


This is a **free** book to tell you what happens if Children's Services feel your child is at risk of harm.

  
Formerly Advocacy Partners Speaking Up

# Parents Booklet



This book was made with and for Parents with Learning Difficulties at VoiceAbility.  
I don't come with a book.

Funded by BLF



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A big thank you to the parents with learning difficulties who shared their experiences and thoughts when making this booklet.

### **A message from the writers:**

We had three main aims when we wrote this booklet:

1. To make sure that the booklet was easy to understand.
2. To make sure that the booklet gave as much information as possible.
3. To make sure that the booklet could be used by as many people as possible.

We thought a lot about what words and pictures to use. If you are interested in finding out more about how the booklet was made, please contact the VoiceAbility Consultancy & Training team.

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# What is in the booklet?

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|          |  |
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## Key Words

### Words you might hear and what they mean...

(These words are shown in **bold** in this booklet)

|   |   |
|---|---|
| <b>Barrister</b>                        | A person specialising in child care law who will represent you in court.  |
| <b>CAFCASS</b>                          | The Children & Family Court Advisory & Support Service.   |
| <b>Care Plan</b>                        | A plan written by <b>Children's Services</b> which sets out a child's needs and how these will be met.  |
| <b>Care proceedings</b>                 | A process that begins when a <b>local authority</b> thinks that your child is suffering or is likely to suffer from harm.                     |
| <b>Child Protection Case Conference</b> | A meeting organised by <b>Children's Services</b> which invites all professionals working with your child.                                    |
| <b>Children's Services</b>              | The organisation which is responsible for ensuring the welfare of children. Your child's social worker works for <b>Children's Services</b> . |
| <b>Court</b>                            | The place where care proceedings are held, usually called Family Proceedings Court.   |
| <b>Judge</b>                            | The person in <b>court</b> who makes legal decisions about plans for your child.  |
| <b>Local Authority</b>                  | This covers statutory services for your child, such as children's social services in the area where your child lives.                         |

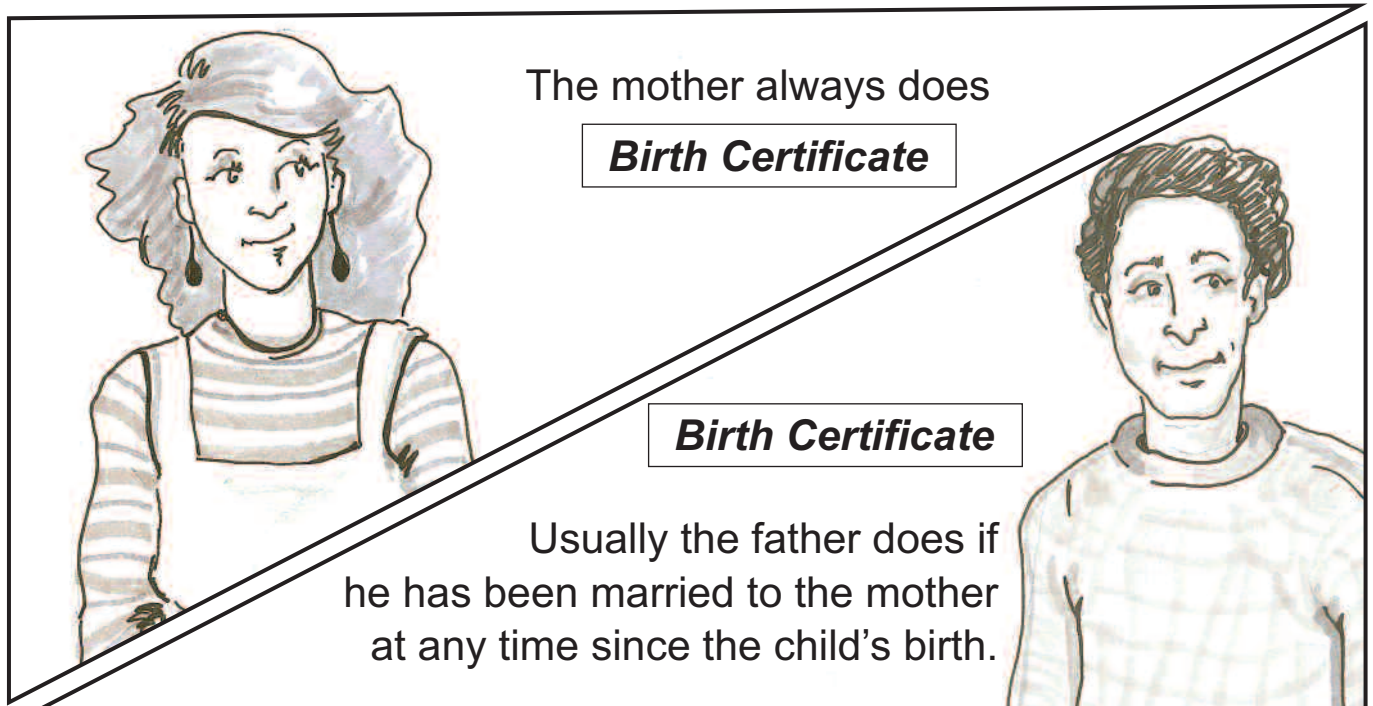
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|                                |  |
|--------------------------------|--|
| <b>Parental Responsibility</b> | A person with <b>parental responsibility</b> is responsible for the care and well being of their child. Speak to a <b>solicitor</b> if you are not sure whether you have it. |
| <b>Social Care</b>             | Children's Social Services.  |
| <b>Solicitor</b>               | A person specialising in child care law.   |
| <b>Threshold Criteria</b>      | If this has been met, it means that the risk to the child is high enough that the <b>court</b> must act.   |

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# Who can normally make decisions about my child?

## Who has Parental Responsibility?



## What are Children's Services?

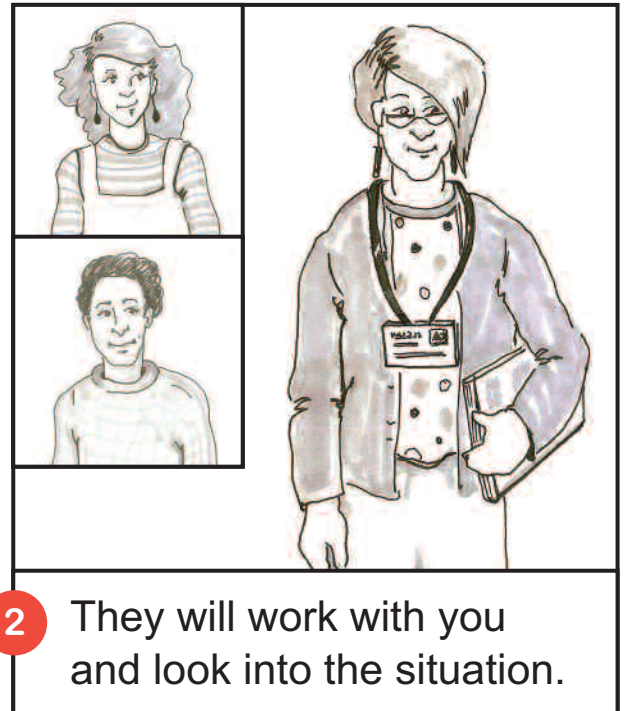
- 1 **Children's Services** are a department in the council.



