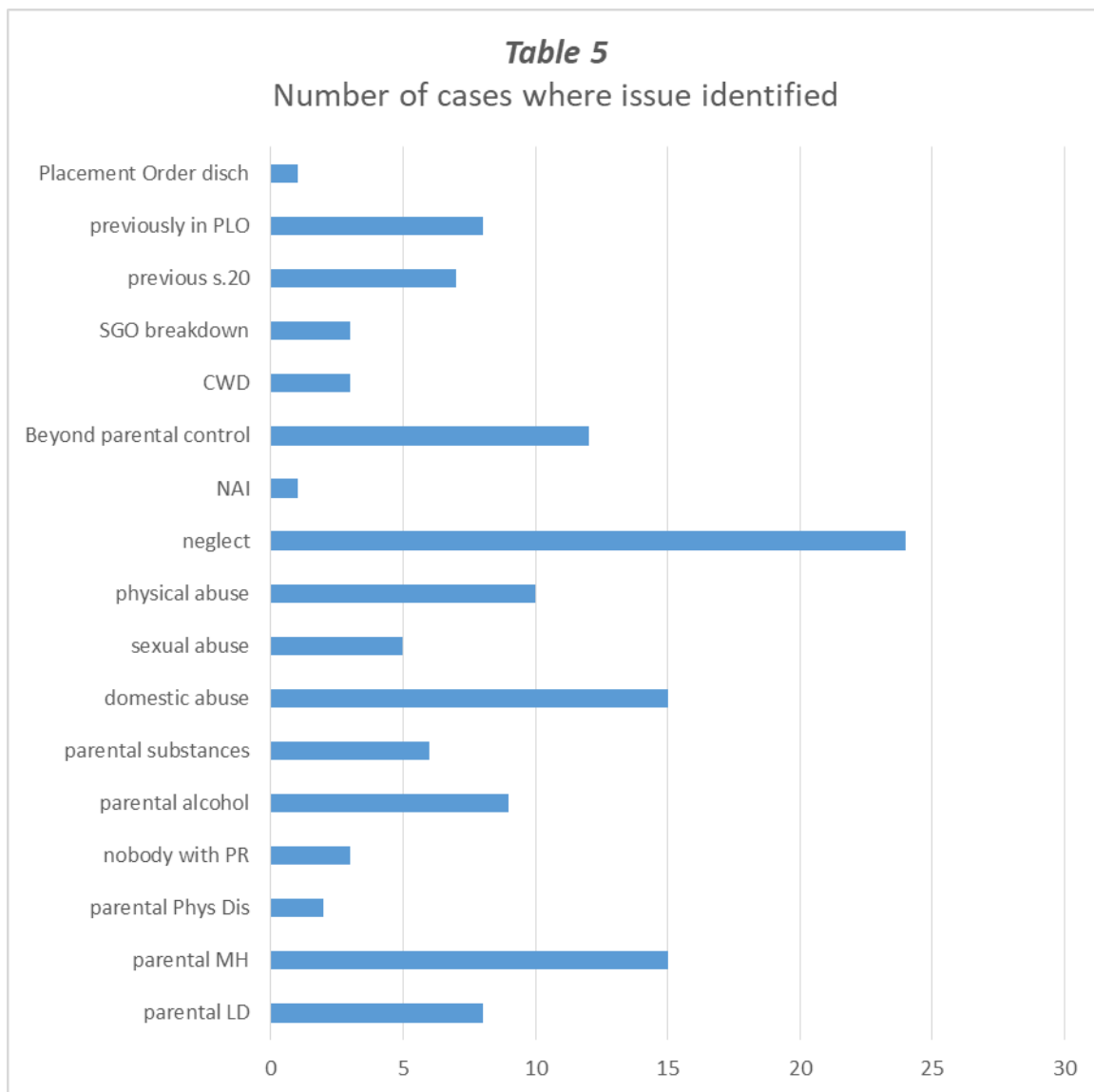


2.10 Predictions

- 2.10.1 In the financial year 2015/2016 Croydon issued 76 s.31 court applications in this 12 month period. In the financial year 2016/2017 Croydon issued 113 s.31 court applications. This increase of 37 cases is a 48% increase upon the number of proceedings in the previous year.
- 2.10.2 Croydon has now issued 92 cases in the first 5 ½ months of this financial year. If this trajectory continues then the total number of applications for 2017/18 is predicted to be in the range of 180-200. This would be a 78% increase from the last financial year.
- 2.10.3 This trajectory has been similarly reflected in other East London Boroughs who were rated 'Inadequate' by OFSTED; Bromley report at 104% increase in proceedings post Ofsted and Tower Hamlets report a 120% increase.

2.11 Profile of Proceedings

- 2.11.1 This report explores reasons why Croydon have issued proceedings over the last 6 months. The information has been gathered from discussions with social workers about their understanding of the reason that proceedings were issued, or a view from the court manager using the case summary on CRS to elicit the information.



2.11.2 Some of the cases had multiple issues identified and some cases had single issues identified. A more detailed look at these cases in the future will provide a more accurate picture of the presenting issues. Within the category ‘beyond parental control’ there are a range of issues, including gangs, missing, CSE and Secure Accommodation applications.

2.11.3 A more in depth analysis of these cases would also identify how many repeat proceedings there are, and how many cases relate to parents who have been in care themselves; this information would assist with the targeting and development of services and early help. This information may help with determining whether developing a service such as ‘Pause’ would be of benefit in Croydon. ‘Pause’ works with women who have experienced, or are at risk of, repeat removals of children from their care. It offers an intense programme of support with the aim of breaking this cycle.

2.11.4 This table reflects the age profiles of the children Croydon have issued Court applications in respect of over the last 6 months (N.b. some gaps have been identified where the age of only one child in the family has been recorded).

