



Haringey Council

Report for:	Joint CPAC & CSPPAC November 05 2013	Item Number:	
Title:	NORTH LONDON CARE PROCEEDINGS PROJECT (NLCPP): First Quarterly Report - 01/06/13 – 31/08/13		
Report Authorised by:	Marion Wheeler – Assistant Director, CYPS		
Lead Officer:	Eileen Flavin - Haringey Court Manager		
Ward(s) affected:	Report for Non Key Decisions:		

1. Background information:

Barnet, Enfield and Haringey have agreed to work together as the North London Care Proceedings Project (NLCPP) to reduce avoidable delay and to improve decision making for children subject to care proceedings. The project started on 03/06/13. On 05/08/13 the revised Public Law Outline (PLO) framework recommended by the Family Justice Board Review commenced.

Eileen Flavin was appointed the Haringey NLCPP court manager on 17.06.13 and has focussed on:

- Introducing the project's aims and the revised PLO guidance to Haringey Children's Services Teams.
- Developing working relationships with Heads and Deputy Heads of Service, Team Managers and Legal Advisers and with the Barnet and Enfield court managers.
- Tracking care proceedings applications.
- The development of social workers' evidence in care proceedings through direct mentoring and focussed workshops.



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Developing collaborative working relationships across Haringey Children's and Legal Services and with Barnet and Enfield is pivotal to the success of the project and has begun well.

Eileen has met with all Heads of Service, Deputy Heads of Service and team managers and it has become apparent that some agreed processes, priorities, guidance, areas of responsibility and accountability would assist the collaboration. It is proposed that a cross service operational steering group for the project be set up.

Eileen has worked closely with Principle and Senior Lawyers and communicates directly with them in respect of cases and developed and presented training with them.

Eileen has met regularly with Barnet and Enfield court managers have met regularly with the project manager to discuss the issues arising from the revised PLO and to focus on developing common practice and guidance.

The outcome of the tracking of cases is detailed below. Accessing the data required by the project has been challenging and there is as yet no single mechanism for getting it. The new CMH document has assisted with providing information in relation to the effectiveness of hearings, orders made and dates for assessments and Issues Resolution Hearing (IRH). The proposal of the appointment of a part time operational support officer will assist tracking.

2. Development of Social Worker's Evidence

The revised Public Law Outline (PLO) has required a significant change in the evidence provided by social workers to the Court, with the recommendation that the social worker's evidence and the children's guardian's evidence is the 'expert' evidence on which the court will determine the case.

Social work statements require development to become sufficiently analytical to achieve the project and PLO's aims. The single assessment which provides for more analytical reporting will assist social workers.

Currently statements are requiring re-working while social workers undertake some preliminary training and mentoring. Statement writing workshops are being provided to team managers and social workers to work together on developing their skills.

It appears that social workers who have previously been skilful in statement writing are maintaining their skills. Those who find this a difficult area of work and ASYE staff require extra support. I am providing this through mentoring and I have begun to investigate effective methods of doing this.

The Safeguarding and Support Service has undertaken considerable work to ensure that there are best quality social work chronologies on all children's files. This work is being progressed in First Response Service.



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The guidance under the revised PLO for brief chronologies focussed on the recent events which support the threshold criteria for care proceedings may be qualitatively different to those being developed. I have raised this issue for further discussion with the performance subgroup of the FJB (Family Justice Board (Ministry of Justice)). Currently, providing that the social work chronology is relevant and focussed, an alternate 'court' chronology is not being written.

The revised PLO reminds that care planning for the permanence of the child needs to commence from the beginning of CYPS involvement with the child and family.

The revised PLO requires that the interim and alternative permanence plans for the child are considered at the Case Management Hearing (Court hearing which case manages by making directions through to final hearing).

This is a change in practice and requires discussion and joint planning between the teams who initiate proceedings (First Response and Safeguarding and Support Teams in the main) and the Court Team who carry out parenting assessments, carry through care planning and conclude the care proceedings and involving Fostering and Adoption team managers.

Currently there are no protocols in respect of this and early joint planning has occurred in some cases and not in others.

