

Introduction to... children's social care



- **The legal and policy context**
- **Ways of working**
- **Child protection procedures**
- **Looked-after children**
- **Further information**

This *Introduction to...* briefing gives a brief overview of Children's Social Care (CSC) and the relevant legislation and policy framework. It is aimed at people who have little or no experience in this area.

The briefing explains the role of CSC for those children in need of protection and for looked-after children. It also explores some ways of accessing support for families who do not meet the threshold for CSC.

CSC relies on excellent communication within the multi-agency network and with those families and children receiving services. Each area will have a different way of delivering services and interpreting thresholds so it is important that you get further information from the resources listed here and the local service that you work in.

The legal and policy context

The Children Act 1989

The central piece of legislation guiding CSC is the 1989 Children Act. The key element of it for this guide is its focus on a '**Child in need**' and a '**Child in need of protection**'.

Section 17 of the Act places a general duty on all local authorities to '*safeguard and promote the welfare of children within their area who are in need.*' Basically, a 'child in need' is a child who needs additional support from the local authority to meet their potential.

Section 47 of the Act requires the local authority to investigate the child's circumstances where they have '*reasonable cause to suspect that a child ... is suffering, or is likely to suffer, significant harm,*' and to '*take any action to safeguard or promote the child's welfare.*' Local authorities have a duty to provide a level and range of services to safeguard children and promote their welfare. Consequently, a local authority has to investigate any concerns or allegations that suggest a child is likely to suffer physical, emotional or sexual abuse, or neglect, and to take action to prevent this.

Local authorities also have some responsibilities to young people over 18 years – for example, those with disabilities and those who have been 'looked-after'. Services offered as part of CSC may therefore include:

- services for looked-after children, including fostering and residential care
- court liaison and advisory services
- adoption
- child protection
- family support
- services for children with disabilities.

Great Britain, Statutes (1989) *Children Act 1989*, London: The Stationery Office (available at www.legislation.gov.uk/ukpga/1989/41, accessed 16 April 2012).

Working together to safeguard children 2010

The way that agencies and organisations should work together to carry out their duties and responsibilities under the 1989 Children Act and other legislation is set out in a document called *Working together to safeguard children*. It sets out the responsibilities of all agencies in the protection of children, and is aimed at staff in organisations that are responsible for commissioning or providing services to:

- children, young people and adults who are parents/carers
- organisations that have a particular responsibility for safeguarding and promoting the welfare of children and young people.

Department for Children, Schools and Families (2010) *Working together to safeguard children*, London: OPSI (available at www.workingtogetheronline.co.uk/wt_2010.PDF, accessed 16 April 2012).



Human Rights Act 1998

All health and social care needs to be conducted in a way that is mindful of the Human Rights Act.

Great Britain, Statutes (1998) *Human Rights Act 1998*, London:

The Stationery Office (available at

www.legislation.gov.uk/ukpga/1998/42/contents, accessed 16 April 2012).

Ways of working

Framework for assessment in Children's Social Care

Assessing whether a child is in need and the nature of these needs requires a systematic approach to gather and analyse information about children and their families. The framework is based on legislative foundations and requires a thorough understanding of:

- children's developmental needs
- the capacity of parents and carers to respond appropriately to these needs
- the impact of wider family and environmental factors on parenting capacity and children.

The model below shows these three inter-related systems.



Department of Health, Department for Education and Employment and Home Office (2000) *Framework for the assessment of children in need and their families*, London: The Stationery Office (available at www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_4003256, accessed 16 April 2012).

Initial and core assessments

CSC will assess a child and their family's circumstances before the child can receive a service. This assessment may be an 'initial' assessment, which currently must be completed within 10 working days. For more complex situations there may also be a 'core' assessment, which should be carried out within 35 working days. The type of assessment will reflect the complexity of the child and family's situation. Core assessments are repeated every six months for families that receive services to decide how effective the help being offered is. Both types of assessment are based on the Assessment Framework.

For more information on initial assessments, see the Write Enough website: www.writeenough.org.uk/formats_ics_initial_assessment_record.htm

For more information on core assessments, see the Write Enough website: www.writeenough.org.uk/formats_ics_core_assessment_record.htm

Following the Munro review of child protection services, the government is carrying out pilot studies in local authorities to look at changing the timescales for children's assessment. The studies are also looking at amending statutory guidance, including the policy document *Working together to safeguard children* (2010).

Only a small proportion of young carers are currently identified or assessed for support.