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|
| 0 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
|---|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|

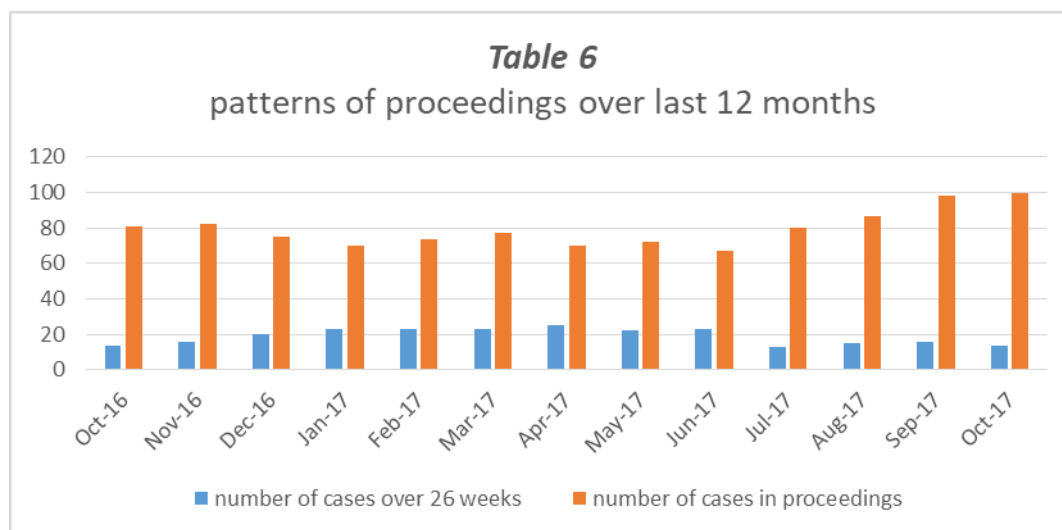
| | | | | | | | | | | | | | | | | |
|----|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 19 | 4 | 1 | 5 | 4 | 7 | 4 | 8 | 3 | 5 | 4 | 2 | 6 | 7 | 6 | 8 | 6 |
|----|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|

2.11.5 It should be noted that a significant number of court applications are in relation to babies or unborn children.

2.12 Performance

2.12.1 Despite the stark rise in court applications, Croydon's performance with regards to cases concluding within 26 weeks is an improving picture.

2.12.2 The chart below shows the number of cases which have been over 26 weeks in duration against the number of s.31 proceedings, by month, for the last 12 months.



2.12.3 There are ongoing difficulties and challenges with compliance with Court orders. These include social workers not providing timely instructions to the legal department, and not filing statements and other evidence when it is due to be filed with the Court. The increase in staffing should begin to improve practice in this area because social worker's caseloads will feel more manageable. However this is currently mitigated by the rise in numbers of cases in proceedings which is placing additional pressures on both children's social care and legal services. Additionally legal workspace (a CRS system based module which will support use of and monitoring of legal processes) will provide a mechanism for improved oversight of what is due and when (please see strategies for improvement section below).

2.12.4 The following table shows Croydon's statistics over the last 6 months in relation to the number of cases heard at legal planning meetings each month. The table compares the number of cases with a decision to issue proceedings each month against the number of applications made to Court. The report also considers number of cases have been issued outside a decision at legal planning meeting which reflects that there has been an increase in emergency applications to Court over the last 3 months.

2.12.5 The final columns reflect Croydon's statistics for the average length of weeks in proceedings and the percentage of cases concluded within 26 weeks for each month.

Table 7

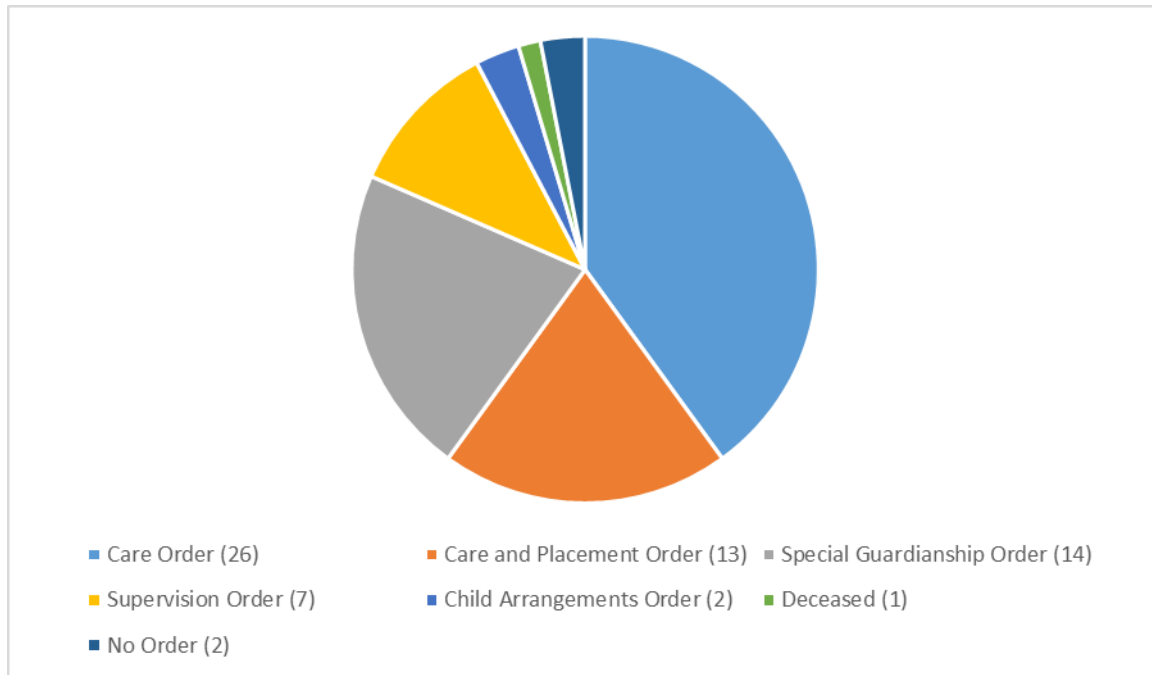
| Month | # cases heard at LPM | # cases with issue decision at LPM | # cases issued each month | # cases issued having been to LPM | # issued outside LPM | Average weeks in proceedings | % cases concluded within 26 weeks |
|------------------|-----------------------------|---|----------------------------------|--|-----------------------------|-------------------------------------|--|
| April | 10 | 2 | 10 | 7 | 3 (designation 1) | 27 | 37.5% |
| May | 16 | 6 | 9 | 7 | 2 | 31.6 | 55% |
| June | 14 | 6 | 12 | 8 | 4 | 32.3 | 37.5% |
| July | 18 | 14 | 13 | 10 | 3 | 40.2 | 25% |
| August | 17 | 5 | 13 | 8 | 5 (Designation 1) | 26 | 50% |
| September | 27 | 15 | 16 | 9 | 5 Designation 1 | 23.5 | 86% |
| October | 12 so far | | 16 so far | 5 | 7 Designation 1 | | |