3. DATA

3.1 Baseline Data

- In April 2012, it was estimated that there were 112 families in care proceedings (Haringey Legal Services data).
- In March 2013, that figure had declined to 77 families, a 10.7% reduction in the number of care applications (Haringey Legal Services data).
- National figures for 2012/13 care applications were 7.9% higher than 2011/12 (CAFCASS data)
- In the period January 2013 – March 2013 –
Average duration of care proceedings - 71 weeks.
 - National Average - 42 weeks
 - London Averages - from 26 weeks (LB Kingston) - to 69 weeks (LB Bexley) (CAFCASS data).



3.2 Cases Issued between 03/06/13 -31/08/13

- 24 applications in respect of 21 children from 15 families;
- 14 applications from Safeguarding and Support;
- 9 applications from First Response;
- 1 application from Court Team.

3.3 Applications

<u>Application</u>	<u>No of children</u>	<u>Application Outcome</u>
<u>EPO</u> <u>Emergency Protection Order</u> <u>(Children act 1989)</u>	<u>3</u>	<u>ICO x2 - Dismissed</u> <u>x 1</u>
<u>ICO</u> <u>Interim Care Order</u> <u>(Children act 1989)</u>	<u>20</u>	<u>ICO x 13</u> <u>Sec 20 x 6</u> <u>NK -1</u>
<u>ISO</u> <u>Interim Supervision Order</u>	<u>1</u>	<u>1</u>

3.4 Age of Child at First Hearing

<u>0 – 5 years</u>	<u>14</u>
<u>6 – 10 years</u>	<u>5</u>
<u>11+</u>	<u>2</u>
<u>Total</u>	<u>21</u>



3.5 Ethnicity (as identified on FWi)

<u>White British</u>	<u>5</u>
<u>White British/ Black Caribbean</u>	<u>1</u>
<u>Black British/Black African</u>	<u>3</u>
<u>Black British/Black Caribbean</u>	<u>3</u>
<u>Black British/Black African/Black Caribbean</u>	<u>1</u>
<u>Black African/Black Caribbean</u>	<u>4</u>
<u>White British/Portuguese</u>	<u>3</u>
<u>White British/Greek Cypriot</u>	<u>1</u>
<u>Total</u>	<u>21</u>

4. Is Case Duration Reducing/Are Court Hearing Reducing/Effective?

The brief answer is yes as all cases have been case managed under the PLO guidance with attention being paid to the need to reduce the case duration, the number of hearings and to ensure hearings are effective. The data below illustrates that all cases have been timetabled to Issues Resolution Hearing (IRH) in a timely way.

Cases 5 and 6 were listed at 27 weeks due to Court availability to provide consecutive court days.

Concern has been raised about the case management of Cases 14,15,16,17 which lead to the first 6 weeks of the case being ineffective.

An issue arises that the guidance provides that cases are listed for IRH and if the IRH cannot resolve all matters then a final hearing is listed. Given the time lapse between Case Management Hearing (CMH) at Day 12 and the IRH at around week 20 it might be possible to request that the matter is listed as soon as it becomes apparent to the parties that the matter is going to be contested. I will take this issue back to the performance subgroup of FJB (Family Justice Board (Ministry of Justice)).



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Case 22 which took 28 days from issue to 1st hearing is an extension of a SO application.

<u>Case number</u>	<u>Number of days to 1st hearing (Target - Working Day 12 from Issue)</u>	<u>Number of Weeks to IRH (Target > 20 weeks)</u>	<u>Number of Weeks to Final Hearing (Target >26 weeks)</u>	<u>Number of Hearings/Effective</u>
1	12 days	NK (Not Known)	NK	5
2	12 days	19 weeks	19 weeks	1
3	0 days	0 weeks	0 weeks	EPO withdrawn/Case 5
4	0 days	0 weeks	0 weeks	EPO withdrawn/Case 6
5	4 days	18 weeks	27 weeks	3
6	4 days	18 weeks	27 weeks	3
7	2 days	20 weeks	24 weeks	NK
8	4 days	22 weeks	Not set	NK
9	11 days	22 weeks	Not set	1
10	11 days	22 weeks	Not set	1
11	11 days	22 weeks	Not set	1
12	0	19 weeks	Not set	5
13	NK	NK	NK	NK
14	0	20 weeks	Not set	3 Ineffective
15	0	20 weeks	Not set	3 Ineffective
16	0	20 weeks	Not set	3 Ineffective
17	0	20 weeks	Not set	3 Ineffective
18	NK	18 weeks	22 weeks	1
19	NK	NK	NK	NK
20	12 days	12 weeks	12 weeks	2 CMH Ineffective



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21	11 days	16 weeks	Not set	NK
22	28 days	19 weeks	19 weeks	NK
23	3	17 weeks	24 weeks	NK

5. Is Judicial Continuity Increasing?

This has been a more difficult aim to achieve and judicial continuity has not been achieved in majority of cases.