- 2 It is their job to make sure that children are safe and well looked after by their parents. Your child's social worker works for **Children's Services**.

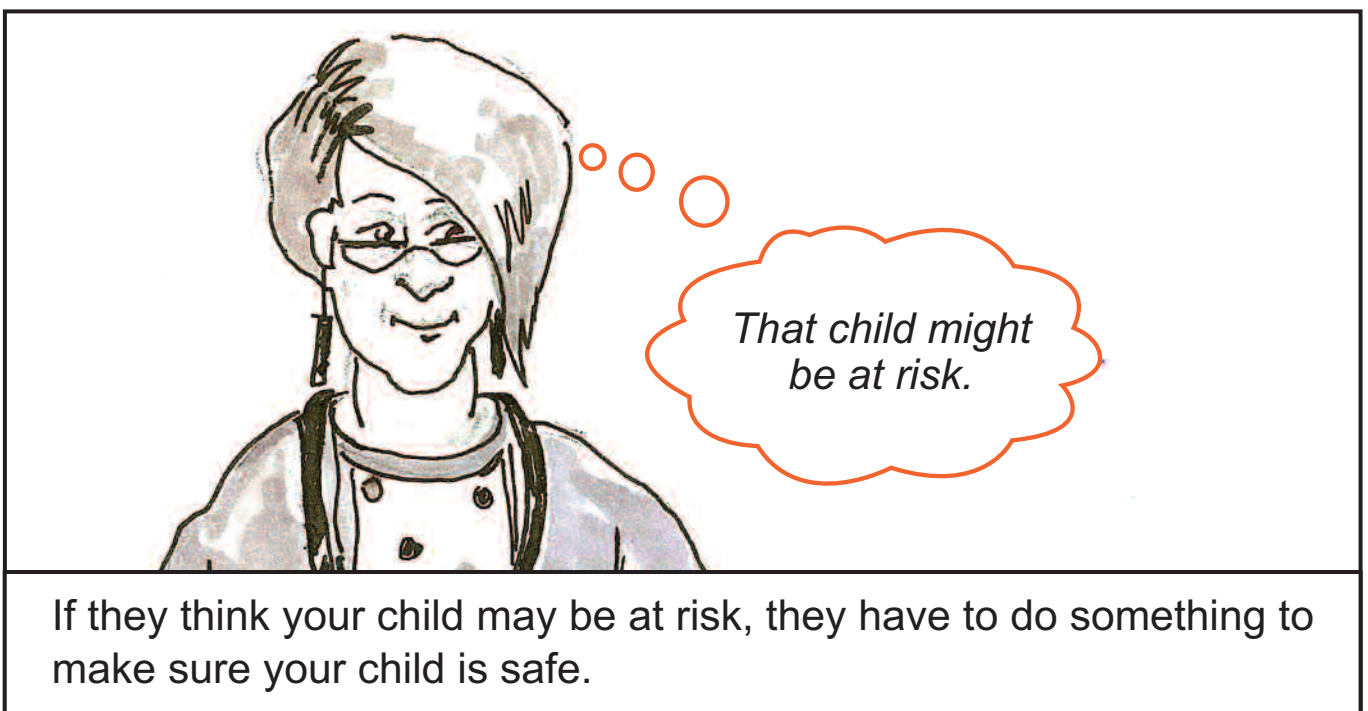
# When can Children's Services get involved with my child?

- 1 If they get information that makes them worry about a child.

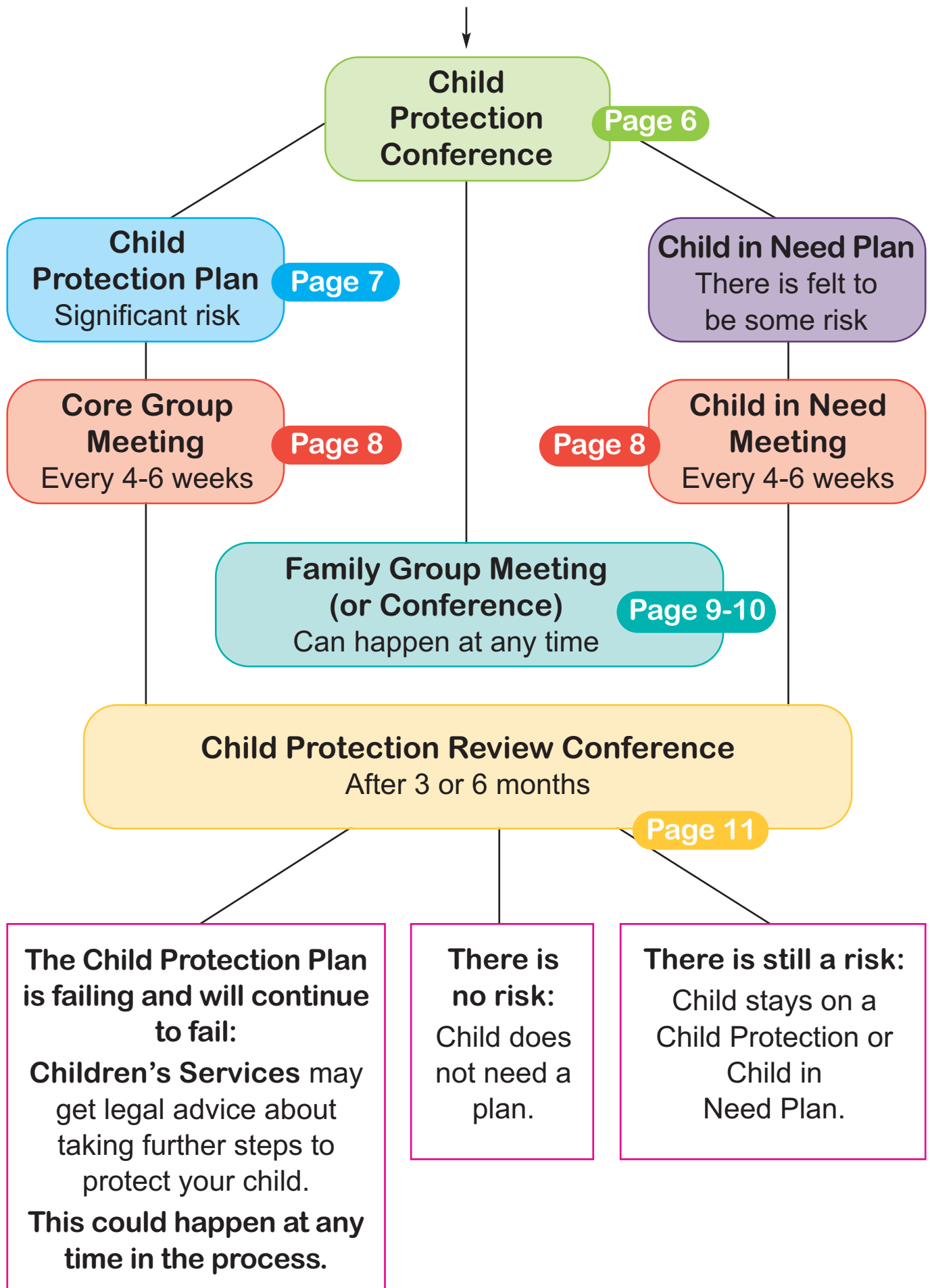


- 2 They will work with you and look into the situation.

