

SECTION 47 of the Children Act 1989

Working Together To Safeguard Children 2010

- 5.50 Where it is suspected that a child is suffering , or is likely to suffer, significant harm the local authority is required by Section 47 of the Children Act 1989 to make enquiries to enable it to decide whether it should take any action to safeguard and promote the welfare of the child. A Section 47 enquiry should be carried out through a core assessment...
- 5.51 Immediate protection: emergency action normally following an immediate strategy discussion between the police, LA children's social care and other agencies as appropriate...If single agency forced to act immediately, strategy discussion should take place as soon as possible after such action to plan next steps.
- 5.52 Legal advice before initiating legal action, in particular Emergency Protection Order (EPO). Police powers should only be used in exceptional circumstances where there is insufficient time to seek EPO.
- 5.55 Emergency action should be followed quickly by initiating section 47 enquiries.
- 5.56 Whenever there is reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm there should be a strategy discussion involving local authority children's social care, the police, health and other bodies as appropriate.....convened and led by the Local Authority Children's Social Care and those participating should be sufficiently senior ... to contribute to the discussion... and make decisions on behalf of their agency.
- 5.57 Strategy discussion can follow referral or at any other time...Discussion should be used to
- Share available info
 - Agree conduct and timing of any criminal investigation
 - Decide whether sec 47 enquiries should be initiated and a CA be undertaken
 - Plan how Sec 47 enquiry should be carried out – plan
 - Agree immediate action to safeguard child
 - Determine what info from discussion will be shared with family
 - Determine if legal action is required.
- 5.59 Strategy discussion can take place by telephone.
- 5.62 The core assessment is the means by which a section 47 enquiry is carried out. LA CSC has lead responsibility.

Although a Core Assessment should normally be completed within 35 working days and is a complex and detailed piece of multi-agency work, including talking to the child, and Section 47 enquiries should result in an Initial Child Protection Conference within 15 working days of the last strategy discussion, *Working Together* suggests that the Core Assessment up to that point could be restricted to focusing on information identified during the Initial Assessment in order to consider

whether the child is suffering, or likely to suffer, significant harm, while covering all relevant aspects of the Assessment Framework:

- developmental needs of children;
- the capacity of parents or carers to respond appropriately to those needs;
- the impact of wider family and environmental factors on parenting capacity and child development.

The outcome of Section 47 enquiries

- **Concerns not substantiated**

5.75 Section 47 enquiries may not substantiate the original concerns...but ..the core assessment should be completed. In some circumstances, the completion of the Section 47 enquiry means that the core assessment has been completed and no further action is necessary. ... Assessment may reveal a range of needs....Help and support to children in need and their families may prevent problems escalating to a point where a child is abused or neglected.

5.76 In some cases there may remain concerns about the child's welfare and safety despite there being no real evidence. It may be appropriate to put in place arrangements to monitor the child's welfare.

- **Concerns substantiated but child not judged to be at continuing risk**

For example if a perpetrator has left a household and adults are seen to be protective. There is a robust plan to protect the child.

- **Concerns substantiated and child judged to be at continuing risk**

5.81 The local authority should convene a child protection conference... to enable those professionals most involved with the child and family, and the family themselves, to assess all relevant information and plan how best to safeguard and promote the welfare of the child.

5.82 The purpose of the initial child protection conference (ICPC) is to

- Bring together and analyse in an inter-agency setting the information obtained;
- Consider the evidence, taking account of the current situation and past history, and make judgements about the likelihood of the child having suffered and continuing to suffer significant harm.
- Decide on action necessary to safeguard and promote the welfare of the child.

5.83 The timing of an ICPC will depend on the urgency of the case and the time required to obtain relevant information.....All ICPCs should take place within 15 working days of the strategy discussion.