2.13 Outcomes

2.13.1 This pie chart (table 8) shows the final orders made at the conclusion of all of the s.31 proceedings which have concluded in the last 6 month period.

2.13.2 This reflects the outcomes for Croydon children at the conclusion of care proceedings, with the overwhelming majority concluding with a combination of Care Order (including combined with Placement Order).

Table 8



2.14 Pre-proceedings

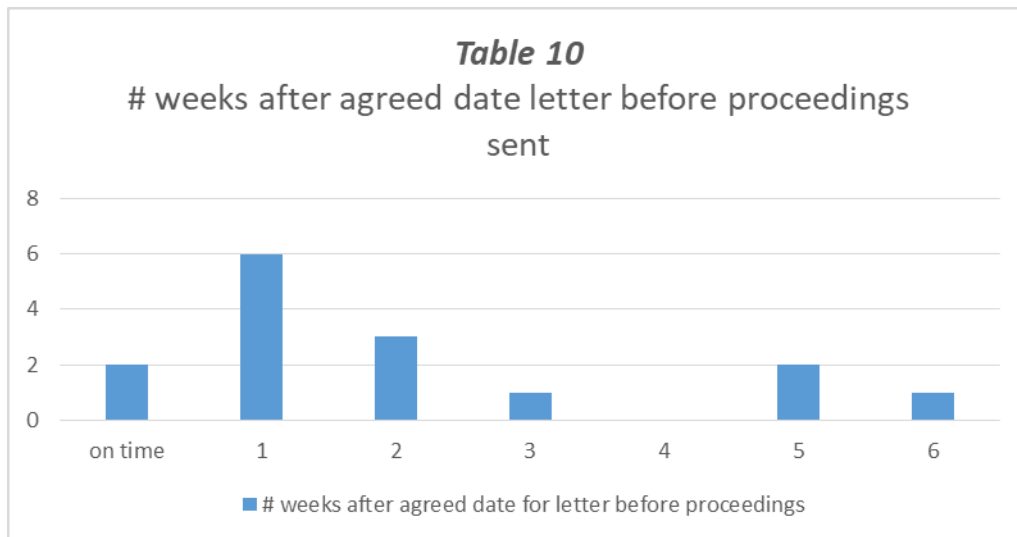
- 2.14.1 Croydon currently has 27 cases in PLO pre-proceedings. This is a formal meeting process to ensure parents understand the concerns and agree what needs to happen to protect the child from harm, so that court proceedings can be avoided. The local authority will then issue a 'letter before proceedings' to the parents, which sets out what the local authority is worried about, what support has been given, what the parents need to do and information about how to obtain legal advice.
- 2.14.2 Whilst this number is low considering the volume of active proceedings, there has been a gradual improvement over the last 6 months.
- 2.14.3 The number of cases in pre-proceedings does not reflect the number of cases identified for pre-proceedings at legal planning meeting. This seems to be as a result of there being significant incidents on cases once pre-proceedings decisions have been made meaning that the threshold for moving directly into legal proceedings is crossed, and/or parents refusing to work with the local authority within pre-proceedings.
- 2.14.4 This table (table 9) shows Croydon's pre-proceedings statistics for the last 6 months. The table demonstrates that there is little difference in pre-proceedings outcomes between proceedings being avoided or issued at the conclusion of pre-proceedings.

Table 9

| Month | # LPM cases presented | # cases where pre-proceedings agreed at LPM | # cases where pre-proceedings commenced (i.e. letter sent) | Pre-proceedings cases concluded | Cases where pre-proceedings avoided proceedings | Cases from pre-proceedings where cases issued |
|-----------|-----------------------|---|--|---------------------------------|---|---|
| April | 10 | 4 | 3 | 2 | 2 | 0 |
| May | 16 | 6 | 3 | 1 | 0 | 1 |
| June | 14 | 3 | 4 | 2 | 0 | 2 |
| July | 18 | 1 | 1 | 1 | 1 | 0 |
| August | 17 | 6 | 1 | 0 | 0 | 0 |
| September | 27 | 9 | 3 | 4 | 1 | 3 |
| October | 12 so far | | | | | |

