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Impact of the Family Justice Reforms on Front-line Practice Phase One: The Public Law Outline

Research report

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Research in Practice

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Project team

Dr Susannah Bowyer, Research Director, Research in Practice

Dr Julie Wilkinson, Research Associate, Research in Practice

Janet Gadsby Waters, Research Associate, Research in Practice

Disclaimer

The views expressed are those of the authors and are not necessarily shared by the Department for Education or the participating organisations.

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Glossary

Case Manager: A senior mentoring and QA post introduced in the Tri-borough pre-proceedings pilot recommended by the President of the Family Division and adopted widely across the country. The role includes rigorously exploring case work and Quality Assuring social worker statements before they go to legal colleagues or are submitted to court. Case managers support legal planning meetings; model and coach quality court work and inter-professional relationships; develop case tracking mechanisms and use these to analyse causes of delay. See Julie Penny explain the role [here](#)

Family Group Conference: A process led by family members to plan and make decisions for a child who is at risk. Families, including extended family members, are assisted by an independent family group conference coordinator. See Family Rights Group explanation of FGC [here](#)

Legal Planning Meeting: Held by the local authority to obtain legal advice about a case if work with the family cannot keep a child safe. The purpose of this meeting is to obtain advice as to whether the 'threshold criteria' for a care order under section 31 Children Act 1989 have been met. The meeting is attended by the child's social worker, social work managers and the local authority lawyer. At the meeting, a decision is made on whether the threshold criteria have been met in principle and whether it is in the best interests of the child to provide a further period of support for the family with the aim of avoiding proceedings, or whether proceedings should be initiated immediately. See various learning resources re. legal planning meetings [here](#)

Letter Before Proceedings: The letter before proceedings is sent to the parent(s) and any other party who has parental responsibility; the letter gives the family one last chance to work with the local authority to keep the child safe before proceedings are initiated. The letter should:

- contain all the information in the Statutory guidance on court orders and pre-proceedings (PDF file)
- be expressed in plain language
- invite the parent(s) to a pre-proceedings meeting
- advise them to take the letter to a solicitor for advice.

This is good opportunity for the family to be in a room with the social worker, discuss concerns and plans for the child, and also have the benefit of independent legal advice. See learning resources [here](#)

Local Family Justice Board (LFJB): established as part of the Government response to the Family Justice Review to drive significant improvements in performance at the local level.

Public Law Outline: judicial protocol regarding the process for care proceedings.

Further information on the terminology used in this report can be found here:

Statutory Guidance on Court orders and pre-proceedings:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/306282/Statutory_guidance_on_court_orders_and_pre-proceedings.pdf

Research in Practice Guidance on Court Orders and Pre-proceedings:

<http://coppguidance.rip.org.uk/>

1. Introduction

1.1 Background

The Children and Families Act came into force in April 2014, introducing wide-ranging reforms to the Family Justice System. At the heart of public family law reform was a revised Public Law Outline (PLO), which introduced a 26-week timeframe for completing care proceedings, with the intention of supporting timely decision-making for children and young people. The revised PLO was piloted in phases between July and October 2013.

The measures in the Act supported a shift in local authority practice towards a more thorough pre-proceedings phase, with an increased emphasis on documentation and assessments being completed earlier. The Act also introduced an expectation that evidence produced for the court would be focused, succinct and analytical and that the use of expert evidence in proceedings would be restricted to that which is necessary to resolve the proceedings justly (Department for Education, 2014; Ipsos Mori, 2014).

The Tri-borough authorities in London (Hammersmith and Fulham, Kensington and Chelsea, and Westminster), worked in conjunction with the courts and Cafcass (the Children and Family Court Advisory and Support Service) to establish a pilot programme ahead of the legislation to try to reduce the duration of care cases to 26 weeks. An independent evaluation of the pilot found that the median duration of care proceedings was 27 weeks for the first nine months of the pilot, as compared to a median duration of 49 weeks in the previous year. The evaluation suggested that the following factors were important in driving change to meet the 26-week time limit:

- Timely and more selective use of social work assessments
- The role of case manager providing additional capacity to: maintain an overview of cases being considered and brought to court; advise social workers on the quality of their assessments and statements; track cases and analyse causes of delay; support social workers during proceedings; liaise with the local courts
- Social Worker confidence in their own professional judgements and decisions
- Early appointment of guardians at the outset of cases
- Judicial continuity and robust court management by judges and magistrates
- Commitment and leadership in all agencies (local authorities, Cafcass and the courts)

(Becket et al, 2013)

In the course of the roll-out of the reforms in 2013, two Supreme Court and Court of Appeal judgments - Re B and Re B-S emphasised the high standard of evidence and reasoning required by the court in non-consensual adoption cases:

We have real concerns, shared by other judges, about the recurrent inadequacy of the analysis and reasoning put forward in support of the case for adoption, both in

the materials put before the court by local authorities and guardians and also in too many judgments. This is nothing new. But it is time to call a halt (Re B-S, 30).

The evidence must address all the options which are realistically possible and must contain an analysis of the arguments for and against each option (Re B-S, 44).

It has been suggested that some local authorities (LAs) are (wrongly) interpreting these judgments as a change in the law, setting higher thresholds for placement orders (Bentley, 2014) and that this has contributed to a sharp reduction in the number of placement orders made and the number of LA decisions to pursue care plans for adoption; between 1st September 2013 and 30th June 2014 LA decisions that children should be adopted (which had previously been increasing) fell by 47 per cent, from 1,830 to 960. In the same period, placement orders granted by the court decreased by 54 per cent, from 1,650 to 750 (National Adoption Leadership Board, (ALB) 2014).

These reductions led the ALB to publish a 'Myth-Buster' guide, setting out what the judgments do and do not say (National Adoption Leadership Board, 2014). The misinterpretation of Re B-S was also addressed by the President of the Family Division in a judgment handed down in December 2014 (Re R). In the Re R Court of Appeal judgment the President re-emphasised the fact that there was no change in the law and that LAs should not shy away from seeking care orders with a plan for adoption and placement orders when it is in the best interests of the child.

I wish to emphasise, with as much force as possible, that Re B-S was not intended to change and has not changed the law. Where adoption is in the child's best interests, local authorities must not shy away from seeking, nor courts from making, care orders with a plan for adoption, placement orders and adoption orders. The fact is that there are occasions when nothing but adoption will do, and it is essential in such cases that a child's welfare should not be compromised by keeping them within their family at all costs (Re R, 44).

A review of the revised PLO in the autumn of 2014 commissioned by the Ministry of Justice found that the reforms had been well received by those who responded (Ipsos MORI, 2014). However, the review was undertaken primarily with professionals involved in the court process, with limited representation from front-line social workers. No further investigation has been undertaken since then to assess the impact of the reforms and court judgments on front-line local authority practices and processes. The Department for Education (DfE), therefore, commissioned Research in Practice to explore these impacts through a deep-dive investigation.

1.2 Aims and Methodology

The main aims of this deep-dive investigation were to:

- Gain an understanding of the impact of reforms on local authority practice and processes
- Identify examples of changes to practice which have led to improvements

- Identify whether there have been any negative unintended consequences of reforms.

This investigation was undertaken between January and March 2015 in six LAs. The LAs were purposely selected to include a spread of region, size and type, and all had received Ofsted assessments of 'good' at the time of selection. Further details of the characteristics of the six LAs can be found in appendix 1.