## What will they do?



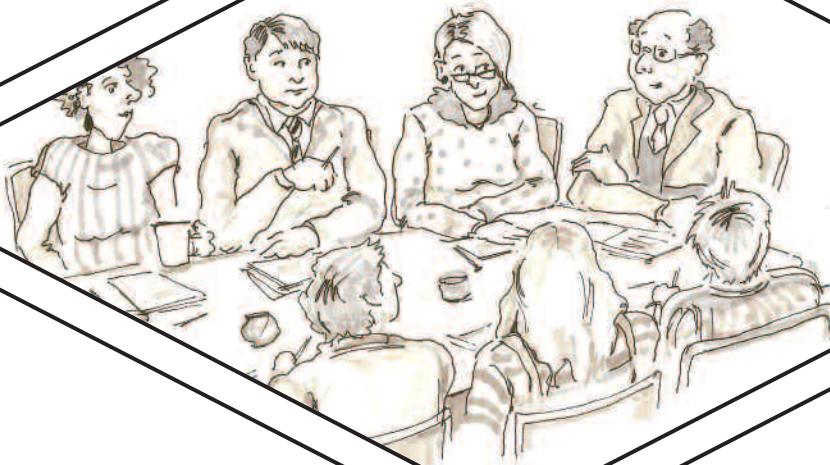
# Child Protection Process



## Child Protection Conference

1 The Chair should speak to you before the conference to explain what will happen.

2 There will be lots of professionals. Everyone will introduce themselves.



3 You will go through reports which the professionals have written.

4 The Chair will decide if your child needs a Child Protection or a Child in Need Plan or no plan.

### TIP

*You can bring a family member or advocate with you. You can also bring a **solicitor** but they are not allowed to challenge.*

### TIP

*It is best if the social worker can share their report with you before the conference, so ask for a copy.*

### TIP

*You can ask people to slow down or explain if you don't understand.*

## Child Protection Plan

1 The Child Protection Plan explains the social worker's concerns about your child.

2 The plan looks at how all your child's needs will be met.



3 The plan says what you need to do to keep your child safe.

4 It also says how professionals will work with you and your child to help keep them safe.

### TIP

*You can ask your social worker or advocate to read this through with you.*

### TIP

*Keep all documents and reports like this in a safe place.*

## Core Group Meeting

## Child in Need Meeting

### These 2 meetings run in the same way

1 These meetings happen every 4-6 weeks with the social worker and other professionals working with you and your child.

2 They look at the Child Protection or Child in Need Plan, and how your child's needs are being met with support.

3 Different professionals will say how your child is getting on.

4 You can say how you feel, if you are getting the right support or not, and what extra support you would like.

5 A date will be set for the next meeting and the social worker should make a list of things that need to be done and who will do them.

6 You should be sent minutes from each meeting. It is good to read them before the next meeting.

#### TIP

*Don't be afraid to speak up in these meetings.*

#### TIP

*Prepare a list of things to say and make notes in the meetings to help you remember things afterwards.*

## Family Group Meeting (or Conference)

**Children's Services** may refer you to a Family Group Meeting service.



The Family Group Meeting will find out if you have family or friends who could help look after your child. This meeting can happen at any time in the Child Protection process.

The next page tells you what happens at a Family Group Meeting.

# What is a Family Group Meeting?

1 A meeting chaired by an independent person, not just your social worker.

2 Your child's social worker will be there and will read a report saying what must happen for your child to be kept safe.

3 The Chair and social worker then leave the room.

4 You and your family then have a chance to talk about the problems and how to make them better.

5 You and your family make a plan about how your child will be cared for safely in the future.

6 The Chair and social worker come back into the room with you and your family. They should agree to the family plan as long as it will keep your child safe.



## TIP

*You will see the report before the meeting.*



## Family Group Meeting Review

After 3 or 6 months everyone gets together again. This is to review the plan.

## Child Protection Review Conference



1 After 3 or 6 months of Core Group meetings you will have a Child Protection Review Conference.

2 Your social worker and the professionals who have been working with you will bring a report to say how your child's needs are being met.

3 The Chair will ask the professionals to discuss and vote on whether your child should still have a child protection plan.



### The following might happen....

1 Things are much better and the risk to your child is less. Your child might have a "Child in Need" Plan instead of a Child Protection Plan.

2 The professionals have concerns about your child's needs not being met, so your child might continue to have a Child Protection Plan.

3 The professionals have serious concerns. The Chair may advise the social worker to talk to a **solicitor** about going to **court**.

# If Children's Services think your child is in immediate danger

They might...

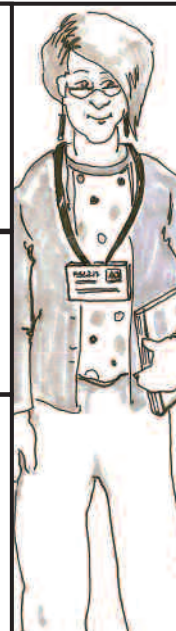


- 1 Have a **Child Protection Case Conference** to make plans to keep your child safe.

- 2 Ask the person who is putting the child at risk to move out or stay away.



- 3 **Children's Services** can help them find somewhere else to stay.



- 4 Ask you if you agree for **Children's Services** or your family to look after your child. This would be called Voluntary Accommodation where your child is looked after by a family member or foster carer.



- 5 If you agree, they will make a plan saying how your child will be looked after. They should talk to you about this and ask you if you agree with it.



- 6 Talk to your **solicitor** if you don't agree.

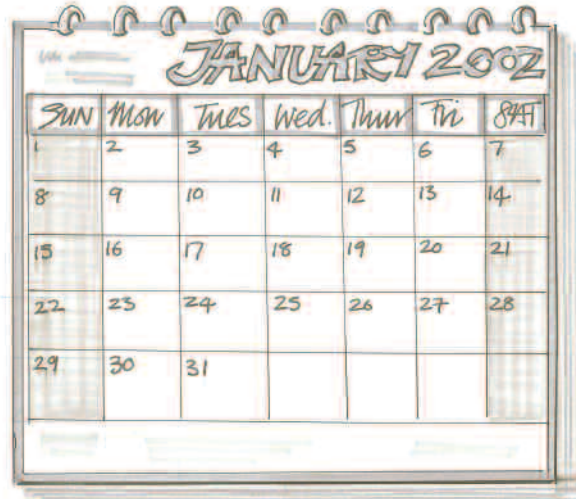


## TIP

*You can ask your child's social worker, your advocate or the Citizens Advice Bureau for a list of family solicitors.*

# What might happen?

- 1 Your child might be taken into police protection.



- 2 They can do this for up to 3 days.

- 3 The police can take your child from your home...