2.15 Performance

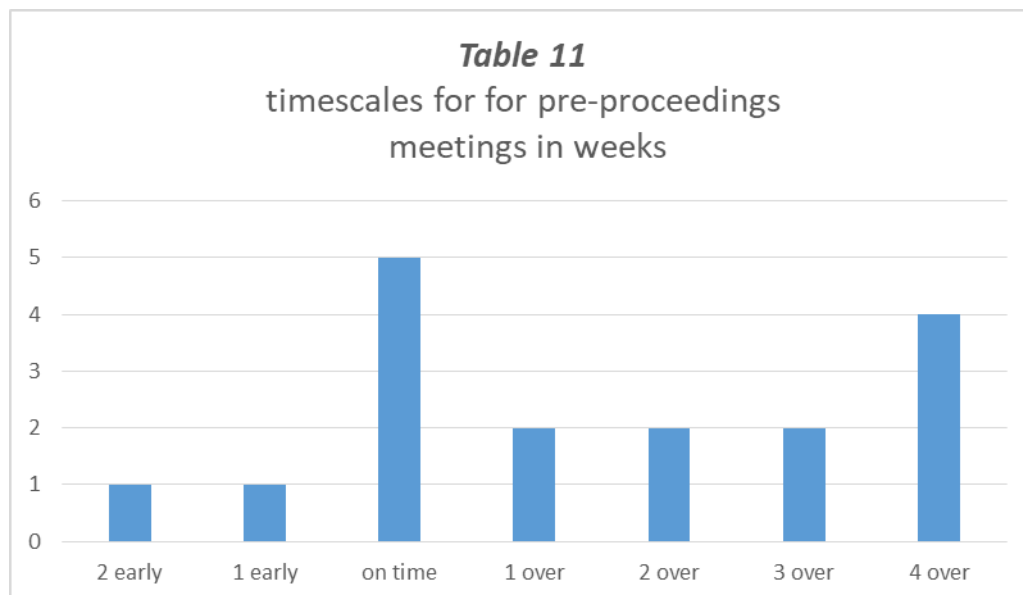
2.15.1 This chart (table 10) shows how accurately Croydon are meeting the timescales for the pre-proceedings letter before proceedings being sent to the family. This is based on the agreed timescale for the letter being 1 week after legal planning meeting.



2.15.2 It is clear from this that Croydon is not meeting the timescales set for our families and there needs to be increased management oversight in following up pre-proceedings decisions made following legal planning meetings.

2.15.3 This data has not previously been reported; in order to provide more oversight on this area of work, the care proceedings case manager will keep this information up to date manually in the interim period until legal workspace is operational (reference strategies for improvement below).

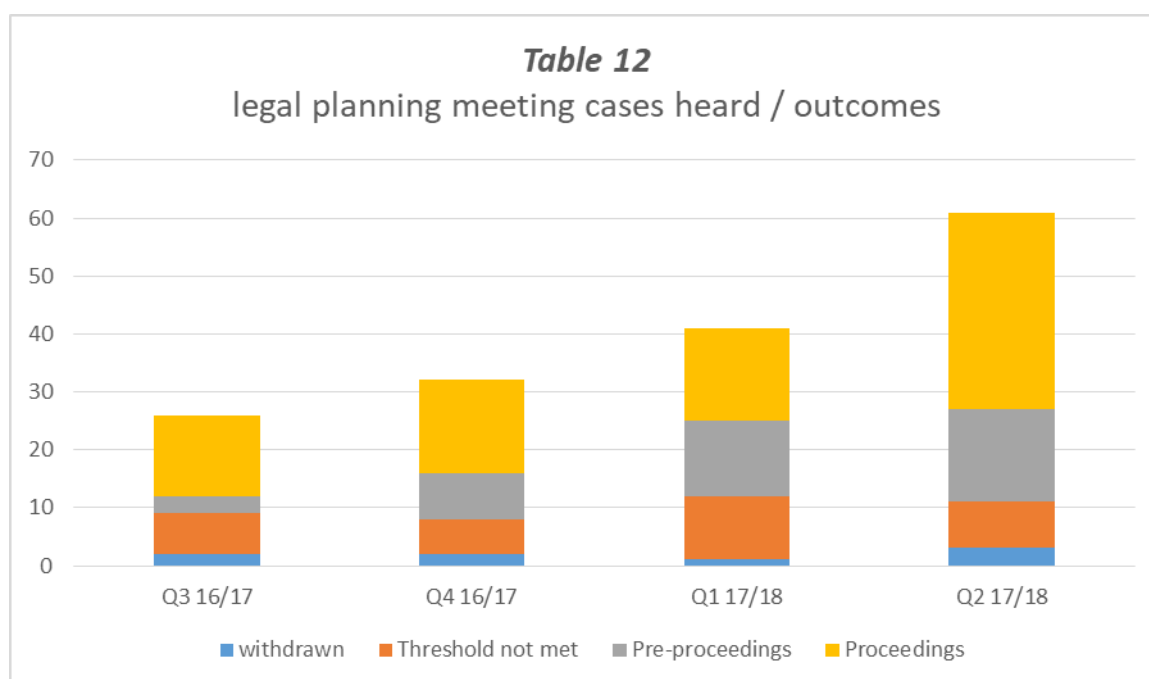
2.15.4 This graph shows how well Croydon are meeting the timescales for the pre-proceedings meeting being held. This is based on the usual guidelines for the meeting to be 3 weeks after the date of LPM. It is important to note that the delays are not always with the local authority because the meeting date needs to be agreed by others.



2.16 Legal planning meetings

2.16.1 Legal planning meetings are held weekly on a Friday morning. Additionally there is a duty solicitor available every day for social workers to be able to discuss urgent cases outside legal planning meeting.

2.16.2 This chart shows the numbers of cases heard at legal planning meeting per quarter over the last 12 months. The different colours depict the decisions made at LPM.



