

## Wiltshire Council Supervision Order Policy April 2024

### 1 Overview

- 1.1 This policy has been reviewed as a result of new guidance from the Public Law Working Group's supervision order sub-group which raises concerns about the failure of local authorities to ensure appropriate ongoing oversight for children subject to supervision orders. Children subject to Supervision Order and Interim Supervision Order's (ISO) require significant oversight and support. As noted below Supervision Orders are granted when there is evidence that a child or young person has suffered or is at risk of suffering significant harm. As such children subject to supervision orders should be provided with the same level of support, oversight and protection as those children subject to child protection planning. There also needs to be an acknowledgement in the plan that the children, their parents and wider family have been through court proceedings and likely require significant support to engage with the local authority. The management of supervision orders needs to be given a high priority within safeguarding teams and children and their families need to be strongly encouraged to engage with the support plan and be informed that failure to comply could lead to a return to court. This policy has been developed to ensure that the local authority suitably prioritises the children's needs and that there is a clear framework for practice around children subject to ISO and Supervision Orders.
- 1.2 The policy also aims to increase the understanding among partners about the significance and shared responsibility of an ISO and Supervision Order. This includes the planning, implementation and review mechanism for children subject to an ISO and Supervision Order.
- 1.3 This policy outlines the expectations of all partners with specific reference to the process for children who are subject to ISO and Supervision Orders. This process of planning and review is set out and all agencies will take up membership of a network around the child to oversee and contribute to the effectiveness of the ISO and Supervision Order as required (see 6.1).

### 2 Legal Framework (Children Act 1989, section 31)

- 2.1 An application for a Supervision Order will usually be made for a child as a result of an application by the local authority for a Care Order, however the local authority may also make application for a Supervision Order in its own right or the order may be made following a set of private law proceedings.

- 2.2 When a child is the subject of a Supervision Order this means that the court has made a 'finding' that the child has suffered significant harm or is likely to have suffered significant harm and this is attributable to the care they have received.
- 2.3 A Supervision Order can be made for up to 12 months, which can then also be extended upon application for up to three years if the court consider this necessary and proportionate.
- 2.4 A Supervision Order gives the local authority three specific duties:
- To advise, assist and befriend the child.
  - To take all reasonable steps to see that the order is given effect.
  - To consider whether to apply for a variation or discharge of the order where it is not being wholly complied with or the authority considers that the order may no longer be necessary.
- 2.5 The Supervision Order is made in respect of the "named child", not those who care for him or her.
- 2.6 The local authority does not have Parental Responsibility, nor do they share this under a Supervision Order.

### **3 Directions, Requirements and Conditions**

- 3.1 On application for a supervision order or when a supervision order is granted by the court, the local authority must provide a robust plan of support to the court and seek any additional measures that may be required to ensure the child's safety. This plan will need to be filed with the final evidence. The local authority must ensure that the court attaches adequate measures / conditions to the supervision order that will enable the local authority to adequately safeguard the child.
- 3.2 It must be considered as to whether it is appropriate to:
- Include any directions to the supervised child (see below); or
  - Attach requirements to the interim / final supervision order in relation to an adult; or
  - Attach requirements regarding psychiatric or medical examination of the child
- 3.3 Directions to the supervised child may entail:
- Direction to live in a specified place and / or for a specified period
  - Direction for the child to present him / herself to a named person and specific place and time (CAMHS, social work meetings, etc)
  - To participate in activities on particular days
- 3.4 The local authority has the power to enforce directions, but only directions that are made by the court at the time the order is granted.

The local authority cannot attach new directions/conditions to the order.

#### **4 Notification**

- 4.1 The allocated social worker must inform all relevant professionals that the child has been made subject of a supervision order or interim supervision order at the first available opportunity.
- 4.2 The allocated social worker must ensure that all relevant professionals are aware of the requirements of the supervision order and that a finding of significant harm has been made in respect of the child subject to the order.