Qualitative interviews (a mix of face-to-face and telephone) were held with 58 professionals (either individually or in pairs/small groups). These included:

- Assistant Director/Head of Service¹ (6)
- Lawyers (6)
- Managers (including case managers) (11)
- Case holding social workers (18)
- Independent Reviewing Officers (IRO) (6)
- Cafcass managers (6)
- Workforce training and development managers (5)

The interviews were focused around the following themes linked to the reforms:

- Meeting the 26-week requirement of the PLO
- Changes in pre-proceedings practice
- Undertaking assessments and care planning for permanence
- Presenting evidence to court
- Partnership working and relationships in the family court arena
- Changes to the types of orders applied for and granted

All interviews were recorded with the permission of those taking part and subsequently transcribed. The data were inputted into a coding template to facilitate thematic analysis. In order to protect the anonymity of those involved, direct quotations have not been attributed to named LAs.

¹ The title Assistant Director is used throughout the report to refer to both Assistant Directors and Heads of Service

In light of the themes arising in this first phase of the investigation and from seminars with local authority lawyers convened by the DfE in December and January (2014/15), a follow-up study was undertaken to explore the use of Special Guardianship Orders (SGOs) in more depth. The findings from this further study are published in a separate report. As an addition to the substantial and rigorous research on SGOs commissioned by the DfE (Wade et al 2014) this report may inform the DfE review of Special Guardianship later in the year.

1.3 Limitations of the study

This investigation was conducted within a very tight timeframe in only six LAs. It was a deep-dive, qualitative study and did not examine data held by the LAs on the themes that were explored, nor did it explore the views of the judiciary. As such, it was not possible to triangulate the information. The report findings represent the views and perceptions of professionals in the LAs and Cafcass who took part; these views and perspective cannot be taken to represent practice or the views of professionals more widely and these limitations must be respected in any interpretation of the findings.

The following chapters present the findings from this investigation, organised around the themes on which the interviews were focused (see 1.2).

2. Impact of the reforms on pre-proceedings practice

2.1 Benefits of changes to pre-proceedings practice

Overall, the family justice reforms and the changes they initiated in practice were welcomed by the professionals we spoke to. Interviewees in the LAs had received training on the reforms and the requirements of the revised PLO. This training was usually delivered through the legal department. Interviewees discussed changes to their practice in terms of 'front-loading work' at the pre-proceedings stage, and indeed prior to this stage, and were generally positive about doing so.

As soon as we have a case that we know may meet threshold, straight away we start doing pre-proceeding work - family group conference, viability assessment, more comprehensive chronology, exploring extended family members, doing any assessments that need to be done - statutory, psychological, parenting. It makes us prepare for it rather than wait for the court to order assessments (Social Worker).

Interviewees felt that the increased focus on the pre-proceedings stage supports greater clarity about what they need to do; enables them to target families' needs and supports thinking and planning for permanence at an earlier stage. There is a realisation that if they do not get the pre-proceedings stage right, they will not achieve the 26 week timescale.

The view is that if pre-proceedings are done properly, when you issue proceedings you should be doing so with the final care plan as you have undertaken all the assessments and formed a final view (Lawyer).

Another benefit identified in front-loading the work during the pre-proceedings stage is that social workers have gathered a range of evidence that has already been quality assured by managers (including the case manager), and this can then be used as evidence in court.

It's [front-loading work] given understanding and evidence of what you have done in terms of trying to engage [with parents], to assess [parents] capacity to change, then what you're arguing in court is on the basis that you cannot evidence sustainability [in parental change] and you can back that up in court. (Assistant Director).

Interviewees were mindful of the need to consider all permanence options for the child and to start family finding much earlier. They discussed the value of the legal planning meeting as a forum for discussing the plan for the child early in the process.

What is great is having legal planning meetings at the outset and discussions about what to go for and have we got the information ready (Social Worker).

Some instances of cases being diverted from court were attributed to the increased rigour of the pre-proceedings process:

If successful we can avert cases from issue, cases where we do want to issue there is a whole body of evidence pre-issue- it's what judges expect us to do (Manager).

2.2 Identifying extended family members as alternative carers

Pre-proceedings statutory guidance (Court Orders and Pre-proceedings), states that wider family members should be identified and involved as early as possible in supporting the child and helping parents address identified problems. Where problems escalate and children cannot remain with their parents local authorities should seek to place children with suitable wider family members when it is safe to do so (Department for Education, 2014, paragraph 2.22). The guidance also encourages the use of family group conferences (FGCs) if there is a possibility that the child may not be able to remain with their parents.

Interviewees discussed being more pro-active than they were prior to the reforms in exploring extended family members as alternative carers early in the process. This is consistent with earlier findings (Ipsos MORI, 2014). There was a view that the reforms and recent case law, in particular Re B-S, had put the identification of extended family members at the fore-front of their minds.

There is more focus at the outset on looking at the wider family - previously we might remove and then look at the family, [with] front-loading and pre-proceedings [we are] already looking at the options for children (Social worker).

All six LAs were using FGCs in some form, with the approach more embedded in some than others; three of the LAs reported that they were now using FGCs earlier in the process than prior to the reforms; two of the LAs stated that they were using FGCs on a regular basis but that it was not always used earlier in the process; and one stated that it was commissioned on a case by case basis.

Interviewees discussed the benefits of holding FGCs, particularly in relation to identifying family members to provide support to the family and to care for the child should it be needed.

FGC is the most important point in planning for a child in terms of permanence (IRO).

However, not everyone thought that FGC was being used as effectively as it could. One Cafcass manager talked about the tendency to have family meetings, which are led by social workers and focus on risks, rather than FGCs, which are chaired independently by a specialist FGC coordinator and where the family come up with their own suggestions for the best outcome for child.

The principles of FGC have been lost in the process - families are not coming forward - it is not as effective as it used to be - there is a lot of rushing, and not being able to get family members together early on. Social workers are having family meetings rather than FGCs (Cafcass manager).

FGC service is developing but it's early stages and it has not progressed as far as it could - it's happening too late currently. We're still not getting viability assessments done early enough; we're getting people coming forward when we are in proceedings (Assistant Director).

Issues in relation to identifying and assessing extended family members are discussed further in chapter 3.

2.3 Quality of evidence

One of the main changes that interviewees highlighted was improvement in the quality and robustness of evidence that social workers produce. They acknowledged that maintaining quality and improvement will require ongoing development and that work still needs to be done in this area; nevertheless they identified a move away from the narrative format so frequently criticised prior to the reform programme (e.g. Norgrove, 2011) towards more concise statements with a focus on analysis. This is in line with the statutory guidance and the revised PLO (Department for Education, 2014).

Some when they come to court are very clear on recommendations, what order they are asking for, why they are asking for it - the evidence is robust enough to do this. Others there is a lack of good pre-proceedings work and the evidence is not very good (Cafcass manager).

Many practitioners had received at least some training to improve the quality of the analysis in their assessments and court reports. Many thought that, while training was helpful, on the job learning and mentoring was even more important. Some interviewees noted that management oversight and quality assurance processes are key to producing more robust and analytical assessments and statements and identified the case manager as a key figure in this.

The case manager role was developed and adopted widely in the reform implementation activities across the country (see Becket et al, 2013). Of these six LAs, three employed a case manager, with dedicated responsibility for mentoring and for quality assurance of social workers' evidence to court. The case managers also held responsibility for developing local family justice network relationships (for more on court manager role see 2.6)

All assessments and plans are quality assured. Managers QA first then send it to the case manager for sign off. The case manager likes to get involved early, sit down with the social worker and say 'think about your work in this way' - because of the timescale, little remedial work can be done (Manager).

However, a concern arising here is that quality assurance processes can lead managers and others to make significant changes to statements, which can be an issue for social workers:

You can't argue others' thought processes when statements have been changed - it needs to be looked at internally as too many people put their hands in the pie (Social Worker).