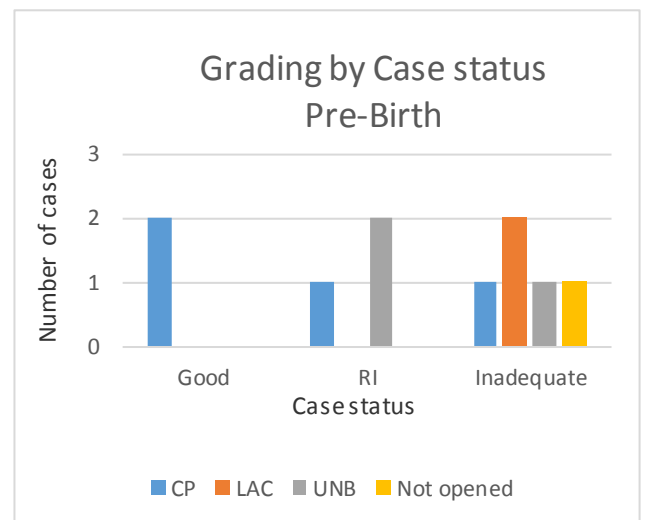
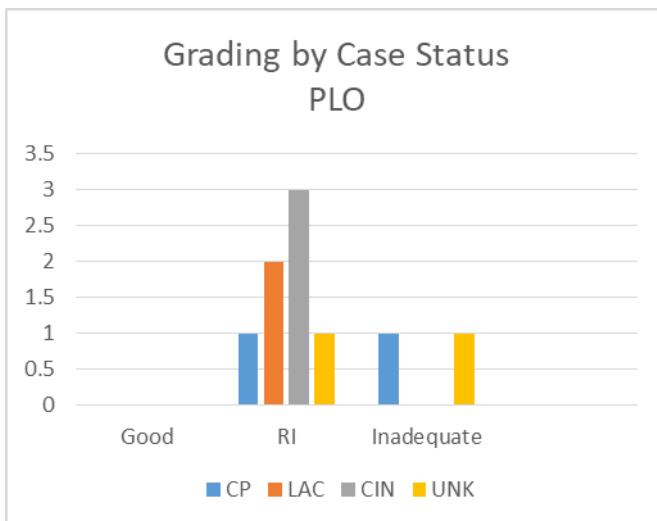
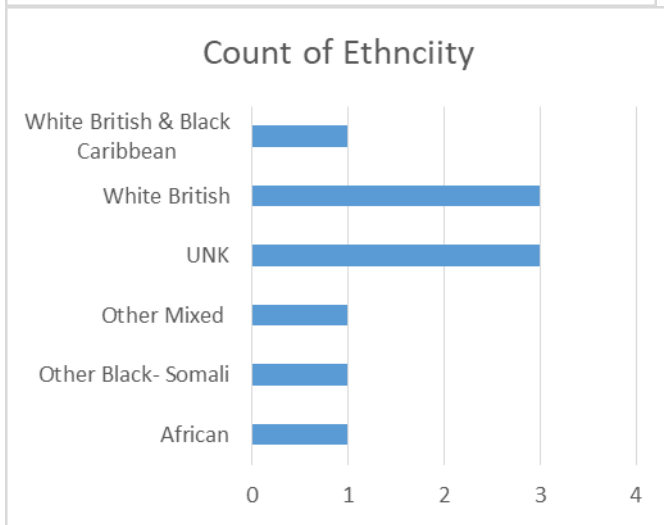
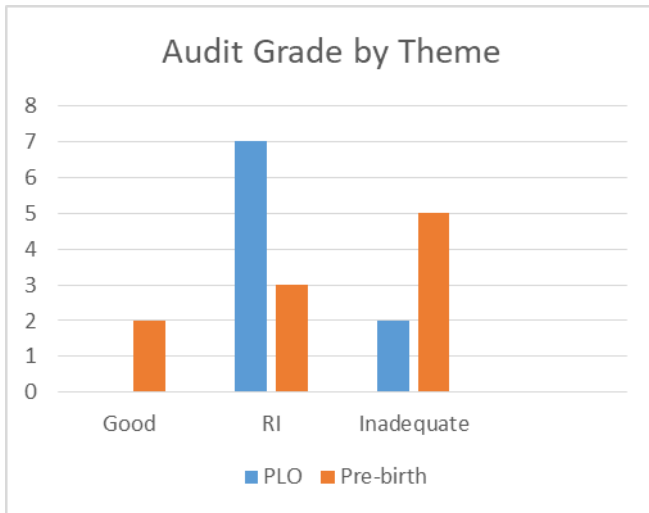
- 2.16.3 There has been a stark increase in the volume of LPM referrals over the last 2 months. Previously there were averagely 3 to 4 referrals per week and more recently there have been between 9 and 12 LPM referrals per week.
- 2.16.4 Until September 2017 the capacity for legal planning meeting was 4 cases per week, and this capacity usually accommodated the number of LPM referrals. Since September the capacity has been increased to 6 cases per week to accommodate the rise in cases requiring legal advice and several cases have been presented to the duty solicitor outside LPM for legal advice.
- 2.16.5 If the volume of legal planning meetings remains high over coming months then the legal department will need to reconsider how many legal planning meetings they have capacity to hear within the formal LPM setting each week.

2.17 Recent Audits

2.17.1 Audit activity

- 2.17.2 Audit activity has been carried out as part of this 'deep dive' report.
- 2.17.3 A total of 19 cases were audited; 10 pre-birth and 9 PLO which represents around 10% of cases in each category. 2 of the cases were held within Leaving Care, in light of the lessons learned from the Ofsted Annex H case. The 9 PLO cases included cases that are currently under PLO and those that had been concluded, to look at practice.
- 2.17.4 In relation to the Pre-Birth cases, 2 were graded good, 4 requires improvement and 4 inadequate. The two Leaving Care cases were grade good and inadequate.
- 2.17.5 In relation to the PLO cases, 7 were graded requires improvement and 2 inadequate.

2.18 Key Data Highlights



2.18.1 Analysis of the identified concerns/risk within each family case reveals the following-

- 13 of the 19 (68%) cases had features of domestic abuse
- 7 had features of substance misuse

- 7 parental mental health
- Majority of families previously known to CSC (only 1 had no known previous history with CSC)
- 3 cases involving care leavers (2 pre-birth/1PLO)
- 4 cases had elements of DV, MH and substance misuse (“toxic trio”)
- 4 cases involved young parents

2.19 Practice Highlights

2.19.1 In many cases there were elements of some good social work with families and children. There is also evidence of good communication with partners (midwifery in particular) alerting CSC to pregnancies, usually in a timely manner.

