**PRE-PROCEEDINGS WORK AND PROGRESS CHART**

**Before Legal Advice – Threshold**

When should pre-proceedings be considered?

* There is evidence that the children are at risk of or suffering from significant harm and evidence of impact on the children.
* There is a family member / friend / associate who is a significant risk however parent/s are not taking appropriate action to safeguard the child from this individual.
* A child has previously been removed from the family and initial assessments suggest that there has not been any significant change in the family circumstance / risk factors since that time.
* The child protection process has had sufficient time to allow for change, however parent/s engagement has not produced meaningful change.
* Parents have consistently failed to engage with services as part of the child protection process.
* Parents are hostile or ignoring professional involvement.
* There is an absence of mitigating protective factors for the child i.e., wider family members are unaware or unwilling to provide support / intervene.
* The Social Worker and wider professional support network are completing visits to the home on a very frequent basis, due to the level of concern. This includes unannounced visiting where appropriate.
* Professionals are consistently expressing genuine / evidence concerns, particularly outside of formal meetings.
* There is concern that the child/ren are being coerced to conceal information and that such is impacting on your ability to sufficiently safeguard them.

The threshold for pre-proceedings and care proceedings is the same; if you are in a position whereby you feel that you would not issue care proceedings, and if you are not seeking to parallel plan for the children on the basis that you consider removal from parents care unlikely, then you may need to complete more work prior to seeking permission to start the pre-proceedings process.

Research highlights that there should be a distinction between children subject to a child protection plan and those that enter pre-proceedings. This distinction should be significant and is described as ‘clear blue water’ rather than a ‘thin red line’. The local authority should be tolerant of multiple parenting styles and legal planning should only be used when the children are facing ongoing and significant harm and attempts to improve the situation have failed.

**Before Legal Advice; points to consider.**

The following should be considered before seeking permission to initiate legal planning unless the risk to the child/children is immediate or quickly escalating;

* Before submitting a Legal Planning Meeting request, the ATM/TM should have reviewed the case and assured themselves that there is sufficient evidence to suggest that threshold for pre/care proceedings has been met. They should not have any questions about the work completed or concerns about gaps in evidence as a result of practice.
* The ATM/TM should ask themselves whether them contacting / chairing a meeting with parents, would support parents in acknowledging the concerns and in turn, working with the Local Authority without the need to escalate into pre-proceedings.
* The ATM/TM should be satisfied that all resources to assist the family have been exhausted. This includes the provision of a Family Group Conference. Multiple attempts to gain information about the family network should have also been made. It is also vital that we know who has parental responsibility.
* The ATM/TM should assure themselves that the plan to date reflects the level of concern i.e., has the frequency of visits been increased; have unannounced visits been undertaken? Has a clear Circles of Safety plan been completed?
* The ATM/TM should be clear as much as possible, about any learning need that a parent/s has? Have you checked Liquid Logic and made enquiries with their General Practitioner to this effect. Are you confident that all interventions have been provided in a way that reflects their learning need? If not, please attempt to ascertain this information beforehand as it will impact on the timeliness of the pre-proceedings process.
* The ATM/TM should be confident that intervention and support has been delivered in a way that reflects any concerns about a parent’s cognition.
* An up-to-date chronology should be available.

**Pre-Proceedings Timeline**

If you have exhausted all efforts and feel that entering pre-proceedings is the only way of improving the situation for the children, please complete the following steps.

Points to note:

* A decision to issue care proceedings should be made by week 16, it is therefore crucial that you prepare for the pre-proceedings process in advance as much as possible.
* If the case relates to an unborn child, it is not possible to engage them in assessments 6 weeks prior to the EDD. Planning will need to take account of this, including the fact that a PAMS / Parent Assess Assessment takes 12 weeks.
* As a guide, if relating to an unborn child;
* A standard parenting assessment will need to commence by week 24 of the pregnancy at the latest (to enable the outcome to be ratified at EoC and be shared by week 36 of pregnancy at the latest)
* A PAMS / Parent Assess parenting assessment will need to commence by week 20 of the pregnancy.
* If there are concerns that a parent has a learning disability, information about their cognition needs to be sought at the earliest opportunity as waiting for a cognitive assessment will impact on assessments commencing and in turn, the timeliness of the pre-proceedings process.
* If you are seeking a cognitive assessment, you should also make a referral to Adult Care.

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| Week -2 | * Complete the request for a legal planning meeting via Liquid Logic LPM request authorised by the Team Manager and Service Manager and submitted to the legal department. * Case will be allocated to a Solicitor. * Send any supplementary documents to the allocated Solicitor. * Agree LPM meeting time/date (the LPM should take place within 5 working days of the request). |
| Week -1 | * Attend Legal Planning Meeting * Solicitor to provide a view on threshold. * Outline pre-proceedings plan to be agreed. * Record discussions from this meeting on the Legal Planning Meeting form within Liquid Logic. * If the Solicitor assesses that threshold has been met, Social Worker to complete Edge of Care Form. Deadline for Manager submission Tuesday 12:00. * Social Worker should attend Edge of Care within 10 working days. * In preparation for Edge of Care, Social Worker to draft the pre-proceedings letter. |
| Week 0 | * Attend EoC - permission for pre-proceedings granted. * Social Worker to complete pre-proceedings letter and hand deliver to parent/s within 2 working days. * Ask parents to agree any referrals (FGC, Turning Point, Fearfree) so that these can be made before the pre-proceedings meeting. * Ask parents for details of any family members who may be able to support if not already known. Seek permission from those individuals to conduct police/agency checks. |
| Week 1 | * Submit all appropriate referrals. * Complete police/agency checks. * Complete stage 1 Viability Screen. * Draft Letters of Instruction * Complete parenting assessment proposal \*Liaise with SAIFT if they are completing the parenting assessment, to ensure that they have all relevant information to be able to complete a proposal, in advance of your pre-proceedings meeting. |
| Week 2 | * Pre-proceedings meeting to be held within 10 working days of EoC. * Parenting Assessment proposal to be shared. * Appointment of expert instruction to be confirmed. * Minutes to be recorded via the form on Liquid Logic. * Pre-proceedings meeting minutes and copy of the agreed pre-proceedings plan to be provided to parent within 5 working days. * Submit Letters of Instruction via your Admin Manager * Progress Stage 2 Viability Assessments. |
| Week 4 | * Review with Care Proceedings Manager. By this point, the following should have happened: * Viability Assessments stage 2 underway * Dates for receipt of expert assessment known. * Date for Parenting Assessment to be completed. * FGC should have happened or be planned to take place imminently. |
| Week 15 | * Parenting Assessment should be complete. * Special Guardianship Assessments should be complete. |
| Week 16 | * Review Legal Planning Meeting to be held. * Continue pre-proceedings process if not seeking to issue proceedings. * Social Worker to attend Edge of Care for proposed plan to be ratified. |
| Week 17 | * Review pre-proceedings meeting to be held / parents to be informed of plan to issue care proceedings. * Social Worker to prepare and file initial evidence if issuing proceedings. |
| Week 18 | * Review Family Group Conference / Family Meeting if not issuing proceedings. |
| Week 20 | * Care Proceedings Case Manager Review |
| Week 22 | * Service Manager to review assessments completed and decide whether to step-out of pre-proceedings (rationale recorded on Liquid Logic). * Review pre-proceedings meeting held with parent/s. |
| Week 23 | * End of pre-proceedings letter provided to parents. |