Some LAs are using either the Social Work Evidence Template (SWET, developed by ADCS and Cafcass), or other report frameworks that have been developed or adapted locally. Some interviewees noted that templates have supported consistency and helped social workers to develop a more analytical approach; others described templates as too much of a 'tick box' exercise and found that they were second guessing what evidence to put into which boxes. Managers noted that some practitioners are incorporating research into their assessments and reports, but many social workers stated that they do not have time to read research and even if they do read it, lack the confidence to include it in case they are not able to defend its use in the witness box.

The reform programme's emphasis on social workers as experts, coupled with improvements in the quality of evidence, has contributed to the view that social workers are increasingly being seen as experts in the family courts arena. As one might expect, perspectives are informed by variables such as the outlook of individual judges and (we would suggest) the quality of evidence that has been produced for particular courts over recent years. Developing social workers' own professional expertise and confidence, as well as building judges' and other professionals' confidence in that expertise, will take time. At this stage many social workers felt that they were still not being treated as experts by individual judges. This issue is discussed further in chapter 3.

Now courts are taking on board [that] we are the specialists and they don't need independent assessments - it feels we are given a bit more respect than before (Manager).

2.4 Letter before proceedings and pre-proceedings meeting

A letter before proceedings is sent to parents when the LA makes a decision at the legal planning meeting to undertake formal pre-proceedings. The letter is a formal written notification that proceedings are likely. It invites the parents to a pre-proceedings meeting to address the problems which have led to concerns about the welfare of the child. At this stage, parents are entitled to receive non-means tested legal aid (Department for Education, 2014, (see also <http://coppguidance.rip.org.uk/pre-proceedings/letter-before-proceedings/>)).

The letter before proceedings and the pre-proceedings meeting is valued by many professionals. Interviewees discussed the importance of the letter in engaging families and giving them the opportunity to realise how serious the situation is, which in turn has led to more families attending the pre-proceedings meeting and having a voice at that forum. Professionals see it as a preventative strategy to enable parents *to pull themselves back from the brink* (Social Worker) and to get legal advice. Social workers also discussed how these processes had assisted them in having quite difficult conversations with families and being more open and frank with them.

Pre-proceedings meetings are really crucial to get families on-board and to get them to understand the extent of our concerns, get them some legal advice and sketch out what we need to do (Manager).

It [pre-proceedings meeting] has made work more transparent - have more discussion with families about what needs to be completed and why - it is more

transparent and families have more of a voice. At notice of intention stage they are aware that we have exhausted every avenue (Social Worker).

2.5 Issues and barriers at pre-proceedings stage

Delay in issuing proceedings

There was a perception amongst some professionals that the focus on early work and front-loading assessments may be creating delay in issuing proceedings. Others though, discussed how structured processes at the pre-proceedings stage can prevent this from happening.

There is a very long delay when [cases] come to court. They do all the assessments, children are in care under s20 - a year later they come to court when they have got all the evidence they need, but delay is huge for these children (Cafcass manager).

People were worried cases would linger too long pre-proceedings, that's why it needs to be very structured - cases shouldn't be lingering in pre-proceedings more than 3-4 months (Manager).

One manager said that they had reduced their initial reform programme efforts to front-load cases, explaining that they had presented many cases over recent months as final, but the court has still asked for further work to be done, which can result in delayed decision-making for the child.

In terms of decision-making that is timely for the child, it is worth not doing everything in pre-proceedings, there is a limit to the value of front-loading (Manager).

Some interviewees talked about early planning not happening soon enough, as a result of delays in completing parenting and viability assessments. In some LAs, parenting assessments are done by a specialist family centre, while in others they are done by the child's social worker. Where workload challenges have been recognised by Assistant Directors, changes in practice are being considered (e.g. moving from an externally commissioned service to an internal service). In one LA, the family centre that does the parenting assessments now has a psychologist and psychiatrist attached to it, as well as a women's support unit. This means that they can provide a multi-dimensional assessment of family issues combined in one report.

Workforce issues

An increase in workload pressures since the reforms was highlighted by a number of respondents. They related this to increases in referral rates; higher caseloads and in particular the requirement for more comprehensive social work practice and evidence in pre-proceedings than prior to the reforms. In some cases, social workers are now completing assessments themselves rather than having them undertaken by specialist centres which has an impact on their workload. In addition, they are required to do this within much tighter timescales than previously.

Social workers have a mammoth task - we are now required to be expert witnesses on completing all the assessments plus permanency planning, getting to all the panels, plus doing court statements, child permanence report, plus doing annex b for adoption, against a background of increasing referral and higher caseloads (Social Worker).

It's the same work, concentrated in a shorter period - we are producing more statements, more care plans; assessments are ongoing at the same time. It's had a huge impact on workload, but its good (for the child) (Social Worker).

Two of the LAs stated that they had difficulty recruiting and retaining staff and were heavily reliant on agency staff. This is in line with recent figures which show an increase of almost 20 per cent in vacant children's social worker posts and a greater use of agency social workers (Department for Education, 2015). Managers stated that reliance on agency staff had an impact on training and on retaining consistent quality of evidence. However, one manager stated that their recruitment practice had changed in a more positive way recently.

[The reforms have had] a secondary impact on recruitment - previously we recruited people who can work with children and families - now we are keen on people who can write, and write well. We welcome a newer brand of social workers who are able to write better than existing social workers (Manager).

Another issue raised in relation to workforce issues was that the priority given to court work can result in less time and attention being given to other cases where workers are carrying mixed caseloads of children in need, child protection and looked after children.

Budget for pre-proceedings work

Professionals in two LAs discussed the lack of a dedicated budget for pre-proceedings work. This was also an issue identified by senior managers at Research in Practice (RiP) seminars to support reform in early 2013 (feedback from RiP Family Justice Regional Seminars Jan-March 2013). For the organisations we engaged in these deep-dives, this can mean that some assessment requests are declined:

There isn't a budget for pre-proceedings work - it comes out of individual teams' money. Managers are protective of this and are refusing to fund assessments even where they agree assessments are necessary for decision-making. [Funding for] care proceedings comes out of a central pot, [while] pre-proceedings comes out of the team budget - [our] AD told team managers that they should make payments out of s.17 budgets and adjustments will be made at end of year but the message hasn't been taken up - they are still refusing to fund assessments - even where they agree assessments are necessary for decision-making, they are refusing to pay for them - it builds in delay. There have been a number of cases where legal advice has been that there is a missing piece of evidence but they refused to plug the gap (Lawyer).

I tried to suggest a mental health assessment prior to going to court as I know it will be asked for when I go to court, but there is an issue of money as the cost won't be shared, it will come solely from our budget. When I ask it is declined, then get to court and it's a shared cost between parties and the LA. It's frustrating when

you could evidence something prior to going to court but you're not able to do it (Social Worker).

2.6 Examples of local practice at pre-proceedings stage

Case manager

The evaluation of the Tri-borough pilot highlighted the critical role of the case manager in providing leadership and driving up the standard of assessments and statements (Becket et al, 2013). Three of the LAs in the present study had a dedicated case manager, whom practitioners described as being key to improving their practice. Case managers in the LAs were described as having an important role to play in mentoring and supporting staff; tracking cases; and facilitating partnership working with the legal team and Family Justice Board.

A gem, an absolute joy, it's been really great to have him to sit down with and go through stuff - he has helped me out with a lot of my court statements (Social worker).

..... Really useful, and supportive, acts as a reminder, stops things getting waylaid (Social worker).