2.20 Practice Concerns

2.20.1 There is ongoing evidence of inconsistent quality supervision.

2.20.2 The use of the C&F assessment is not fit for the purpose of quality pre-birth assessments; there is a need for a more meaningful format. Other practice concerns include:

- Chronologies often absent or of poor quality
- Plans lacking clear direction
- Limited or lacking evidence of considered analysis
- Limited discussion of direct work
- Supervision lacking reflection, task oriented, inconsistent

2.21 Outcomes for children

2.21.1 Action had been taken to assess needs and progress plans appropriately in 7 out of the 10 cases, 4 of which resulted in timely legal proceeding and Interim Care Orders, 1 in a child protection plan and 2 in child in need plans. In relation to the two cases which had not been progressed in line with good practice, one child is subject to a child in need plan but this case has been escalated with a view to take the case back to an Initial Child Protection conference and the other case (the baby of a care leaver) has been escalated for an assessment. Three of the audited cases are still unborn.

2.22 Specific actions resulting from audit

- 2 cases were escalated to Heads of Service regarding safeguarding concerns to be addressed with some urgency
- The learning from this audit has been discussed with the Practice Development group and actions agreed – summarised below.
- DV Consultant Practitioner will be delivering DV training starting in November, and this will be incorporated into our core training programme.
- The new supervision template based on Strengthening Families model has been launched

- Reflective group supervision for social work teams is becoming embedded.

2.23 Partnership activity

2.23.1 Health

2.23.2 The Vulnerable Woman's group is a multi-agency panel which meets monthly at the hospital. The group accepts referrals for pregnant women where there are concerns about the unborn baby. The cases are discussed with the aim of identifying support needs to be met by all partners. A social worker from the MASH attends this meeting which enables early mapping of potential vulnerable women. From this forum a decision can be to refer the case to Social Care (some cases are already open) which enables early planning, pre-birth assessment where required and early recognition of vulnerability.

2.23.3 There is a weekly Psycho social meeting attended by a MASH worker. This is a multi-agency forum where health discuss cases that have presented at A and E. This can include vulnerable women where a pre-birth assessment is required.

2.23.4 Adult Services

2.23.5 All adult services staff are trained in child safeguarding. All their clients are expected to have had a 'child need and risk screen' completed and where there are any risks identified there is a link to generate a referral to Croydon Council Multi Agency Safeguarding Hub. Staff are expected to work to a Think Family approach and to keep the child (or unborn) in mind when working with adults who live with or share responsibility for children and young people. When planning interventions, for example Mental Health Act Assessments, staff must have regard to a child or unborn, and seek to mitigate against any potential trauma as a consequence of the assessment or intervention. There are good relationships between the Approved Mental Health Professionals (responsible for Mental Health Act Assessments) and colleagues in Children's Social Care.

2.23.6 It is not currently possible to identify the number of referrals for pre-birth assessments that have been received from adult services, as they would be categorised as 'other local authority department'.

2.23.7 Legal Services

- Legal services colleagues have worked with children's social care to develop a court proceedings action plan and data sets incorporating feedback and consultation with the courts.
- A series of engagement and action planning meetings are now scheduled between the Head of Legal services and the director of children's social care with judges for the coming year
- Monthly legal performance meetings are now held with senior managers, care proceedings manager and head of legal services.
- Legal services convene a diary meeting every Monday morning with the care proceedings case manager to raise non-compliance issues

- A duty solicitor is available each day from 9am to 5.30pm and a member of the legal team offers surgeries with social workers every day from 10am to 12 noon

2.24 CSCB – application of thresholds

- Multi-agency understanding and application of thresholds, early recognition of vulnerability and availability of a range of early help services are all part of the current work plan of the CSCB.
- Improved data and analysis will support all partners to develop a better understanding of the need for early permanency planning and timely intervention. This should be tested by multi agency auditing of cases which progress to early permanency planning and removal of young children, to identify opportunities for a different range of interventions.

3 SUMMARY OF THEMES AND CHALLENGES

3.1 Child and family factors

3.1.1 This 'deep dive' exercise has demonstrated a number of features of the families we are working with to plan for the needs of unborn children in a timely way. Domestic abuse, mental health, substance misuse and young parenthood are common needs. The ability of all multi agency professionals to identify the risks associated with these factors and the availability of a range of services to support families to address these challenges, will all require attention moving forward if we are to continue to manage and reduce the level of risk for our children.

3.2 Capacity and capability of front line staff

3.2.1 The rising volume of work, particularly in use of PLO and cases moving into legal proceedings, continues to challenge the service. The work is complex and requires knowledge of court processes and ability to prepare well evidenced reports for court. Proceedings are time consuming and time spent in court will impact on the worker's ability to undertake the statutory requirements of other cases they are responsible for including visits and reviews. This level of work must be well managed and workloads adjusted to reflect the demands on individual workers and teams – this is being addressed through the establishment of additional posts in the care planning service.

3.2.2 Developing skills and ability of our staff to prepare reports for court which are well written and timely will continue to be a priority.

3.3 Management oversight

3.3.1 Audit activity and performance data continue to evidence that poor supervision leads to drift and delay in decision making. Focused work with unit managers, support and training, and updated pro-forma for recording will continue to address this.

3.4 Timeliness of responses

- 3.4.1 There is an improving picture in relation to timeliness, which impact on planning for children. Court timescales are improving despite the rise in volume and the audits evidenced that where legal action was deemed necessary, this was instigated in a timely way at birth.

3.5 Parallel planning

- 3.5.1 Although there has been an increase in pre-birth assessments linked to earlier identification of vulnerabilities, and earlier discussion at legal planning, there is a still a challenge to the service to ensure that parallel planning rather than sequential planning becomes embedded. This means early involvement of the adoption service, twin tracking child protection and legal planning processes, and identification of the right placement resources, which for some children, may mean 'foster to adopt' placements. Whilst numbers of foster to adopt placements have been limited there are carers who are willing to consider this placements and there is a recognition of a need to continue to recruit 'foster to adopt' carers.