Child protection procedures

Emergency protection order (EPO)

An emergency protection order is an order from the court that allows the child to be removed from home if the child is in imminent danger, and grants parental responsibility to the local authority. The court must be satisfied that there are extremely persuasive reasons to make the order. An emergency protection order lasts up to eight days, but can be extended once, for a maximum of seven days.

Police protection Order (PPO)

This is issued by the police without reference to a court, and is only used in emergency situations where a delay in an EPO may put a child at risk.

Strategy discussions and meetings

When there are concerns that a child may be at risk of significant harm, CSC will talk to partner agencies about the child. CSC – together with the Police Child Abuse Investigation team – will decide if the threshold for a child protection investigation (see Section 47 below) has been met. If it has, they will also decide who should carry out the investigation – CSC and the police (joint agency) or the police alone (single agency). This may be done at a meeting or as telephone conversations, depending on the nature and urgency of the enquiries.

Department for Children, Schools and Families (2010) *Working together to safeguard children*, London: OPSI
(available at www.workingtogetheronline.co.uk/wt_2010.PDF, accessed 16 April 2012).

Section 47 investigations

A Section 47 enquiry means that CSC must carry out an investigation when they have *'reasonable cause to suspect that a child who lives, or is found, in their area is suffering, or is likely to suffer, significant harm'*¹. The enquiry will involve an assessment of the child's needs and the ability of those caring for the child to meet them. The aim is to decide whether any action should be taken to safeguard the child. The child's parents/carers will be interviewed, as well as the child (unless the child is too young). The assessment will also include information from the child's school, doctor and other professionals.

Information sharing

All agencies have a responsibility to inform CSC and to share information with other agencies if they are concerned that a child is in need or at risk of harm. Good practice shows that they should always discuss this with the parents/carers and the child, if they have sufficient understanding. However, if you are concerned that this could increase risk to the child, you should share their information and get advice from CSC services. You may need to pass on information without the consent of the family if you think it is necessary to protect the child. This means that if you and your agency:

- have concerns about a child's safety, you must make a referral to CSC
- are asked, by the police or CSC – as part of a Section 47 investigation – for information about a child or their family, you must reveal all relevant information.

You and your agency may also take part in the child protection processes (conferences and meetings) as a source of protection and information for a child on a protection plan.

Further guidance on information sharing can be found at:

www.education.gov.uk/childrenandyoungpeople/strategy/integratedworking/a0072915/information-sharing



¹ Great Britain, Statutes (1989) Children Act 1989: Section 47, London: The Stationery Office
(available at www.legislation.gov.uk/ukpga/1989/41, accessed 16 April 2012).

Initial child protection conference

CSC may decide to hold an initial child protection conference if the Section 47 investigation decides that the child *'has suffered or is likely to suffer significant harm'*. This is a multi-agency meeting chaired by an independent, qualified and experienced social worker of manager grade.

The purpose of the conference is to:

- share information
- assess if the child is likely to suffer significant harm, which category of harm, and whether the harm is due to the care they are receiving
- decide if the child needs a child protection plan
- devise an outline multi-agency protection plan
- identify an allocated worker from within CSC and a core group of professionals from other agencies to work with the family to make detailed plans and to implement the plan.

The child's parents will always be invited to attend, unless there is real risk of harm to those attending the conference. The child or young person should always be invited unless there are specific reasons not to, such as a risk of violence.

If you are invited to attend you need to prepare a verbal and written report on your involvement, if asked. This report should focus on the child, and identify the family's strengths, difficulties and the areas of concern. It should be shared with the child and family before the conference. You will be asked for your views on the need for a protection plan, and your comments will be recorded if they disagree with the view of the conference. Everyone present should receive minutes of the meeting. This is a confidential document and must be stored securely.

The core group

A core group is a 'virtual team' of key professionals and family members. They are responsible for developing the day-to-day details of the care plan produced by the conference, putting the plan into practice, allocating tasks as appropriate and reporting back to the next conference on progress made. They must meet within 10 days of the initial conference and at least every eight weeks after that. Core group meetings usually take place in the family home, children's centre or the school, and all present should receive a record of the meeting. The meetings may include professionals from adult/other services, family members and the child if they have sufficient understanding.

Review child protection case conferences

Review child protection case conferences assess progress on the protection plan and may decide that there has been enough progress and a protection plan is no longer needed. The first review is held within three months of the initial conference and at least every six months after that. It is vital that you continue to attend these meetings as an involved professional, to ensure multi-agency decision-making.