Auditing and tracking

All LAs had undertaken some level of enquiry into their processes and practice to identify factors that generated delay during the PLO process and had implemented changes to tackle this. Some LAs discussed an extensive auditing programme that had been undertaken. For example, one Assistant Director discussed the external support they commissioned -through an independent consultant -to audit timely decision-making in Children in Need and Child Protection cases, which had led to a large number of cases moving into proceedings on the basis that there was sufficient evidence to proceed without delay. The audit had also led them to review the structures within children's social care.

[The reforms have had an impact on] care planning - we have just reviewed our procedures. In terms of what has been in place, it hasn't been strong enough - some of that is about structure - in (LA) we have teams where they have been doing everything: child protection, looked after children, children in need. The experience of that type of team is that looked after children and children on the cusp of being in proceedings, they don't get as strong a focus as the others. The move to a new care and support model will strengthen that (Assistant Director).

All six LAs were tracking cases through proceedings, but those that had a dedicated case manager seemed to have more robust procedures in place, as the following example illustrates:

Local practice example

Initially we designed a spreadsheet for proceedings to track cases from date of issue to the end, tracked by weeks and RAG rated. We now realise the importance of pre-proceedings so now we track cases coming in from the legal planning meeting, tracking outcomes at each stage. We work closely with the legal team to do that - we send reports to teams and track social workers to see how they are getting on with it. Senior management have oversight through tracking meetings. We also have case progression meetings where we look at the care plan, filing date, directions and make sure social workers are on target. We look at statements and care plans - we sit down with the social worker and talk about what they are going to say in their statements and this is what you need to think about. They are being tracked, but also being supported (Case Manager).

A lawyer in another LA described how they had set up an 'Entry to Care Panel' comprising of members of the LA senior management team and the senior lawyer, to quality assure the evidence for cases that may go to court:

Local practice example

The Entry to Care Panel provides some rigour around which cases need to go to court - social workers present the case, present the work already taken with family and set out their proposals - either pre-proceedings or going into care proceedings and making their arguments as to why their plan is appropriate. There is a rigorous examination of the recommendations - around a quarter of cases the panel takes a different view to the social care team - either pre-proceedings not appropriate and further work needs to be undertaken with family or care proceedings not appropriate and pre-proceedings should be undertaken (Lawyer).

Partnership working

The case manager plays a critical role in facilitating partnership working, most notably with Cafcass and the Local Family Justice Board. In LAs where there was no case manager, this role was undertaken by other professionals, usually the lawyer. Many spoke highly of the value of the Local Family Justice Board (LFJB) in helping to improve relationships between the judiciary, Cafcass and the LA and in providing a forum for raising issues; monitoring performance; and collaborating on developing practice.

[The reforms have had a] massive impact- I meet monthly with the District Family Judge, that was unthinkable previously, it's much more of a partnership (Manager).

[The LFJB has] brought the three key professional agencies to work collaboratively together to work for the child (Cafcass manager).

[We do] performance returns every quarter - these are used as a basis for discussion, what's going well, what cases are not meeting 26 weeks. It's also a chance to collaborate on good practice and ideas (Manager).

Professionals in some LAs (particularly those with a case manager) discussed having a closer working relationship with Cafcass since the reforms. This was also discussed as a positive change by the Cafcass managers in these LAs. Two LAs in particular had well-established and collaborative relationships with Cafcass. In these LAs there were examples of joint workshops and training sessions; Cafcass colleagues being invited to legal planning meetings; dialogue with guardians about care planning. Cafcass and the LAs were also working together to identify earlier the cases where proceedings need to be issued and what assessments are needed.

Guardians know who I am, if they have any issues they can ring me up, and they do call. We give them early notification if we think we are going to issue so they can plan their allocation of guardians (Manager).

There was some evidence of more dialogue taking place between the IRO and guardians about care planning, but relationships are by no means completely embedded:

There is still a way to go - we need to embed the relationships between magistrates, guardians, IROs - guardians want to maintain their independence, so we still have issues (IRO).

One IRO, who has also been a magistrate and a Cafcass guardian, is setting up a training programme for magistrates in the area to help them have a better understanding of LA processes:

Local practice example

The training programme is looking at the child's journey from when they come to the notice of social services - what assessments take place, what are the timescales, what is the decision-making process, what do we use as a framework of understanding for assessing the children - so that magistrates can understand the tools we use, the in-depth knowledge we have of the case, and then what processes then take place in the LA, what timescales, what do we have to do in terms of the guidance that we have to go through, Children Act processes and visits we have to undertake, the safeguarding aspects of the case - so they get an understanding of the front end and then what is the next stage under child protection, what decisions are made there, when does it move on to not good enough parenting, how long it takes in the decision-making process for taking a case to care proceedings. Looking at having a mock child protection conference or mock FGC to look at how the decision-making processes take place. From there then looking at the PLO process and how that is managed in the LA and what the social worker has to do to prepare for going in to give evidence to present the case to court. Then look at the LAC process, review process, care planning, health, education - the overall picture of that child being looked after - so that magistrates get an understanding of those processes and in court they will be able

to ask the most appropriate questions. The aim is to put on a rolling process, to do videos that we can take across the country (IRO).

A lawyer in one LA discussed how the legal team has developed relationships with local solicitors and how the engagement of the local legal community has been helpful in encouraging parents to engage with the process and, in some cases, successfully enabled cases to be diverted from court.

One of the LAs was using the 'Cafcass Plus model'² for cases involving unborn babies. This model uses joint working between the LA and Cafcass to try and prevent the need for care proceedings. Professionals in the LA and Cafcass discussed how this model has resulted in a reduction in the length of care proceedings.

[We] have Cafcass Plus protocol pre-proceedings for unborn babies cases - we've had quite a big shift in practice - social workers and guardians are getting involved at 20-30 weeks, so often when we get to court the plan is formulised, the assessments are already done and we see a dramatic reduction in the length of proceedings (Cafcass manager).

² For further information about the Cafcass Plus model see: <http://www.cafcass.gov.uk/news/2013/july-/pre-proceedings-pilot-report.aspx>

3. Meeting the 26-week timescale

Professionals were generally positive about the benefits of the 26-week timescale in terms of more timely permanence decisions being made for children. Two of the LAs reported that, on average, they were meeting the timescales; those that were not had made significant progress from their previous timescales. For example, in one LA the average duration of cases has decreased to 32 weeks from 47 weeks. Two LAs talked about the crucial leadership role of the District Family Judge in leading on the reform implementation.

The 26-weeks started in 2012 - the judge saw the reforms as set in the [family justice] review as positive to address delay. She saw her job to be a leader and the LA as a key partner to achieve it. [LA] also perceived it to be a positive step - we had issues with the court process and delay for children, especially when waiting for experts. We saw an opportunity to move to better timescales, so started looking at how to make changes (Lawyer).

Some of the LAs had a number of complex legacy cases which were reported to be distorting the timescale figures, most of which are now coming to an end. One small LA noted that they have a small cohort of children who go through care proceedings each year and gave an example of one case involving four siblings that would skew their data as this one case would likely take 48 weeks to conclude.

3.1 Issues and barriers with the 26 week time timescale

Assessment of extended family members

Although practitioners are pro-active in trying to identify extended family members who may be able to offer alternative care for children, many discussed the challenges this presents in practice. Major challenges were discussed by a number of professionals at different levels in relation to family members coming forward at the last minute during proceedings and judges ordering assessments to be done, sometimes in short timescales. Another issue, again discussed by a range of professionals, is the number of assessments of family members required, in some cases with people that the children do not know and have never met.

It's a constant problem of people coming forward at the last minute - having to undertake lengthy assessments for each of the family members even if they haven't responded to phone calls and turned up to meetings and we have taken the view that they are not interested and terminated the assessment - they then come forward at final hearing and we are being asked to assess them again (Lawyer).