3.6 Partnership engagement

- 3.6.1 There has been positive impact of work through the MASH with health colleagues to identify risk at an early stage in pregnancy and begin to plan to meet the needs of the unborn. This is evidenced in audit and in our performance data which shows that assessments are being triggered when the pregnancy is confirmed. However there is a need to continue to raise awareness of the risks to unborn babies of parental mental health, substance misuse and domestic abuse with all professionals who may be in contact with parents.
- 3.6.2 Work is ongoing with colleagues in legal services to improve the quality and timeliness of our work which is already evidencing improvement in practice – see above.

3.7 Corporate parenting responsibilities

- 3.7.1 There is a need to continue to be mindful of the needs of young parents, particularly those who have been in our care and are vulnerable themselves. Recognising the risks and ensuring support is in place for young people for whom we are corporate parents is important. This will be addressed through assessment of the needs of any care leaver who is to become a parent and a commitment to put in place early help services in every case, with additional support and intervention where risks to the baby are identified.

4. ACTIONS TO RESPOND TO ONGOING CHALLENGES

4.1 Pre-Birth Assessment

- 4.1.1 A pre-birth timeline has been developed as a joint piece of work across care planning and permanency services to support social workers in parallel planning, use of PLO alongside Child Protection processes, and identifying the right placement for the child at an early stage, supported by any necessary legal action.

4.1.2 This is attached as Appendix 1. It will be discussed with the Practice Development group and launched through training and supervision.

4.1.3 A decision has been made to develop a dedicated pre-birth assessment tool to assist social workers to assess critical aspects of the family's life in order to reach a judgement about the plan, and evidence good practice. This will be aligned with our new social work practice model and built into CRS. This work is being led by the Principal Social Worker and will align with our new practice model.

4.1.4 Timescale: develop January 2018 and launch with the new SW model

4.2 Staff training and development – PLO processes

4.2.1 The care proceedings case manager has designed and delivers on a weekly basis a rolling programme of training sessions to staff. These are bite-sized to make attendance more manageable. Training topics are: statement writing, PLO pre-proceedings, s.20, preparing for court and giving evidence. Legal colleagues are supporting delivery of these training sessions.

4.2.2 Our colleagues in legal will also be delivering two Court Skills training sessions in the next 6 months. This will be day long training to help social workers improve court practice and presentation.

4.2.3 The care proceedings case manager spends individual time with social workers to help them prepare for giving evidence, and to assist with writing statements. She also offers drop in consultation to staff who have questions or need support regarding Court matters.

4.2.4 Additionally guidance notes and exemplars on all of the Court templates in use have been produced as well as documents to aid pre-proceedings such as templates for letters, written agreements and meeting agenda.

4.2.5 In the last few week our colleagues from the legal department have started sitting within the social work team to offer drop in consultation support; this is daily from 10am-12 noon.

4.2.6 **Timescale:** training delivered weekly

4.3 PLO pre-proceedings

4.3.1 To increase our effective PLO pre-proceedings work, more work is needed to identify those cases which require legal planning with a view to pre-proceedings at an earlier stage. This process has started and is showing some improvement but numbers remain low for an authority the size of Croydon.

4.3.2 To support this process, a review of all cases where the child has been on a child protection plan for more than 9 months, and all cases where the CP chair has recommended attending an LPM will be held in October and November 2017. This process is likely to instigate an initial rise in legal planning meeting referrals; however it will ensure that the child protection plans for children are reviewed, and pre-proceedings instigated where required which will make ongoing overview and monitoring of these cases easier moving forward.

4.3.3 Additional plans to improve the way our cases are managed in pre-proceedings include a planned training session with care planning unit managers to model a pre-proceedings meeting. This will improve the quality of practice regarding pre-proceedings meetings.

4.3.4 **Timescales:** Review of all cases where child has been subject to a CP plan for 9 months or more by end November 2017.

4.3.5 Training for care planning UMs by end December 2017

4.4 Legal workspace

4.4.1 When legal workspace (a module on CRS to support tracking and oversight of cases in PLO) is operational on CRS this will alleviate the manual tracking currently required for care proceedings cases, pre-proceedings cases and legal planning meeting outcomes. Legal workspace is anticipated at the end of October 2017.

4.4.2 This system will need to be manually maintained by legal business support who will input information directly from Court Orders onto the system; this will provide tracking for dates and directions. There will be easy access for all levels of management to be able to view what is due for compliance on each case and when; unit managers, service leads and heads of service will be able to have better oversight of what is due for individual workers or units, on specific cases.

4.4.3 **Timescale:** Legal workspace in use by mid-November; reporting facility operational by December (dependent on business support capacity to input all information into system).

4.5 Legal Planning Meetings

4.5.1 Since April there has been a legal planning meeting outcomes tracker. This was developed to monitor cases where a decision has been made to issue proceedings and to track when the Court application is made. This tracker was developed when it was identified that there was drift in legal planning meeting decisions being implemented, and it is used on Monday morning management meetings where heads of service can raise the delays with unit managers to seek resolution.

4.5.2 Timescale: in use

4.6 LIFT and FDAC

4.6.1 The London Infant and Family Team (LIFT) are a multi-disciplinary assessment and treatment service for Court directed assessments within proceedings. LIFT are funded by the NSPCC and so this is a free resource to the local authority. LIFT is only a service for families where children are under 5 years old, the children must either be separated from their parents or within a mother and baby foster setting.