- 4 ...or stop your child being taken from where they are living.





## TIP


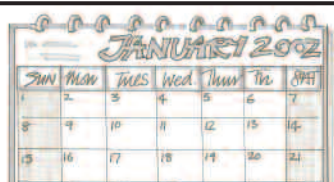

*If you don't agree to your child being removed, talk to your solicitor.*

# Emergency Protection Order

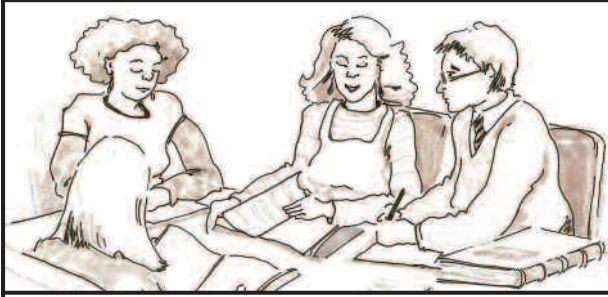
- |  |   |   |
|--|---|---|
| <p><b>1</b> Children's <b>Services</b> might also ask the <b>court</b> for an Emergency Protection Order.</p>              |  | <p><b>2</b> This happens if they think there is a big risk and your child needs immediate protection.</p>       |
| <p><b>3</b> They can ask the police to take the child from your home to be looked after by <b>Children's Services</b>.</p> |  | <p><b>4</b> If this does happen, they must be prepared to answer to a <b>court</b> as to why they did this.</p> |

## The Emergency Protection Order would let them...

- |  |   |
|--|---|
| <p><b>1</b> Look after your child.</p>  | <p><b>2</b> Stop your child coming home.</p>  |
|--|---|

- |  |   |   |
|--|---|---|
| <p><b>No!</b></p>   | <p><b>4</b> Ask someone who is putting your child at risk if they agree to leave your child's home. The <b>court</b> will only do this if the person caring for the child agrees too.</p> | <p><b>5</b> This can last for up to 8 days. But they can ask the <b>court</b> for up to 7 more days after that.</p>  |
| <p><b>3</b> See your child even if you have said no.</p>  |   |   |

# When do you go to court?



- 1 If a **Child Protection Case Conference** thinks your child has been at risk too long.



- 2 If all other support has failed to stop your child being at risk, you may have to go to **court**.



- 3 Unless it is an emergency, **Children's Services** must show that they have tried to support you before they go to **court**.



- 4 They must write to you to tell you what they are worried about, and what you can do to make this better.



## TIP

You should take this letter to a **solicitor**. They will be able to tell you what you could do. They know about the law.

## TIP

As a parent you will be able to get **Legal Aid**. This means you do not have to pay for the **solicitor**.

## TIP

**Children's Services** can only apply for **court** to hear their concerns if these are serious enough. This is called a **Welfare Checklist**.

# What happens when you go to court?

This is called **Care Proceedings**

- 1 The **Judge** will check that **Children's Services** did all they could to keep your child with you.



- 2 The **court** will find a Children's Guardian for your child. This is a person qualified in social work who is not from the **Children's Services** working on your case.

- 3 The Guardian works for **CAFCASS** - the Children and Family **Court** Advisory and Support Service.



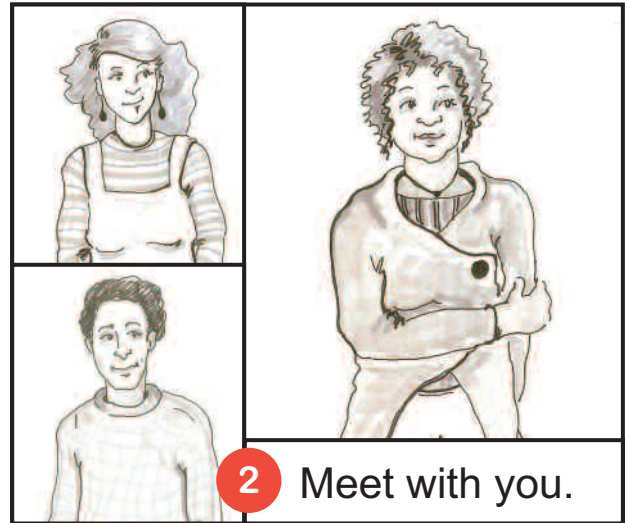
- 4 The **court** will also find a **solicitor** for the Children's Guardian.

# The Children's Guardian will...

1 Meet with your child.



2 Meet with you.



3 You can ask the guardian to speak to other people who know you and your child.



4 They will write a report for the **court**, saying what they think would be best for your child. Your **solicitor** will go through this with you.



5 They will say what they think is best for your child, and what the child has told them.

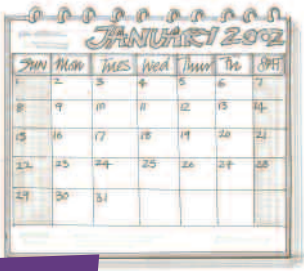


## TIP

*You may want to meet with your **solicitor** before you meet with the Children's Guardian.*

# First Appointment

Within 6 days of **Children's Services** going to court you will get a date for the first hearing.



## TIP

*It is very important to attend this hearing.*

## TIP

*Meet your **solicitor** before the **court** to discuss what you want to say.*

## The court has to do 2 things at the first hearing:

- 1 Decide where your child will live, and who your child will see until the last hearing when **court** is finished.



*You need to do this...*



- 2 Tell everyone what needs to be done and what evidence and information is needed.

# Arrangements for your child

- 1 Children's Services will write an Interim **Care Plan**.



- 2 This plan is used until your last hearing.



- 3 It will say where they think your child should live and who they think your child should see.



- 4 They must talk to you about this before going to **court**. Talk to your **solicitor** and look through the plan. Say if you disagree with it.

- 5 The **court** will decide if it agrees with the plan or not.