Parents still won't put forward family members until they get to court - if they do put names forward they are putting forward a lot. Kinship assessments are holding up most of our cases. Parents are sometimes putting forward 12 people scattered across the country - partners they've had in the past that don't even know the children. It's a struggle to fit into 26 weeks because of this and adoption and permanence team can't take on any more at the moment. You go to court and the

judge is ordering them in two, four, six weeks. Judges are ordering far more kinship assessments than previously because of the reforms and Re B-S (Lawyer).

One interviewee indicated that the issues around the assessment of family members may now be changing following Re R.

The impact of Re B-S - the amount of viabilities we are now expected to do and the depth - in the past we would have done pre-screening viability - the kinship team have done over 100 in the past 8 months and only probably placed 40 children. We need to explore a different approach with the court e.g. FGC to put forward the best one or two, not loads. Re R clarifies Re B-S - it gives us an opportunity to have a discussion again with the court about this issue because after Re B-S the court was clear it wanted us to assess everybody (Assistant Director).

One suggested reason for family members not coming forward is their reluctance to take action that they perceive as going against or competing with the parents; consequently they only come forward once the parents have been ruled out. A change in practice to mitigate this was suggested by a Cafcass manager:

If guardians were at the pre-proceedings meeting they could say independently 'it doesn't mean you are going to lose the child but are there family members you would like us to consider?' - An independent person saying this could help and save time (Cafcass manager).

Other causes of delay identified by interviewees were cases where the paternity was unknown and at a late stage a father comes forward with a DNA test. The pressures created when the assessment of extended family members involves working internationally and/or across the four UK nations were mentioned by a number of informants and reiterated by members of the expert panel convened by DfE to inform this piece of work.

Assessment of family members who are abroad generates delay. Social workers have to go out there, but don't have licence to do assessments so have to go out on a tourist visa - it's complicated (Manager).

Phase two of the research looks at these issues in more detail.

Social workers being seen as experts

Although fewer expert assessments are being commissioned by the court and the reforms endorse a move towards social workers being regarded as experts, the sense that social workers are not seen as experts, even when they have produced good work, continues.

For a while there was a decrease in requests for expert assessments, but now they [the courts] are going back to asking for them (Assistant Director).

Social workers produce better reports in a tighter timeframe and there is still an obsession in court in requesting independent social worker assessments – there

were two cases today where the SW had done very good reports. It's a cause of delay (Assistant Director).

Some professionals felt that independent social workers' or parenting assessors' opinions are more highly regarded than those of the LA social worker, even when they are saying the same thing. This was also the view of some towards Cafcass guardians, with practitioners in some LAs talking about a strained relationship with guardians. At the heart of this were LA professionals' perceptions that the court often yields to the views of the guardian when they differ from those of the social worker, despite, in their opinion, guardians not knowing the family as well as them. However, this was not the view of everyone and there was also an acknowledgement that individual judges influence the extent to which social workers are viewed positively in court.

It can be quite galling at times in terms of the reliance judges place on the guardians' views (Lawyer).

[There have been] no complaints from guardians - where there are gaps in assessment guardians go back to the LA and the LA make good the gaps - it's better than bringing in a new expert. It's all done before we go to court (Cafcass manager).

Although the legal department offer training in court skills, some practitioners had not found this very useful and highlighted that for workers who may only have one or two cases a year in court, there are few chances to practice their skills on an ongoing basis. Practitioners discussed their nerves and lack of confidence in going into the witness box to give evidence:

It feels like a sheep in a den of wolves (Social Worker).

Tensions around permanency planning and family rights

Some interviewees thought that tensions around early permanency planning and family rights had increased as a result of the 26-week timescale.

[Tension has] increased as you have to consider it [permanency] sooner in the process - it's really difficult as you are saying on the one hand you want to try and keep the family together, but at the same time looking at permanence and you might be writing the child permanence report - it contradicts itself and must affect the family (Social Worker).

Some informants talked about the care needed in expressing to parents that there might be a number of options and plans on the table and that it is up to the court to make the final decision.

A view expressed by some informants was that 26 weeks is not long enough for parents to demonstrate and sustain change, particularly in cases where there is drug/alcohol abuse or domestic violence.

[We] find some parents can hold it together for 26 weeks, so you have a care order placed at home and then three months later its broken down or worse it's a year later and you are looking at adoption of an older child - so timescales can

have a negative impact on the child when you have not had time to fully assess or the parents are able to make short-term progress but not sustain it (Manager).

One Cafcass manager was concerned about the legal test for interim removal (on an interim care order), and expressed the view that this was more of an issue than the 26-week timescale for children who have suffered long term, cumulative neglect, but where there is no precipitating incident for care proceedings to be issued.

We have children at home who shouldn't be there and the law is getting in the way of welfare - the District Family Judge agrees - the pendulum has swung too far and needs to come back again - it's almost the same test as an Emergency Protection Order³ now - the cumulative harm from neglect doesn't seem to be enough, a constellation of concerns is not enough - it's really tough for LAs and Cafcass (Cafcass manager).

³ For further information about Emergency Protection Orders see:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/306282/Statutory_guidance_on_court_orders_and_pre-proceedings.pdf

4. Changes in court orders

This chapter provides an overview of professionals' perceptions of changes in the types of orders applied for by the LA and granted by the court. These findings are explored in more detail in the phase two report.

4.1 Decision-making

Many, but not all, interviewees thought there had been changes in the types of orders being granted by the court. Many attributed this to Re B-S. However, some said that the reforms and recent court judgments had not affected their decision-making, although they are more mindful of exploring all options for children.

Kinship care has increased, SGOs have risen and there is a decline in adoption - Not [because the LA is] misinterpreting Re B-S but because courts are not making placement orders in the same way as they used to - [I] don't think Re R will make a difference in that - Re R is about how evidence is presented to court. Regardless of court rulings - if it's right for a child to be with their family then why should we be thinking of an adoption order? (Assistant Director).

It does not impact upon social worker decision-making - if you are confident it's the right thing it shouldn't impact upon it - it may do but shouldn't (Social Worker). No change - our evidence is more comprehensive and stronger, so we usually get what we ask for (Social Worker).

[Following] B-S - everyone must be more mindful and clearer and confident about identifying the best options for a child - they need to explore these and let the court know why it is the best option (Cafcass manager).

4.2 Changes to Care and Placement Orders

Many professionals discussed the perceived decrease in the number of placement orders granted. They discussed being more cautious when making decisions about adoption, and the need to ensure that they have sufficient evidence to support their application.

[There is a] lack of placement orders - adoption is no longer seen as the catch all that it was and courts are not likely to give a placement order unless you have identified a family and the child is able to be placed quickly (Social Worker).

[We have seen the] myth buster guides for adoption - but it feels like the threshold has changed and the amount of evidence you need to present to get an Adoption Order. It feels different following [Re] B-S (Manager).

Cafcass managers in two of the court areas discussed an increase in applications to revoke placement orders. In some cases this was instigated by the LA because they could not find a suitable placement for the child, while in other cases the adoption process had taken a long time and during that time the circumstances of the birth parents

had changed. In at least two cases, the application to revoke the order was being made at the adoption order stage.

[We are] seeing a number of these cases where prospective adopters are applying for adoption order and at that stage get application from parents to revoke the placement

order - there are two cases in the High Court at the moment where guardians were asked to comment on whether there is a change in parents' circumstances to consider an appeal against the placement order and contest the adoption order - this is major shift and something new - partly Re-BS and also taking longer for children on placement orders to be adopted – parents' circumstances may have changed over that time - they may be granted leave to appeal (Cafcass manager).