- 4.6.2 On cases where LIFT is agreed by the Court and parties, LIFT undertake a 12 week multi-disciplinary, attachment focussed assessment and at the conclusion will make recommendations as to whether therapeutic intervention is advised for the family. If the decision is that therapeutic intervention is not advised then the Court often has all of the information required to make a final decision for the child. If therapeutic intervention is advised then the family engage in a 5 month therapeutic intervention process with the LIFT team, this is reviewed regularly and can be terminated by the Court at any time.
- 4.6.3 In order to determine whether the LIFT assessment and intervention provides better outcomes for the child than services as usual a research trial commenced on 16th October 2017. This research trial will assess children at three points over a 2.5 year period, considering their attachment and development at each stage. The families who opt into this research trial at the outset of proceedings will be randomly allocated 50% into LIFT and 50% into Court assessment services as usual. The research trial will be running in the background for families in both groups. This is the first randomised control trial involving the Judiciary and Children's Services and this has been endorsed by Lord Justice Mumby.
- 4.6.4 Croydon is also participating in the Family Drug and Alcohol court (FDAC) which will start on 1st January. FDAC aims to help parents stabilise or stop using drugs and or alcohol and, where possible, keep families together. Where this isn't possible, the court aims to make swift decisions in order to find children a permanent, stable home. It is based on a model widely used in the USA which is showing promising results. The process involves coordinating and fast tracking a range of services so that a family's needs and strengths are taken into account, with everyone working towards the best possible outcome for the child.
- 4.6.5 Timescale: LIFT in use; FDAC from January 2018

5. IMPACT OF OUR WORK

The following two case summaries are examples of how early assessment and planning can either support a parent to care for their child, or facilitate early removal and permanency planning.

5.1. Remain with Parents_Unborn B

- 5.1.1 Ms B has a history of being in violent and abusive relationships, alcohol misuse, depression and Ms B's failure to protect her children. Care proceedings were initiated for two of her three older children, D (a son) and L (a daughter); the courts granted a Special Guardianship Order in respect of D to his paternal grandmother and a care order was granted in respect of L. L remains in long term foster placement. Care Proceedings were not initiated for her eldest son B at that time because of his age.
- 5.1.2 In early May 2016 Ms B and her partner Mr W (Unborn B's father) were deemed intentionally homeless through failure to pay rent by a south coast Council. They moved to the Croydon area and were sofa surfing between the addresses of their extended family in the Croydon area.

- 5.1.3 The referral for Unborn B was received at the end of June 2016 from both the social worker for L and the Community Midwifery Matron in south coast District General Hospital. The case was considered to be a high risk case as Ms B has had previous children removed, suffers from depression, had a history of alcohol abuse, a long history of being in domestically abusive relationships and is considered very vulnerable. Professionals were also concerned that Ms B and Mr W may have been moving around in order to avoid further social care intervention.
- 5.1.4 On the 16.09.2016, Unborn B became subject to a Child Protection Plan, following a unanimous agreement by professionals that the threshold had been met and the PLO process was commenced prior to Unborn B being born and continued after her birth in December 2016.
- 5.1.5 A parenting assessment was undertaken in the first two weeks of Unborn B's life the outcome of which was positive. This was followed by further assessment reports and work with the family which were also positive. Due to this outcome, the decision was made to end the PLO process.
- 5.1.6 Towards the end of the PLO process, the family moved back to the south coast area with the intention to remain living there. A review CP Conference took place in early July 2017, at which time it was deemed that the concerns regarding the couple's ability to safely parent Unborn B had been resolved and the matter was stepped down to Child in Need (CiN).
- 5.1.7 The case was subsequently transferred to the south coast Children Services as a CiN matter.

5.2 Placement Order: Unborn P

- 5.2.1 Ms P has had seven children in total. Her two oldest children were removed and adopted outside of the family in 2001 and 2004. Her third and fourth children were the subjects of care proceedings in another London borough in 2012-13 which concluded with permanent removal from Ms P's care and a residence order to their father. Her fifth child was permanently removed from her care and placed under an SGO with her maternal aunt. During these former proceedings there have been psychiatric assessments, parenting assessments and many viability assessments. All have concluded that Ms P cannot care for her children or protect them from harm. T, born in August 2014, is her 6th and Unborn P, born in August 2016, is her 7th child; both were subject to care proceedings together in Croydon.
- 5.2.2 T is the son of Ms P and Mr M. Unborn P is the daughter of Mr N and Ms M. Ms P and Mr M are both deaf. Mr N and the children are hearing.
- 5.2.3 About six months after T's birth Ms P fled to the midlands where she resided with Mr M to escape domestic abuse perpetrated by Mr M (including verbal, physical and sexual violence). Ms P was supported to settle in another London borough and T was made the subject to a CP Plan. This was transferred to Croydon after the family were housed in the borough in May 2015.
- 5.2.4 In January 2016 Ms P advised that she had entered a new relationship some

months previously with Mr N and she was pregnant. Throughout the pregnancy there were frequent police call-outs to domestic incidents in which Mr N would physically assault Ms P leaving her with injuries. Mr N was believed to misuse drugs and alcohol. The Local Authority issued care proceedings in relation to T in June 2016 after further episodes of domestic violence. T was made the subject of an Interim Care Order on 8th July 2016.

- 5.2.5 On 1st August 2016 Unborn P was born and the Local Authority was granted an Interim Care Order on 3rd August 2016; Unborn P was removed and placed in a separate foster placement from T on this date.
- 5.2.6 In March 2017 Mr N was remanded back into custody following a further assault on Ms P and it is understood he is now serving that sentence in custody.
- 5.2.7 The final hearing for the case took place in July 2017 (these proceedings were long due to the complexity of working with deaf parents and the difficulties encountered by the Court in securing interpreters for hearing dates.)
- 5.2.8 A Placement Order and Care Order were made with regard to Unborn P and she is currently being matched with prospective adopters. A Special Guardianship Order was made regarding T and he was placed with his paternal grandparents.

6. **RISKS AND ISSUES**

- 6.1 The recent rise in court proceedings is anticipated to continue in the short to medium term requiring addition legal and social work time.
- 6.2 If this results in case management failings and avoidable delays, the council could be subject to costs awarded against it.

7. **FINANCIAL IMPLICATIONS**

- 7.1 Potential for costs awarded against the council for case management failings in court cases.
- 7.2 Additional staffing costs to manage the increase in workloads.

Appendices

Appendix 1 – Pre-Birth timeline

CONTACT OFFICER: Philip Segurola, Director of Early Help and Children's Social Care

BACKGROUND DOCUMENTS: None