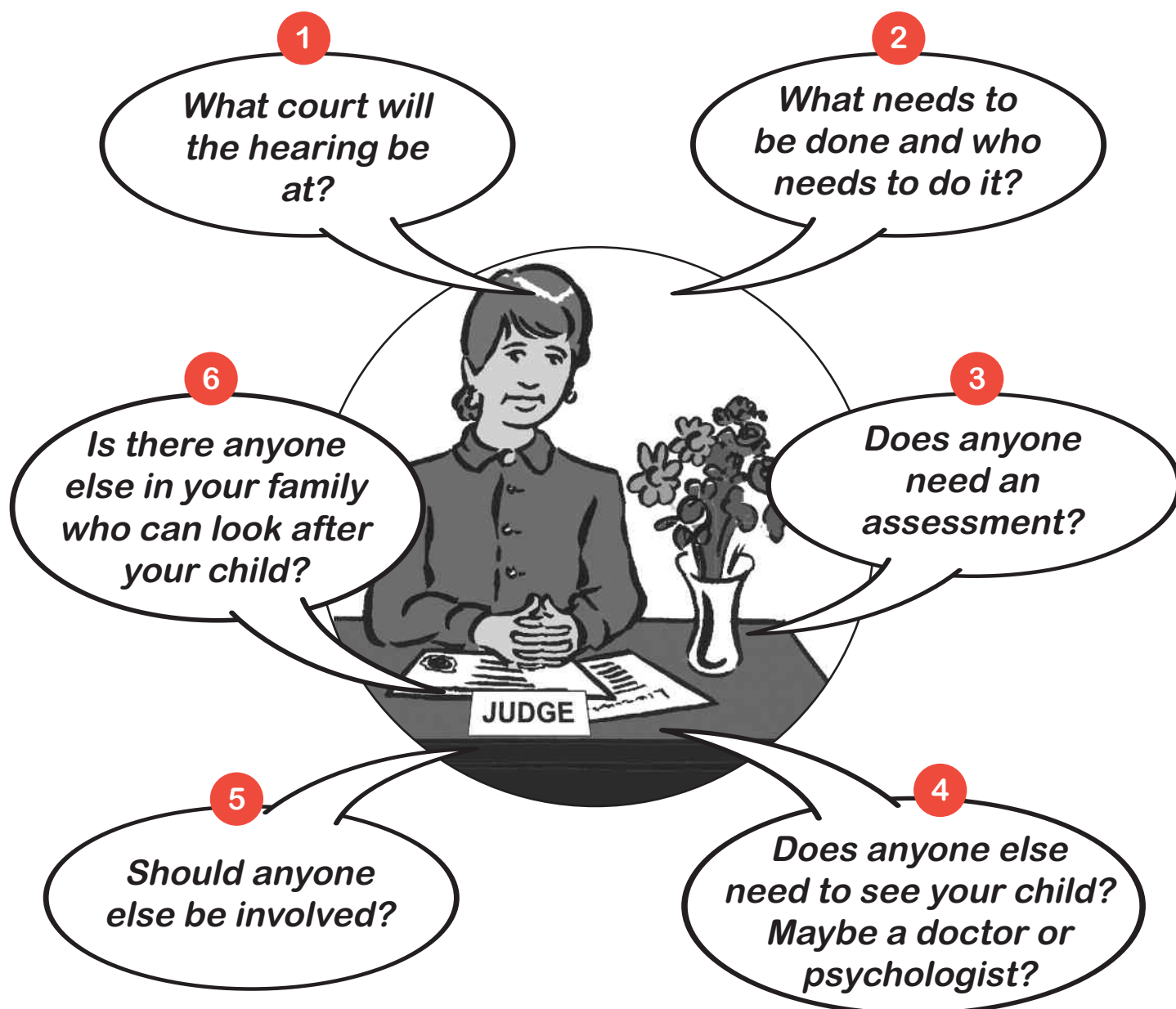


## TIP

*The Interim **Care Plan** may say that you should not look after your child during child **care proceedings**. You may have someone in your family to care for your child. This would have been discussed at the Family Group Meeting.*

The court will also make plans about what needs to happen before the last hearing when it will make a final decision.

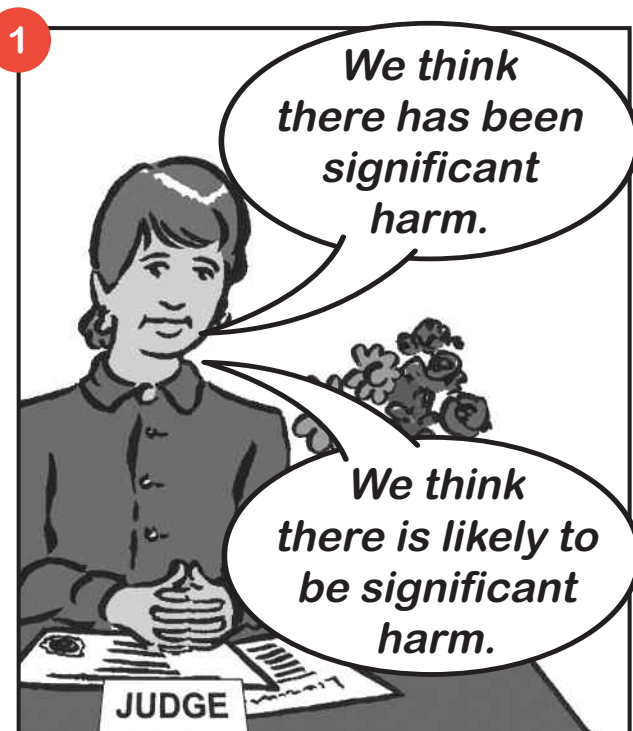
The court will answer these questions...



# The court decides if they agree with the plan

They will choose a temporary legal order for your child until you are finished with the **court**. There are 4 types of order.

## 1. Interim Care Order



2 Children's Services share parental responsibility for your child. They decide where your child should live, even if you do not agree.

**IMPORTANT:** An Interim Care Order can only be made if there is evidence or fact that **Threshold Criteria** has been met. No threshold = No order. **Threshold Criteria** is a term that is used to say the risk to a child is high enough that the **court** must act.

### TIP

*There must always be fairness. If necessary a 'Short Duration Order' can be made to protect a child while the parent gets legal help. Most orders at **court** last for 8 weeks.*

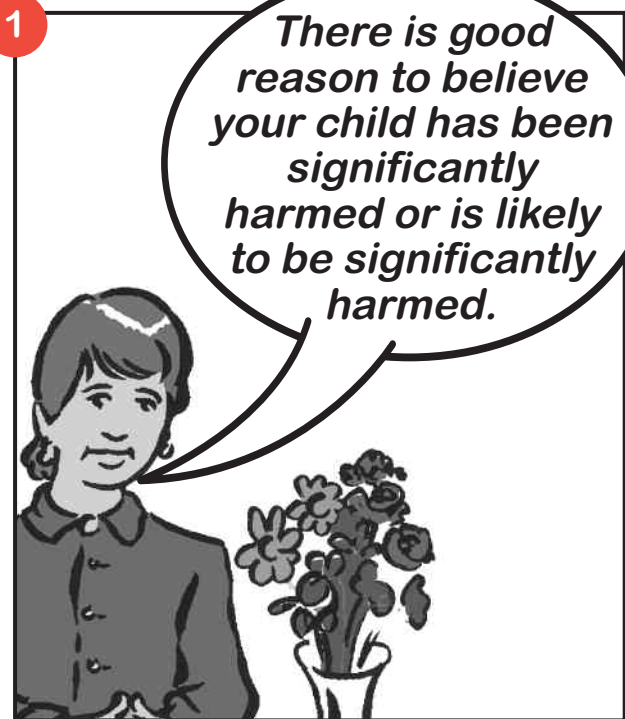
### TIP

*The **court** must look at protecting a child but also at the danger of taking a child from its own family. Can someone in your family care for your child?*

### TIP

*Contact with siblings and other family members should be considered if the **court** makes an Interim Care Order or Interim Supervision Order (see next page).*