Some interviewees also discussed a perceived increase in the number of children placed with parents on a care order.

We are getting more care orders placed at home - it's not a good thing, not necessarily good for children as it's only checked every six weeks. Why? - It's back to the 26-week limit, not doing assessments pre-proceedings because of time or ability. Changes [in parents] are not sufficiently embedded to decide 'no order' or 'supervision order' so they make a care order to keep the LA involved longer to keep an eye on them and then maybe revoke (IRO).

Courts can be happier making care order placed at home with an invitation to come back a year later for revocation (Manager).

4.3 Special Guardianship Orders (SGOs)

SGOs have been broadly welcomed by professionals as making an important contribution to the permanence options available (Wade et al, 2014).

Many (but not all) professionals think that there has been an increase in SGOs in their LA and that they are being used for younger children than previously.

[We] think more about SGOs - with the reforms we have been rigorous around extended family members. There are more of those around (Manager).

[SGOs were] not originally intended for children under five or six - that has been blown out of the water by judges (Lawyer).

Many interviewees expressed their concern about the assessment process for special guardians. This is not as rigorous as the assessment process for foster carers and adopters, despite many of the children having similar, complex needs. Some believed that the threshold for approving family members has been lowered since Re B-S.

SGOs have increased. It's been a struggle with terminology [from Re B] 'anything but adoption will do'. We've had to lower the threshold for family members as a result of Re B-S.' (Manager).

The LA is considering them [SGOs] more than previously - family placement almost had to be perfect for it to be made, otherwise it was adoption - with some

case law challenges it is more acceptable to acknowledge that historical concerns don't necessarily render people ineligible (Social Worker).

One of the concerns expressed by interviewees was how 'connected' a connected person needs to be, to be approved as a special guardian. Professionals in one LA discussed a particular case when someone that did not have an obvious connection to the child was granted an SGO.

How spurious a relationship does the connected person have to have with the child? Example - a woman, who sat at the other end of the pew at the church where the grandfather went, heard the daughter's child was in proceedings and came forward to offer herself as a connected person. LA said no and was told to assess her and the court gave an SGO (Assistant Director).

However, this was not the case in another LA:

The judge has indicated that [s/he] will not support SGO if the child hasn't lived with the relative - if the child is already with family members then they would get it (Lawyer).

Another concern amongst some interviewees was that SGOs are being used to place children with relatives while parents 'sort themselves out'.

SGOs are being made almost like a stop gap to give parents a chance to catch up (Social Worker).

Some LAs are also seeing increase in SGOs being used in conjunction with a supervision order, often because of concerns about the parenting capacity of the special guardian.

Because carers are not good enough, they give them SGO with supervision order - it shouldn't be necessary (Social Worker).

If we feel the best option is adoption and have explored all kinship options we go for adoption, but if there is a marginal relative that could do it - that is the tension. So on balance the family is not great, let's put in some support, put in a supervision order for 12 months, and then we can put in some support (Manager).

Some informants suggested that child arrangement orders (rather than an SGO with a supervision order) should be used more creatively for a potential special guardian when there are some concerns about the longer term viability of an SGO or where they do not meet the threshold for being a special guardian. The view was that this order allows the relationship to be tested for a period of time before an SGO is made.

When SGO/ connected person carers don't necessarily make the criteria, but it doesn't mean they can't look after the child - [we] could consider a child arrangement order as support is there - it may be better for the family. People are not familiar with using this for someone who is not a parent (Manager).

[We] should have Child Arrangement Order rather than a SGO then come back in a year if it's working out (Lawyer).

Interviewees recognised the importance of special guardians being provided with adequate support, and that this was not always forthcoming.

Now [we are] automatically looking more at family members - possibly more compromise than before or providing more support packages rather than saying that they can't cope, but there are no more resources to be able to support families now (Social Worker).

Kinship placements have been strengthened by ruling and regulations now - and practice has changed - we had been proactive before but we were waiting for the family to put [themselves] forward rather than being encouraged [to do so]. The main change is identifying, encouraging and giving support to family members to be able to do it, with robust support plans. They would have been in care if not with the family anyway (Assistant Director).

Professionals talked about seeing some children with SGOs returning to care but stated that it is difficult keeping track of breakdown as the child may be in another LA or may move to another relative.

These themes are discussed more fully in phase two of the research.

5. Conclusion

Overall, the professionals we spoke with welcome the changes that have come about as a result of the family justice reforms and the revised PLO. All six LAs are working hard to meet the requirements, with a commitment to continuous improvement. There are still a number of challenges in implementing the revised PLO and in ensuring that recent court judgments are considered when making decisions; LAs are aware of these challenges and are working hard to embed good practice.

It should be noted that this research was undertaken two months after the Re R judgment (published in December 2014), and before any clear changes to practice are likely to be seen. In Re R, the President emphasised that Re B-S had not changed the law regarding adoption and that it does not require that every conceivable option 'has to be canvassed and bottomed out with reasons in the evidence and judgement in every single case. Full consideration is required only with respect to those options which are realistically possible'⁴. Further research would be needed in the future to investigate whether the President's comments in Re R have had an impact on the practice and the views of professionals.

The following key themes emerged from the research; many of these are consistent with earlier research on implementing the revised PLO (Becket et al, 2013; Ipsos MORI, 2014).

5.1 PLO: changes in practice and challenges

- Informants were generally positive about the 26-week PLO timeframe as a means to support more timely decision-making for children. The pre-proceedings stage and an increased focus on what needs to be done early in the process are crucial for achieving the 26-week timescale.
- Local authorities report improvements in the quality of social work evidence produced, although work still needs to be done in this area.
- Local authorities take a proactive approach to identifying potential family members as alternative carers. Although LAs have clear procedures in place to do this, family members often do not come forward until the case is in proceedings, which can lead to delay while assessments are carried out.
- Challenges identified in relation to pre-proceedings work include: perceived drift in taking cases to court because of increased time spent on assessments; lack of financial resources for undertaking some assessments; increased workload for social workers; LAs not using FGC effectively.

⁴ For further information see:

http://localgovernmentlawyer.co.uk/index.php?option=com_content&view=article&id=21195:family-president-moves-to-end-uncertainty-over-adoption-applications&catid=54:childrens-services-articles

- The case manager role is proving to be a key element in: supporting social workers to produce evidence that is analytical and considers all options for the child; working alongside lawyers to track cases through the PLO process and engaging collaboratively with the local Family Justice Boards.
- There are mixed experiences in the extent to which social workers are seen as experts in court. Some feel that they are being treated as experts; others feel that this is not the case even when good evidence has been produced.

5.2 Changes in court orders

- Most of these LAs talked about an increase in the number of special guardianship orders (SGOs). Although professionals view aspects of this as positive, there is concern that some SGOs that have been granted by the court may not be in the best long-term interest of the child and that already some children are returning to care following an SGO breakdown.
- There is a perception that the threshold for approval of kinship carers has been lowered following Re B-S and as a consequence, some SGOs are being granted with a supervision order where there are concerns about the carers' capacity to look after the child. The importance of providing adequate preparation and support for kinship carers was also underlined.
- Some LAs perceived a decrease in the proportion of placement orders granted and an increase in the number of applications to revoke placement orders. In one court area there are currently two applications about to be considered to revoke the placement order at the adoption order stage.
- In some LAs there has been an increase in the number of children placed with parents on care orders. Suggested reasons for this include insufficient time to do assessments within the 26 week timescale and caution in court following recent case law.