Ending a child protection plan

If CSC decide to end a child protection plan, they may still want to continue to offer services to the child and their family. In this case the child would need a Child in Need plan. These plans also involve agencies working together and are regularly reviewed. There is no statutory timeframe but best practice suggests a review every six months.

Ending children's social care involvement

Sufficient progress on a child protection plan may mean that there is no longer a role for CSC. In this case CSC should inform partner agencies in writing. Partner agencies may continue to be involved and offer services using the Team Around the Child/Family process described below.

What to do if you are worried a child is being abused

You should always share any concerns you have about risk to children or young people with CSC services and/or the local police child protection team. It is important to discuss your concerns with colleagues, supervisors and the lead person for child protection within your agency.

Make sure you know your agency's child protection procedures and your role in protecting children. There are a number of helpful websites that tell you what to do as a professional if you are worried a child maybe being abused. Local authority and CSC services have procedures in place to allow you to voice your concerns if you feel that CSC should begin an assessment and have not already done so.

It is **your responsibility** if you are the referrer to ensure your concerns are raised and that you are given the reasons for the decisions made. All organisations should have a safeguarding lead, where you will be able to discuss your concerns and the actions that may be needed.

<https://www.csb.org.uk/downloads/policies>

Department for Education and Skills (2000) *What to do if you're worried a child is being abused*, London: The Stationery Office (available at www.education.gov.uk/publications/eOrderingDownload/6840-DfES-IFChildAbuse.pdf, accessed 16 April 2012).

Local Safeguarding Children Boards (LSCBs)

Local Safeguarding Children Boards (LSCBs) are organisations that bring together senior representatives from health, education, social care, police, probation and the voluntary sector. They meet regularly to ensure that agencies are working together to safeguard children and promote their welfare. Adult health and social care services are vital partners in LSCBs.

All LSCBs will have a website – as will the local authority – so that you can find the details you need on referral routes, thresholds/eligibility criteria and service provision in your area.

Assessing whether a child is in need and the nature of these needs requires a systematic approach to gather and analyse information about children and their families.

Looked-after children

'Looked-after' children are those that are given accommodation away from their families at the request of their parent and those in care as the result of a Care Order. The Looked-after Children service is responsible for children who cannot – for whatever reason – live with their families. The service aims to support children living with relatives, family, friends and foster families, or sometimes – especially for older young people – in children's homes and units.

Section 20 of the Children Act 1989 – Voluntary Care

Under Section 20 of the Act, the local authority has a duty to provide accommodation for 'children in need'. This accommodation – either in foster care, residential care or a kinship placement – can be long- or short-term, and does not involve the courts. The parent retains full parental responsibility.

Section 31 of the Children Act 1989 – Care Order

The court can create a care order under Section 31(1) (a) of the Children Act, placing a child in the care of a designated local authority, with parental responsibility being shared between the parents and the local authority. It can only be made if the court is satisfied that '*the harm, or likelihood of harm, is attributable to ... the care given to the child, or likely to be given ... if the order were not made, not being what it would be reasonable to expect a parent to give ... or the child being beyond parental control*'. The court may make an interim care order (for up to eight weeks in the first instance) to investigate a child's home circumstances.

Read more about care orders on the CAFCASS website:

www.cafcass.gov.uk/the_law_about_children/care.aspx

Private fostering

When a child under the age of 16 (under 18 if disabled) is cared for by someone other than their parent or 'close relative', it is private fostering. This is a private arrangement made between a parent and a carer, for 28 days or more. Close relatives are defined as step-parents, grandparents, brothers, sisters, uncles or aunts (whether of full-blood, half-blood or marriage/affinity).

It is an offence not to notify the local council of a private fostering arrangement. If you hear about such an arrangement you should discuss it with your manager. The local authority should also be told because all councils are legally required to make sure that all children that are privately fostered are cared for by a suitable carer in an appropriate environment. This is important to make sure the child is safe and that their needs are being met.

Read more on private fostering: www.privatefostering.org.uk/pfcarer

6 The type of assessment will reflect the complexity of the child and family's situation. 9

Leaving care and after care services

Most looked-after children will begin to receive a service from the leaving care and after care services around the age of 16. These services are responsible for helping them prepare for independence at the age of 18 or often later. Some looked-after young people have the right – under the Children (Leaving Care) Act 2000 – to an extended service up to the age of 21 (and in some cases 24) if they are in full-time education.