## 2. Interim Supervision Order



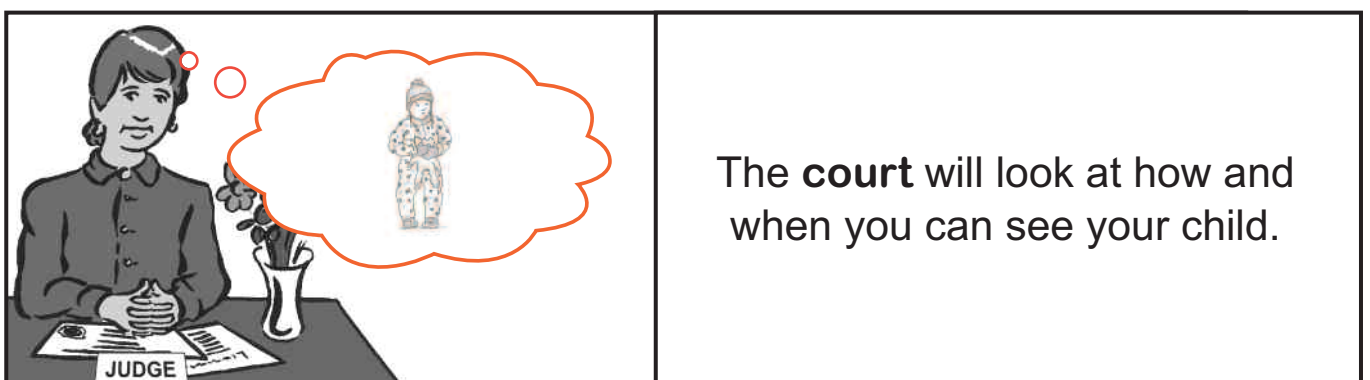
2 The **court** decides where the child lives and who can see them. It may decide that your child can stay with you.

3 **Children's Services** must carry on looking at how your child is being looked after. They do not get **parental responsibility**.

## 3. Interim Residence Order



## 4. Interim Contact Order



# Interim Hearings

1 There will be at least 2 more important hearings...



2 The **court** will continue to look at who your child sees and lives with until the final hearing.

## Case Management Conference

This will be within 45 days of the first appointment

2 days before the hearing...



All of the **solicitors** involved will meet. They will see if they can agree on a plan.

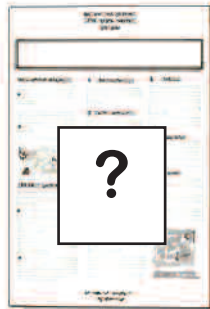
**TIP**

Before this, you should meet with your **solicitor** to say what you think about plans for your child.

The plan will:



1 Identify the main concerns.



2 See what has been done and what still needs to be done.



3 Then the **court** will look at the **care plan**.

# Issues Resolution Hearing

This will normally happen between 16 and 25 weeks after the first appointment.

The **court** will:

- 1 Look at the **care plan** and how it is working.



- 2 See what has been done and what still needs to be done.

- 3 Find out what has not been agreed by everyone.



- 4 This will be what the **court** will have to decide at the final hearing.

- 5 See if there is anything else that everyone does agree to.



- 6 This could be where your child will live or when you can see them.

**TIP**

*I think...*

*I want this to happen...*



Before this hearing, you should meet with your **solicitor** to say what you think.

# Preparing for the final hearing

## TIP



1. Meet with your **solicitor** and read through with them all the reports and things people have said.

## TIP



I don't understand - can you explain?

2. Ask your **solicitor** questions.

## TIP

3. Work with your **solicitor** to get a statement ready for the hearing.

I want to say this to the court



## TIP



4. Keep all the information about the case in a safe place. Having a file for it is a good idea.

## TIP

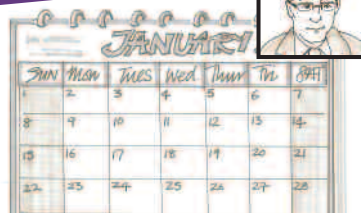
5. Write down telephone calls and meetings you have with **Children's Services**. Write the date and what was said.

## TIP

6. Write down what happened at your contact with your child.



## TIP



7. Keep your **solicitor** up to date with everything.

## TIP

I want to say ...




8. Before meetings or the **court**, write down important things you want to say.

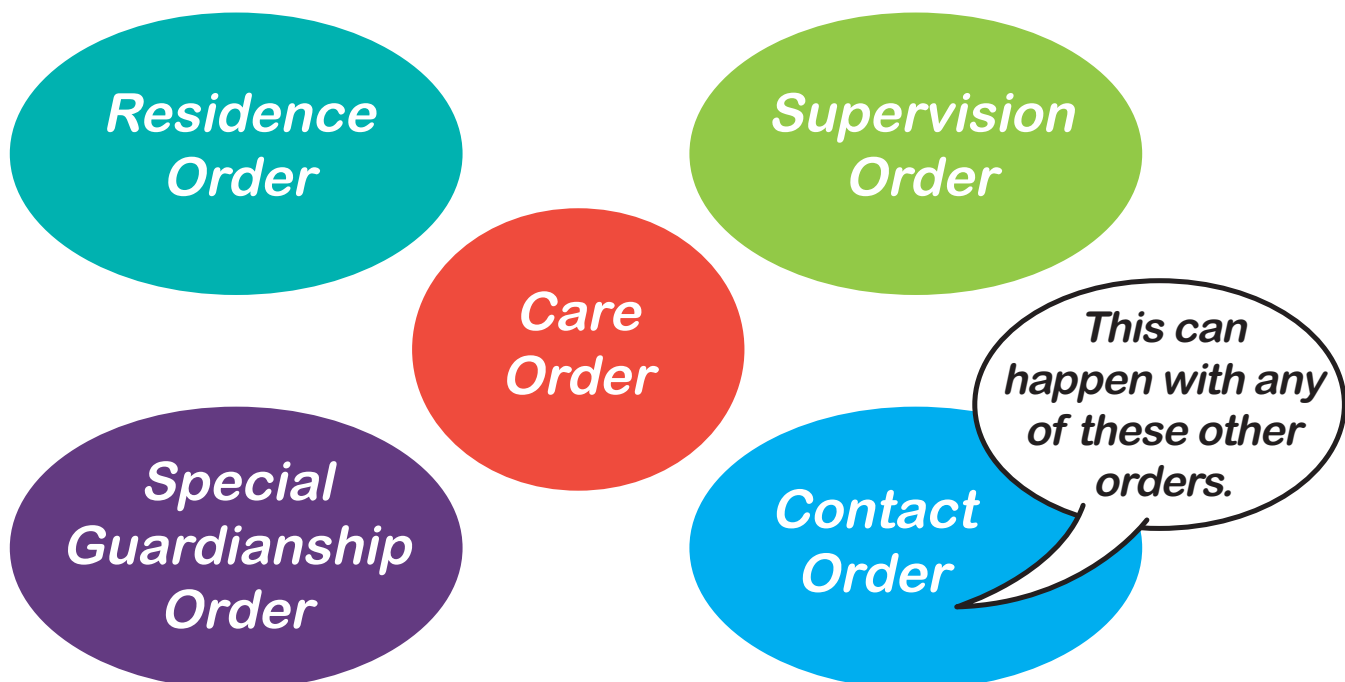
## TIP

9. Keep a diary of the dates when you see your child. Keep track of which were kept, which were cancelled, and how the visits went.