Some county court cases have kept the same judge but other cases have been adjourned or transferred between judge and magistrates or judge to judge. One EPO (Emergency Protection Order (Children act 1989)) was refused by a judge and the ICO (Interim Care Order) application heard by another judge. One case was adjourned by Family Proceedings Court (FPC) for determination of the need for expert assessment and then heard by a judge due to pressures of court time before being returned to FPC.

The issue for magistrates has been discussed at the performance subgroup of the Family Justice Board and relates to the hours which magistrates are required to sit. Legal advisers have sought to provide some continuity but this has not been achieved in 3 cases which were heard in alternate FPCs (Brent/Richmond/Wells Street).

The issue will be exacerbated where cases are not being timetabled to final hearing until IRH.

6. Is Local Authority Continuity Increasing?

In common with Barnet and Enfield, Local Authority continuity is not being achieved in Haringey due to the structure of service provision where the child is transferred between teams (First Response and Safeguarding and Support to the Court Team) at the Case Management Hearing (CMH).

No child has had more than one change of social worker and continuity between social workers and teams is being assisted by collaboration across the teams and the early involvement of the Court Team.

7. Are Guardian Timescales Improving and Continuity Increasing?

Guardians were appointed in all cases for the CMH/Contested Hearing and either attended and gave a view, provided a position statement or an Initial Analysis. In two cases Initial Analysis were ordered and not provided and a further direction made.

One meeting has taken place with Cafcass and the court managers to begin to discuss the respective roles of the social worker and the children's guardian. I have begun to contact all children's guardians appointed to highlight the project and to ask them to contact me with any concerns in relation to delays or the evidence provided.



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8. Are Assessments Reducing in Length/Frequency?

It is Haringey's intention that in the majority of cases parenting and risk assessments will be undertaken by LA social workers either prior to or during the proceedings. Agreement has been reached through the project that these assessments will be undertaken in 8 weeks. I have not been made aware of any difficulties with this to date. Just one residential assessment and one assessment by Enfield's Moorfield Assessment Centre have been ordered during this quarter.

Considerable work has been undertaken by Haringey Fostering Service together with partners in Barnet and Enfield to review and then revise the connected persons' assessments. Viability assessments will be undertaken quickly on a limited number of potential carers and one or two potential carers will be assessed within a 10 week timeframe.

The NLCPP has developed practice guidance for the instruction of expert assessments and further work is outstanding on developing 'letter of instruction' guidance. Adult psychiatric assessments have been ordered in 5 cases and within in short timeframes. Child and adolescent psychiatric assessments have been ordered for 2 children.

9. Recommendations/Future work

- Setting up of a cross service operational steering group.
- Social work skills development with a focus on initial and final written and oral evidence.
- Pre and post proceedings policy and practice development including work with Independent Reviewing Officers (IROs), Child Protections Advisers (CPAs), Family Group Conference (FGC) facilitators and in respect of the use of pre care proceedings public law outline meetings and reviews.
- Liaison with NLCPP partner agencies – Courts, legal advisers, family solicitors and Cafcass and the development of the respective roles of social workers and children's guardians as child 'experts'.
- Regular attendance at Court hearings to observe and support negotiations; to monitor the progress of project aims; to observe social work practice in Court negotiations and oral evidence skills.
- Development of a 'common' parenting assessment framework and work to integrate the Single Assessment into the parenting assessment.



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10. Conclusion

The NLCPP commenced just as the revised PLO and guidance was introduced and in that context the first quarter's figures indicate that the project's outcomes are being achieved with the exception of judicial continuity and LA continuity.

It has become clear that if the aim to achieve more timely decision making for children, fewer expert assessments and shorter care proceedings is to be achieved in a fair and just way, considerable work is required pre care proceedings. The aim would be to undertake all assessments required by the child and family prior to issuing proceedings.

The revised PLO and the President's guidance in respect of social work evidence is an exciting opportunity for social workers to demonstrate their expertise in children development and in their understanding and assessment of parenting capacity and the focus for the next quarter will be on the continued professional development of social workers.

Eileen Flavin

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North London Care Proceedings Project

October 2013.