#### **5 Planning and Review**

- 5.1 Wiltshire Council is of the view that children subject to ISO and Supervision Orders should require a similar level of planning, monitoring and review as children subject to child protection planning and/or Care Orders. The review frequency will be set at the first review according to the needs and risks in each case. Consideration will be given, for children subject to child protection planning, to the CP chair facilitating this first meeting.
- 5.2 When the children are not subject to Child protection planning, or it is not appropriate, then the team manager must chair the first supervision order review (SORM) and ensure that all professionals are aware of their responsibilities, including the timescales of work. This meeting needs to take place within 10 days of the making of the interim or final supervision order.
- 5.3 The focus for the SORM will be on any risks and how these will be managed, but also what support should be in place to assist the child and family. The meeting will record the reasons for the supervision order, the primary risk factors and how these risks will be managed throughout the duration of the order.
- 5.4 The SORM review should be given the same priority as a core group meeting and in the event the wider professional support network does not attend all meetings then this concern needs to be escalated.
- 5.5 SORM meetings will be held every month throughout the duration of the ISO and for the first 6 months after the making of the final order. The assistant team manager will chair the meeting at the 3 month and 6-month reviews to ensure that the plan is being followed. In the event that the plan is progressing well after the plan has been in place for 6 months, then the meeting frequency can be reduced but must take place every 3 months at a minimum level.

- 5.6 The 9-month review meeting must be chaired by the team manager and agreement should be reached about whether a further legal planning meeting is needed to establish whether the order needs to be extended. The final meeting needs to be chaired by the assistant team manager and all members must be in attendance to confirm the plan has been completed. The final meeting will not be considered to have been held without at least 2 professionals from different disciplines being in attendance and the child's primary carer.

## 6 Visiting

- 6.1 The recent guidance from the Family Justice Board is that a child subject to a Supervision order or Interim Supervision Order should be given the same oversight as a child subject to a child protection plan. As such the frequency of visits should be every 10 days for the entirety of an Interim Supervision Order and for the first 6 months of the supervision order. Agreement to reduce the frequency of visits should be reached in a SORM meeting attended by at least 2 different professionals and chaired by the Assistant Team Manager. At this point the visiting schedule can be reduced but must take place no less than every 4 weeks. If not specified, the expectation is that the child must be seen, spoken to alone, and their views and wishes recorded by the allocated social worker.
- 6.2 The frequency of visits after the 6-month review, should be discussed, reviewed and agreed at each SORM.
- 6.3 The child's caregivers and home environment must be seen as part of the ongoing supervision.
- 6.4 All professionals involved with the child must keep appropriate records and share all relevant information promptly with the allocated social worker.

## 7 Extending the Supervision Order

- 7.1 The SORM must review the progress of the Supervision Order at least 12 weeks before it expires. A decision not to apply to extend any order must be clearly minuted with evidence as to why this is no longer necessary. This decision should be informed by an updated single assessment and needs to include an updated chronology and provide clear analysis about the progress made during the supervision order.
- 7.2 If concerns continue to be expressed about the child's experiences, even if this concern has not reached the threshold for significant harm, then legal advice needs to be sought to discuss whether an extension to the supervision order is required. In the event that an extension is granted then once again the child needs to be visited every 10 days and SORM meetings need to be held on a monthly basis for the first 6 months of the renewed order.

## **8 Returning to Court**

- 8.1 It needs to be acknowledged that a supervision order was granted because a child was at risk of or suffering significant harm and it is likely the court proceedings came after periods of child protection planning. As such it is vital that the child is not left in a position where they continue to suffer ongoing harm. An urgent SORM meeting, chaired by the team manager must take place within 7 days of a strategy discussion which agrees that the threshold is met for a section 47 investigation. This meeting will make recommendations about whether a legal planning meeting is needed, and the reasons for this decision need to be clearly minuted.
- 8.2 Multi-agency partners will be expected to support and contribute to any child protection action, care planning and provision of services as necessary.
- 8.3 In the event that the outcome of the section 47 investigation is that an initial child protection case conference should be held then this should be reviewed and agreed by the service manager. This is because the role of the supervision order is to ensure that the child no longer faces the risk of significant harm and so in the event that this threshold is reached, clear decisions need to be recorded about why the matter should not be returned to court. An example of an exceptional circumstance which could support the decision to proceed to an initial child protection case conference was if the child was placed with a non-abusing parent during court proceedings.