5.3 Messages for policy and practice

- The adversarial nature of care proceedings can be a stressful experience for social workers, especially if they only deal with a small number of court cases each year. Social workers need specialist training to develop their court skills, as well as regular mentoring in utilising these skills effectively. It is important that social workers are supported to develop their confidence and competence in undertaking assessments, writing court reports and appearing in the witness box in order to increase their effectiveness in the court arena. Supervision and mentoring are key to this.

- LAs should consider employing/protecting the role of case manager who has oversight of cases, provides a crucial quality assurance role and can also provide support and mentoring to case holding social workers. The case manager also has a critical role to play in facilitating good working relationships within the court arena.
- Family group conference should be embedded in the pre-proceedings process and started as early as possible in order to secure the engagement and support of extended family members.⁵ The DfE has an important role to play in promoting FGCs through guidance and good practice examples. One hypothesis to test is that effective early use of FGCs provides a forum through which family members identify themselves as possible alternative carers, avoiding the last minute appearance of family members that currently challenges delivering timely viability assessments.
- Examples of good practice should be shared through the LFJB. LAs should continue to build relationships within this arena and ensure there is a forum for feedback and discussion. The LFJB has a role in attempting to reduce the adversarial nature of proceedings so that social workers do not feel 'like a sheep in a pack of wolves'. Examples of support include: LFJB supporting opportunities for social workers to shadow colleagues to care proceedings; cross-examination training for social workers by local courts staff; shared learning and development activities.
- LAs should ensure that they track cases at the pre-proceedings stage, as well as during proceedings, to prevent case drift and allow analysis of delay. They should also track and collect data on children re-entering the care system and share this with the LFJB to inform judges and magistrates about the outcomes of decision-making.
- LAs should ensure that team managers have clear guidance about budget allocation for assessments to ensure pre-proceedings work can be undertaken adequately to prevent delay. This could be monitored to avoid requests for assessments being declined because of budget constraints.
- Like other professionals, social workers need continued professional development time if they are to keep up to date with research. Managers should provide encouragement and support to social workers to develop their confidence in being able to draw on research evidence in their professional practice.
- Further research needs to be done to investigate the longer term impact of the reforms; future research would need to explore the views of the judiciary. It would also need to incorporate an analysis of case file and monitoring data.

⁵ This issue is explored in more detail in phase two of the investigation.

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Appendix 1

LA Characteristics

Table 1 Local authorities selected

	Region (size)	Rural/Urban	LA type
LA1	Inner London (medium)	Urban	London Borough
LA2	South West (large)	Rural	County
LA3	Outer London (small)	Urban	London Borough
LA4	West Midlands (Medium)	Urban	Metropolitan
LA5	North West (large)	Urban	Metropolitan
LA6	East Midlands (large)	Rural	County

Local authority data

As discussed previously, this deep-dive was undertaken in a small sample of six local authorities to investigate the views and experiences of professionals on the impact of the family justice reforms. It did not include an analysis of data collected locally by individual LAs to triangulate the findings.

The data provided below is taken from national data sets from the DfE and Cafcass to provide an overview for each LA with respect to:

- duration of care proceedings
- care applications between 2009 and 2015
- number of looked after children 2010-2014
- legal status of looked after children 2013-2014
- special guardianship orders 2010-2014
- number of looked after children adopted 2010-2014

Because of the small sample size and nature of the data, it is not possible to determine trends in any of the LAs.

LA1 Data

This LA is part of a court area covering 4 other authorities. It has not been inspected under the Single Inspection framework. In the last inspection in 2012, both safeguarding and looked after children's services were found to be good with outstanding features.

Care proceedings duration for court area:

39 weeks (average over 194 cases - July and September 2014). (Source: Open Justice Data)

Table 2 - LA1: Care applications in year

	2009	2010	2011	2012	2013	2014	2015
Care applications per 10,000 children	10.4	10.8	9.3	7.6	9.6	7.3	
Total care proceedings					54	43	44
Number of children subject to care proceedings					80	74	67

Source: Cafcass care applications data

Table 3 - LA1: Number of Looked After Children in financial year.

	2010	2011	2012	2013	2014
Number of LAC	350	325	295	305	325

Source: Children Looked After in England including adoption

Table 4 - LA1: Children Looked After by legal status at year end.

	Legal Status						
	Interim care orders	Full care orders	Freed for Adoption	Placement order granted	Accommodated under S20	Detained on child protection grounds in LA accommodation	Youth justice legal Statuses
2014	45	115	0	20	135	0	x
2013	45	115	0	20	115	0	5

Source: Children Looked After in England including adoption

Table 5 - LA1: Children's legal status on ceasing to be looked after in 2014.

Adopted	Reunification	Residence order ⁶	SGO	Moved into independent living	Custody	Other reasons
15	70	x	10	x	5	80

Source: Children Looked After in England including adoption

Table 6 - LA1: Number and percentage of Special Guardianship Orders, 2010-14.

	2010	2011	2012	2013	2014
Number of Special Guardianship Orders	10	15	15	10	10
Percentage of children looked after who ceased to be LAC through SGO	4	7	7	7	6

Source: Children Looked After in England including adoption

Table 7 - LA1: Number of looked after children adopted during the year.

	2010	2011	2012	2013	2014
Number of children adopted	10	10	10	15	15
Percentage of children looked after who ceased to be adopted	4	5	5	8	8

Source: Children Looked After in England including adoption.

LA2 Data

LA2 is part of a court area covering 3 other authorities. It has not yet been inspected under the Single Inspection Framework. The last inspection was in 2011, when safeguarding and looked after children services were both found to be good.

⁶ Now known as Child Arrangement Order

Care proceedings duration for court area

25 weeks average over 52 cases (July - September 2014) (Source: Open Justice Data)

Table 8 - LA2: Care applications in year.

	2009	2010	2011	2012	2013	2014	2015
Care applications per 10,000 children	1.10	4.6	4.4	4.4	6.4	3.7	
Total care proceedings					50	29	57
Number of children subject to care proceedings					77	41	105

Source: Cafcass care applications data

Table 9 - LA2: Number of Looked After Children in financial year.

	2010	2011	2012	2013	2014
Number of LAC	275	280	300	350	340

Source: Children Looked After in England including adoption

Table 10 - LA2: Children Looked After by legal status.

	Legal Status						
	Interim care orders	Full care orders	Freed for Adoption	Placement order granted	Accommodated under S20	Detained on child protection grounds in LA accommodation	Youth justice legal Statuses
2014	x	115	0	25	185	0	x
2013	35	105	0	35	175	0	x

Source: Children Looked After in England including adoption

Table 11 - LA2: Children's legal status on ceasing to be looked after.

Adopted	Reunification	Residence order	SGO	Moved into independent living	Custody	Other reasons
15	80	10	10 (5 made to former foster)	10	x	40

Source: Children Looked After in England including adoption

Table 12 - LA2: Number and percentage of Special Guardianship Orders, 2010-14.

	2010	2011	2012	2013	2014
Number of Special Guardianship Orders	x	x	5	x	10
Percentage of children looked after who ceased to be LAC	x	x	5	x	5

Source: Children Looked After in England including adoption

Table 13 - LA2: Number of looked after children adopted during the year.

	2010	2011	2012	2013	2014
Number of children adopted	10	10	15	20	15
Percentage of children looked after who ceased to be adopted	7%	6%	12%	16%	10%

Source: Children Looked After in England including adoption

LA3: Data

LA3 is part of a court area covering 4 other authorities. This authority has not been inspected under the Single Inspection framework. In the last inspection in 2011, both safeguarding and looked after children's services were found to be good.

Care proceedings duration for court area:

39 weeks (average over 194 cases - July and September 2014). (Source: Open Justice Data)

Table 14 - LA3: Care applications in year.