## Preparing for the final hearing

|   |   |
|---|---|
| <p>The <b>court</b> can only make a care or supervision order if they think...</p>  |  <p><i>The care your child was getting was not what people would expect a parent to give to a child.</i></p> <p><i>Your child is suffering or likely to suffer significant harm in your care.</i></p> |
| <p>The <b>court</b> will then look at what is best for your child. It will make a decision after it has looked carefully at all the evidence.</p> |   |

These are some of the things the court might decide should happen...



# Care Order

- 1 A full care order will last until your child is 18 years old.



- 2 **Children's Services** will advise the **court** on where they think your child should live.



- 3 Both you and they have **parental responsibility**.



*This is right for your child.*

- 4 They can ignore your wishes if you don't agree with what they think is best for the child.



- 5 They will pay any costs for your child.

- 6 The **court** will decide when you and other people can see your child.



*This is when you can see your child.*

*This is when others can see your child.*



*I am unhappy*



- 7 If you are unhappy with what they decide, talk to your **solicitor**.

# Care Order

**1** A Care Order allows the **local authority** to care for your child. They have **parental responsibility**. You still have some **parental responsibility** but the **local authority** can override your wishes.



**2** **Children's Services** must make plans to make sure that your child is safe and well cared for.

## Care Order



**3** If your child cannot live with you, they may also look at your child living with a family member, unless this would not be in the child's best interests.



**4** If the **court** makes a Care Order, it must decide who your child will have contact with.

**5**

A care order may mean that your child lives with foster carers.

**6**

Sometimes a Care Order may say your child can stay in your home. If so, **Children's Services** will make a plan for this. It will be reviewed regularly.

## TIP

Talk to your **solicitor** about contact arrangements and say what you would like to happen.

# Supervision Order

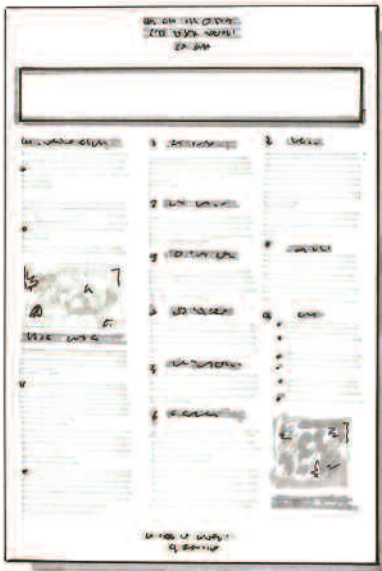
This means...



**1** You are responsible for your child.



**2** Children's Services will watch how you look after your child.



**3** Usually there is a plan which tells you what you will do and what **Children's Services** will do.



**4** This will usually last for 1 year.

## Residence Order

This means...



- 1 Your child will live with someone else. This might be a family member. They will have **parental responsibility**, which they will share with you.



- 2 The **court** will decide when you see your child.

## Special Guardianship Order

This means...



- 1 Your child will live with someone else on a long term basis.

- 2 They will share **parental responsibility** with you.



- 3 A Special Guardianship Order is more permanent than a residence order, because you cannot ask to have it stopped without the **court** giving you permission to ask.

# Contact Order

1 This tells you when you can see your child.



2 If the child is not living with you, the contact order is an agreement about who will be with you if it is supervised contact. It is also about where you can see the child. This might be at a community or contact centre.



3 It will also say when other people who are close to the child can see them.



# Adoption

Key words you may hear in the adoption process are on page 39.

What is it?



- 1 When your child lives with another family forever, and becomes a member of that family rather than yours.



- 2 You or the **court** might decide adoption is best for your child.



- 3 It is hard for families.

- 4 Once an adoption order has been made it cannot be removed. Adoption lasts for all your child's life. Your child becomes part of the adopter's family and is no longer part of your family in legal terms.

## TIP



Get advice from a **solicitor** right away.

# Before asking about adoption, Children's Services must...

## TIP

*You could ask  
an advocate to  
support you.*



- 1 Find out what you and other important people in your family want for your child.



- 2 Keep looking at the Child Protection Plan and what is and isn't working.



- 3 Arrange for you and other family members to see your child.



- 4 If **Children's Services** are looking at adoption, they must think about these things.

# Steps to adoption: Adoption Panel

If there are no other family members  
who could look after your child

## TIP

Counselling,  
information and  
support is offered  
to parents at this  
stage.

Are there other  
family members?

We think...

## TIP

This is the last real  
chance for the  
parents and family  
to keep their child,  
so any willing  
family members  
**must** come  
forward now.  
Think about both  
sides of the family  
- mum and dad.

1 Before going ahead with a plan for adoption, **Children's Services** must ask the **Adoption Panel** if they think it is a good idea for your child. The **Adoption Panel** says what they think should happen.

What did the  
Adoption  
Panel say?

We  
recommend your  
child should be  
adopted.

2 **Children's Services** then recommend if your child should be adopted.

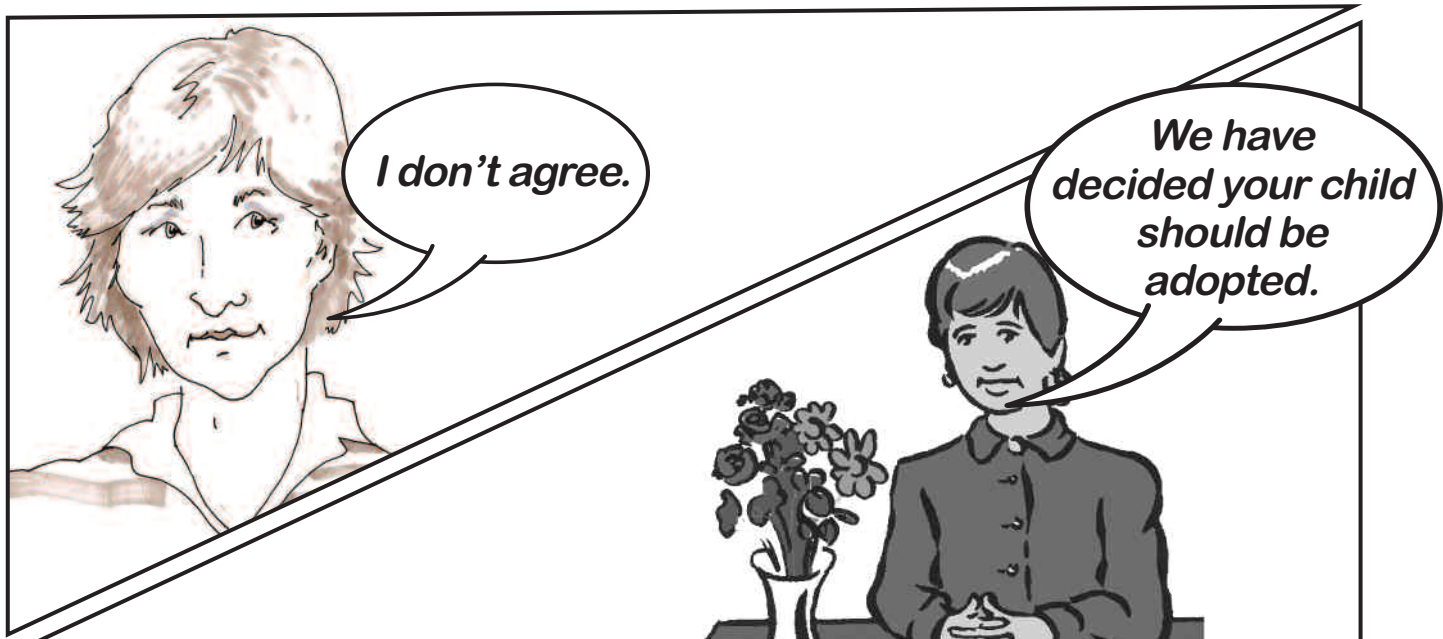
## TIP

You may be able to tell the **Adoption Panel** what you think. Ask if you can attend the panel or put your feelings in writing or on tape.