## **9 Ending the Supervision Order**

- 9.1 The following points need to be agreed by all members of the SORM meeting to evidence that the Supervision Order should be allowed to lapse, the reason for this level of care is because the child has been acknowledged to have suffered or at risk of suffering significant harm and as such require care that is going to meet their long term needs and support their ability to reach their developmental potential. The context of the following is that parents need to make and maintain lasting change and it is vital that appropriate oversight takes place to ensure that this change can continue beyond the timeframes of legal planning:
- The child is being seen during home visits and presents as settled in the family home and reports no concerns about their home environment. In the event the child is too young to provide their wishes and feelings they need to demonstrate trust in their parent to meet their needs, be in a positive home routine and for the social worker and other visiting professionals to have no concerns about the care they receive.

- All adults who the child comes into contact with have been assessed as safe and the child has raised no concerns about their presence.
- The home conditions have been consistently 'good enough' for the last 6 months of the supervision order and have been maintained without the support of professional services.
- The child and their family have completed all recommendations noted within the initial SORM meeting or clear reasons are recorded about why this work is no longer required.
- Professionals from health and education, and other relevant professionals are confident that the child has been in a place of stability for the last 6 months and have a positive working relationship with the parent that is independent from children's services.
- The child should be the subject of a child in need plan for 3 months after the expiration of a supervision order to ensure that the changes observed have been maintained.

Updated 22.4.2024

Annex A  
**Supervision Order Plan**

Child/Children subject to supervision order	
Date of Supervision order	
Date of initial SORM	
Date of final SORM <small>needs to take place 3 months prior to the end of the supervision order</small>	

Review meetings to take place	Every month for the 1 <sup>st</sup> 6 months and then reduced to every 3 months at the agreement of the safeguarding team and at least 2 other professionals.
<p>The review meetings will be chaired by the Team manager for the 1<sup>st</sup> and last meeting, by the assistant team manager for months 3 and 6. The allocated social worker will chair all other meetings.</p> <p>In the event child/children were subject to a child protection plan the meeting may be chaired by the CP chair.</p> <p>Child/Children must have monthly meetings throughout an interim supervision order with a team manager or CP chair chairing the first meeting.</p>	<p>Named social worker</p> <p>Named assistant Team Manager</p> <p>Named Team Manager</p> <p>Named CP Chair</p>
Members of the SORM and their profession, attendance will be recorded at each meeting and concerns escalated as appropriate if attendance is not prioritised.	Members of SORM
Before each meeting the family will receive:	<p>An agenda</p> <p>Any updating reports.</p> <p>A list of attendees</p> <p>Information about the date and time of the meeting</p> <p>Whether the meeting will be held virtually or in person.</p>
Any concerns:	Any concerns need to initially be shared with the allocated social worker and then escalated via the management and complaints proceedings if unresolved.

Key Documents to be made available for the family	Final court order Final judgement including threshold findings. A copy of any assessments which are used to inform the SORM plan. Any assessments completed during the lifetime of the supervision order The Supervision order plan Any changes to the supervision order plan
---	--

**Initial Plan**

What are we worried about?	What needs to happen?	Who is going to do it?	When is it going to happen by?

**Review Plan**

What has happened?	What difference has it made?	Does anything else need to happen and who is going to do it?	Date when this work will be finished.

**Final Plan**

What has happened?	what difference has this made?	What needs to happen and who is going to do it?	Date when this will be finished?	Can this be completed under a CIN plan?