	2009	2010	2011	2012	2013	2014	2015
Care applications	6.1	4.3	4.4	4.8	4.8	4.9	
Total care proceedings					21	22	15
Number of children subject to care proceedings					28	38	22

Source: Cafcass care applications data

Table 15 - LA3: Number of Looked After Children in financial year.

	2010	2011	2012	2013	2014
Number of LAC	135	130	130	140	150

Source: Children Looked After in England including adoption

Table 16 - LA3: Children Looked After by legal status at year end.

	Interim care orders	Full care orders	Freed for Adoption	Legal Status			
				Placemen t order granted	Acco- mmodate d under S20	Detained on child protection grounds in LA accomodation	Youth justice legal Statuses
2014	15	50	0	x	70	0	x
2013	20	40	0	x	65	0	x

Source: Children Looked After in England including adoption

Table 17 - LA3: Children's legal status on ceasing to be looked after.

Adopted	Reunification	Residence order	SGO	Moved into independent living	Custody	Other reasons
10	50	x	x	25	0	x

Source: Children Looked After in England including adoption

Table 18 - LA3: Number and percentage of Special Guardianship Orders, 2010-14.

	2010	2011	2012	2013	2014
Number of Special Guardianship Orders	5	x	x	X	x
Percentage of children looked after who ceased to be LAC due to SGO	9%	x	x	x	x

Source: Children looked after: achieving permanence data pack 2014

Table 19 - LA3: Number of looked after children adopted during the year.

	2010	2011	2012	2013	2014
Number of children adopted	x	x	10	x	10
Percentage of children looked after who ceased to be adopted	x	x	10%	X	9%

Source: Children Looked After in England including adoption.

LA4 Data

LA4 is part of a court area covering 6 other authorities. This authority has not been inspected under the Single Inspection framework. In the last inspection in 2011, safeguarding services were adequate and looked after children's services were found to be good

Care proceedings duration for court area:

32 weeks average over 154 cases (July and September 2014). (Source: Open Justice Data)

Table 20 - LA4: Care applications in year.

	2009	2010	2011	2012	2013	2014	2015
Care applications per 10,000 children	7	13.5	15.6	16.9	18.9	24.7	
Total care proceedings					107	139	76
Number of children subject to care proceedings					196	244	166

Source: Cafcass care applications data

Table 21 - LA4: Number of Looked After Children in financial year.

	2010	2011	2012	2013	2014
Number of LAC	405	490	575	655	770

Source: Children Looked After in England including adoption

Table 22 - LA4: Children Looked After by legal status at year end.

	Interim care orders	Full care orders	Freed for Adoption ³	Legal Status			
				Placement order granted ⁴	Accommodated under S20	Detained on child protection grounds in LA accommodation ⁵	Youth justice legal Statuses
2014	120	395	0	125	135	0	X
2013	160	300	0	115	85	0	x

Source: Children looked after including adoption

Table 23 - LA4: Children's legal status on ceasing to be looked after in 2014.

Adopted	Reunification	Residence order	SGO	Moved into independent living	Custody	Other reasons
50	105	x	25 (5 made to former foster carers)	30	x	50

Source: Children Looked After in England including adoption

Table 24 - LA4: Number and percentage of Special Guardianship Orders, 2010-14.

	2010	2011	2012	2013	2014
Number of Special Guardianship Orders	5	5	10	15	25
Percentage of children looked after who ceased to be LAC	5%	5%	5%	9%	11%

Source: Looked After Children in England including adoption

Table 25 - LA4: Number of looked after children adopted during the year.

	2010	2011	2012	2013	2014
Number of children adopted	20	20	20	35	50
Percentage of children looked after who ceased to be adopted	14%	15%	13%	21%	22%

Source: Children Looked After in England including adoption.

LA5 Data

LA5 is part of a court area covering 8 other authorities. At its last inspection in 2014, under the Single Inspection Framework, the authority was found to require improvement on all judgements.

Care proceedings duration for local court area:

26 weeks average over 232 cases (July to September, 2014) (Source: Open Justice Data)

Table 26 - LA5: Care applications in year.

	2009	2010	2011	2012	2013	2014	2015
Care applications	6.9	11.8	13.7	13.3	15.3	16.5	
Total care proceedings					136	147	144
Number of children subject to care proceedings					222	244	271

Source: Cafcass care applications data

Table 27 - LA5: Number of Looked After Children in financial year.

	2010	2011	2012	2013	2014
Number of LAC	920	940	930	945	990

Source: Children Looked After in England including adoption

Table 28 - LA5: Children Looked After by legal status at year end.

	Interim care orders	Full care orders	Freed for Adoption	Legal Status			
				Placemen t order granted ⁴	Accommo dated under S20	Detained on child protection grounds in LA accomod ation	Youth justice legal Statuses
2014	275	390	0	95	225	0	5
2013	300	375	0	90	190	0	x

Source: Children Looked After in England including adoption

Table 29 - LA5: Children's legal status on ceasing to be looked after.

Adopted	Reunification	Residence order	SGO	Moved into independent living	Custody	Other reasons
50	80	25	75 (45 made to former foster)	x	20	80

Source: Children Looked After in England including adoption

Table 30 - LA5: Number and percentage of Special Guardianship Orders, 2010-14

	2010	2011	2012	2013	2014
Number of Special Guardianship Orders	15	5	30	25	75
Percentage of children looked after who ceased to be LAC	5%	3%	10%	9%	22%

Source: Children Looked After in England including adoption

Table 31 - LA5: Number of looked after children adopted during the year.

	2010	2011	2012	2013	2014
Number of children adopted	40	35	50	55	50
Percentage of children looked after who ceased to be LAC	16%	16%	18%	21%	14%

Source: Children Looked After in England including adoption

LA6 Data

LA6 It is part of a court area covering 4 other authorities. This authority was last inspected under the Single Inspection Framework in 2014. It was rated good on all judgements except adoption, which was found to be outstanding.

Care proceedings duration in family court area:

24 weeks (average over 49 cases - July and September 2014) (Source: Open Justice Data)

Table 32 - LA6: Care applications in year

	2009	2010	2011	2012	2013	2014	2015
Care applications per 10,000 children	4.9	4.2	4	6.7	8.2	7.8	
Total care proceedings					116	111	122
Number of children subject to care proceedings					221	178	206

Source: Cafcass care applications data

Table 33 - LA6: Children Looked After by legal status.

	Legal Status						
	Interim care orders	Full care orders	Freed for Adoption	Placemen t order granted	Accom- modated under S20	Detained on child protection grounds in LA accomod ation	Youth justice legal Statuses
2014	70	310	0	75	150	0	X
2013	80	275	0	105	125	0	0

Source: Children Looked After in England including adoption

Table 34 - LA6: Children's legal status on ceasing to be looked after.

Adopted	Reunification	Residence order	SGO	Moved into independent living	Custody	Other reasons
70	75	20	40 (10 made to former foster carers)	35	x	30

Source: Children Looked After in England including adoption

Table 35 - LA6: Number and percentage of Special Guardianship Orders, 2010-14.

	2010	2011	2012	2013	2014
Number of Special Guardianship Orders	10	15	20	30	40
Percentage of children looked after who ceased to be LAC	5	3	10	9	22

Source: Children Looked After in England including adoption

Table 36 - LA6: Number of looked after children adopted during the year.

	2010	2011	2012	2013	2014
Number of children adopted	40	40	45	35	70
Percentage of children looked after who ceased to be adopted	17	17	19	18	25

Source: Children Looked After in England including adoption



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Any enquiries regarding this publication should be sent to us at:

Patrick.TOWGOOD@education.gsi.gov.uk or www.education.gov.uk/contactus

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