Read more on the Children (Leaving Care) Act here:

www.anationalvoice.org/info/rights/children-leaving-care-act

Independent reviewing officers (IRO)

IROs are responsible for chairing the statutory review process of children who are looked after by the local authority. They must ensure the child is given appropriate care. Although local authorities directly employ some IROs, they have a responsibility to challenge local authority decision-making, in the interests of the child. They are also responsible for making sure the child's voice is heard.

Department for Children, Schools and Families (2010) *IRO Handbook: Statutory guidance for independent reviewing officers and local authorities on their functions in relation to case management and review for looked after children*, London: OPSI (available at www.education.gov.uk/publications/standard/Lookedafterchildren/Page1/DCSF-00184-2010, accessed 16 April 2012).

Further information

The wider network: the 'four-tier model' of services

CSC services play a specific statutory role within a wider set of children's services. Many local areas describe this range using a four-tier model. This is often displayed as a pyramid or continuum of needs (see below). The terminology and boundaries between tiers vary slightly across the country, but generally they are:

- **Tier 1** – Universal services such as schools, health visiting, GP and so on.
- **Tier 2** – Targeted services for children and families beginning to experience – or at risk of – difficulties, for example school counselling, parenting programmes, support for teenage parents and so on.
- **Tier 3** – Specialist services for children and families with multiple needs such as intensive family support, specialist child and adolescent mental health services, and services for children with disabilities.
- **Tier 4** – Specialist services for children and families with severe and complex needs, including child protection services, inpatient child and adolescent mental health services.



CSC 'sits' within tiers 3 and 4 of this framework, meaning that it deals largely with families experiencing serious and complex difficulties. For families needing a bit of extra support or help, there are a range of other services that may be more suitable in the first instance.

The remainder of this section describes some of the processes for getting help at the lower tiers of this model.

The Common Assessment Framework

The Common Assessment Framework (CAF) is a national multi-agency assessment tool for all professionals involved with a child and their family, irrespective of their discipline. It is designed to assess the needs and identify early support for families and deliver coordinated services through a written plan that is reviewed regularly either by the lead professional or through the Team Around the Child (TAC) process. The process should be completed in partnership with the family and requires their consent.

The CAF should be offered to families where a child is identified as having additional needs to those already being met by universal services. The practitioner should follow local safeguarding procedures if a child or young person is considered 'at risk'.

The CAF provides a common language to identify areas of strength and concern. It is also a way of actively involving families in the process and making sure that professionals work in a unified and coordinated way. It is an important tool for adult services staff to access early support for families, and is also used as a referral mechanism in many local authorities.

For more information on CAF, go to:

www.education.gov.uk/childrenandyoungpeople/strategy/integratedworking/caf/a0068957/the-caf-process

Team Around the Child (TAC)

The Team Around the Child and their Family (TAC/F) is a model of service provision where a range of different practitioners come together to help and support a child or young person. Essentially it is a 'virtual' team of involved professionals brought together – with the family's consent – to devise a plan of action to support the child and their family. The plan of action is based on needs identified using the CAF.

Read more on TAC/F here:

www.education.gov.uk/childrenandyoungpeople/strategy/integratedworking/a0068944/team-around-the-child-tac



Young carers

Young carers are a diverse group. The amount and type of care they give varies so much that we cannot predict how it might affect each young carer's wellbeing. So much depends on the level and type of care they provide – for example, giving emotional support can be just as demanding as the physical aspects of care. Several pieces of legislation and guidance formally recognise young carers and define service provision and the responsibility of agencies towards this group. Only a small proportion of young carers are currently identified or assessed for support. Research has found that young carers can experience substantial physical, emotional or social problems. They come across difficulties in school and elsewhere. CSC is required to assess any young carer coming to their attention, who asks for a carer's assessment, even if the adult family member does not give consent.

Read more on young carers in the SCIE research briefing here:
www.scie.org.uk/publications/briefings/briefing11

“ It is important to discuss your concerns with colleagues, supervisors and the lead person for child protection within your agency. ”

Social Care Institute
for Excellence

Fifth floor,
2-4 Cockspur Street,
London SW1Y 5BH

Tel 020 7024 7650

Fax 020 7024 7651

info@scie.org.uk

www.scie.org.uk

 [@SCIE_socialcare](https://twitter.com/SCIE_socialcare)

 www.facebook.com/socialcareinstitute

INT01 May 2012

Registered charity no. 1092778

Company registration no. 4289790