## TIP

You should be given a copy of the report that the **Adoption Agency** gives to the panel. This is called the **Child's Permanence Report**.

## Steps to adoption: Placement for adoption



You may or may not agree with the plan for adoption, but it is the **court** which decides if it should go ahead. If a decision for adoption is made, then the **court** will make a **Placement Order**.

### TIP

*Speak to  
your  
solicitor.*

# Placement Order

- 1 This order gives **Children's Services** permission to place your child for adoption.
- 2 If your child is adopted, they stop being a member of your family.
- 3 Before **Children's Services** can apply for a **Placement Order**, they must have already been to an **Adoption Panel**.
- 4 A **Placement Order** can be made without your consent.



## Steps to adoption:

Looking for adopters if there are no other family members who could look after your child

### TIP

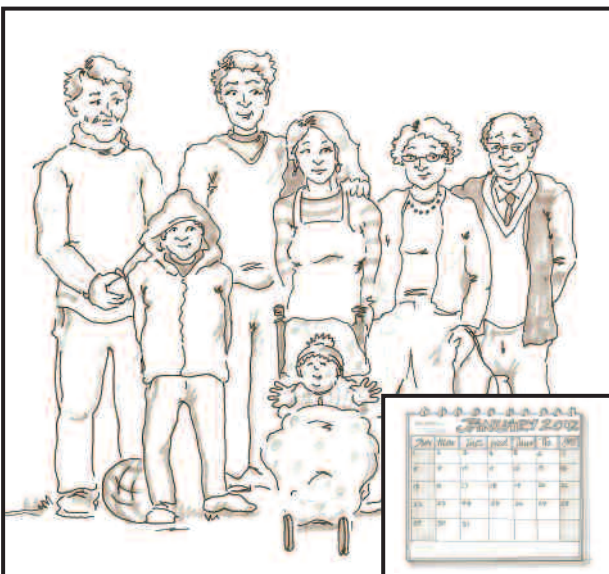
*Counselling, information and support is offered to parents at this stage.*

1

*We will look for a family who the Adoption Panel has agreed can adopt a child.*

### TIP

*Ask the local authority to look for adopters who are willing to support contact with the birth family, if this is in the child's best interests.*



2

Your child lives with the **adoptive family** for at least 10 weeks.

### TIP

*Make sure the **adoption agency** has all the right information about you and your family. This includes medical history.*

### TIP

*You could help put together a life story book about your child, so they can take this book with them to their new family.*

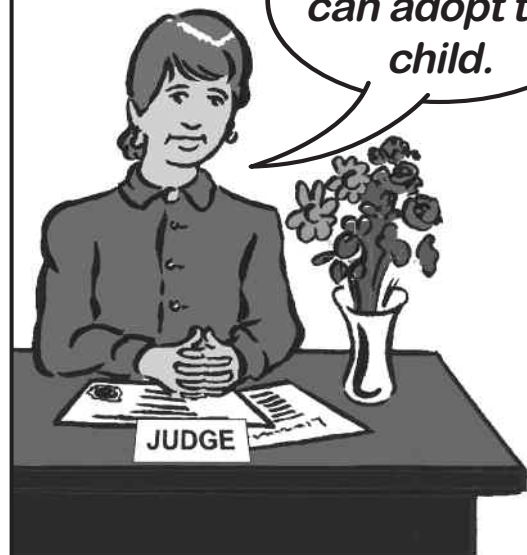
# Steps to adoption:

## Adoption Hearing



- 1 The adopters ask the **court** for an **Adoption Order**.

- 2 Adoption hearing at the **court**.



### These people will be at the hearing:



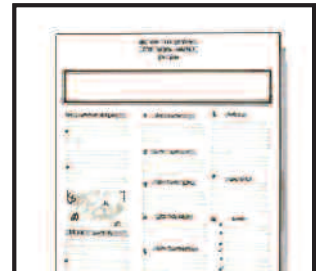
- 1 The new **adoptive family**.



- 2 Parents with **parental responsibility**.



- 3 The **adoption agency** may be there.



- 4 Anyone who has a **contact order**.

### TIP

*Fathers need **parental responsibility** to be involved in the **Placement Order** or adoption process, so must see a **solicitor**.*

### TIP

*After adoption you may be able to get letters about how your child is doing, if the **court** thinks it is best.*

## Key Words

### Words you might hear in the adoption process and what they mean...

|                  |  |
|------------------|--|
| Adoption Agency  | The <b>local authority children's services</b> or voluntary <b>adoption agency</b> allowed to undertake adoption work. |
| Adoption Hearing | A hearing in <b>court</b> which may lead to the making of an <b>Adoption Order</b> .                                   |
| Adoption Order   | The child of the birth parents becomes legally related to the adoptive parents.  |
| Adoption Panel   | A group of people who make recommendations about whether a child's needs are matched with prospective adopters.        |
| Adoption Plan    | A plan which is made if the <b>Adoption Panel</b> recommends a proposed adoptive placement.                            |
| Adoptive Family  | The people who will become legally responsible for your child.   |
| Cafcass Officer  | Person appointed by the <b>court</b> to represent the needs and wishes of your child.                                  |

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|                                   |  |
|-----------------------------------|--|
| <b>Child's Permanence Report</b>  | A detailed report written by the child's social worker which sets out the child's past experiences, present needs/wishes and information about their family. |
| <b>Independent Support worker</b> | A social worker who does not work in the same <b>local authority</b> as your child's current social worker.  |
| <b>Placement Order</b>            | An order giving permission for the <b>Adoption Agency</b> to place a child with adoptive parents.  |

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# Thank you!

This booklet was put together by a group of parents with learning difficulties, who worked with the advocates and Consultancy & Training team at VoiceAbility. We also had input from professionals involved in the child protection process.

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|                         |   |
|-------------------------|---|
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VoiceAbility is an independent organisation which works with people to speak up about what they want, to understand their rights and to take control of decisions that affect them.


VoiceAbility works with individuals and groups who have mental health problems, learning disabilities, physical or sensory impairments or are on the autistic spectrum. We also work with older people and carers.



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# Parents Booklet

strengthening voice, championing rights, changing lives

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