

Section 4 – Child Protection Processes – Child Protection Conferences**Contents**

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4.1 Initial Child Protection Conference

Purpose

- 4.1.1 The Initial Child Protection Conference brings together family members, the child (where appropriate), supporters/advocates and those professionals most involved with the child and family to:
- share and evaluate information in an inter-agency setting regarding the child/ren's health, development and functioning and the parent/carer's capacity to ensure the child's safety and promote their wellbeing;
 - to consider the evidence presented to the conference, make judgements about the likelihood of the child/ren suffering future significant harm and whether the child is at continuing risk of significant harm; and there are sufficient concerns to make the child subject of a Child Protection Plan;
 - decide what future action is needed to safeguard the child/ren and promote his/her welfare, how that action will be taken forward and with what intended outcomes and timescales.
- 4.1.2 Where a child becomes the subject of a Child Protection Plan, the following specific tasks should be undertaken:
- The conference agree taking into account the views of all concerned, which category of abuse or neglect applies;
 - A Keyworker from Safeguarding & Specialist Services is identified to develop, co-ordinate and implement the Child Protection Plan;
 - Ensure the Core Group is identified consisting of family members and professionals;
 - A date is set for the first Core Group meeting within ten working days of the conference;
 - Ensure a date for Monitoring Meeting is set within one month of the Initial Child Protection Conference;
 - Establish how the child and family members should be involved in the ongoing assessment, planning and implementation process and what support, advice and advocacy they require and is available to them;
 - A date for the Review Child Protection Conference is set;
 - The Child Protection Plan is outlined and clearly understood by all concerned including the parents and where appropriate the child and all discussions fully minuted;

- Ensure a contingency plan is in place if agreed actions are not completed and/or circumstances change, e.g. a care giver fails to achieve what has been agreed, a court application is unsuccessful or the parent removes the child from a place of safety.

Threshold for convening an Initial Child Protection Conference

- 4.1.3 An Initial Child Protection Conference must be convened when it is believed that a child is suffering or likely to suffer significant harm.
- 4.1.4 This conclusion will be the result of:
- a s47¹ enquiry on a new referral or an open case;
 - outcome of s47² enquiries following request from a Court for a s37³ report;
 - a Core Assessment;
 - outcome of pre-birth assessment;
 - a child who is the subject of a Child Protection Plan in another area is moving into the area, unless the other authority is to retain responsibility for the case;
 - a person who poses a risk to children is found to be living in or regularly visiting a household with children;
 - concerns that a sexual abuser who is him/herself a child has been, or is at risk of being abused (separate conferences must be held in respect of both children).
- 4.1.5 The conference must consider all the children in the household, even if concerns are only being expressed about one child. Concerns must be clarified in relation to concerns about any unborn children and children in direct contact with the alleged perpetrator.
- 4.1.6 The Team Manager or equivalent is responsible for making the decision to convene an Initial Child Protection Conference and the reasons for calling the conference must be recorded on s47⁴ outcome forms.
- 4.1.7 In the event that Safeguarding & Specialist Services decide not to convene an Initial Child Protection Conference it is possible that other professionals/agencies may disagree with this decision. Contact should be made in writing with the Team Manager via the designated Child Protection Lead within the agency who must respond in writing within five working days of receiving the request to reappraise the decision. Should the Team Manager reaffirm their decision, the professional/agency should formally write to the relevant Service Manager (Children in Need).

¹ http://www.opsi.gov.uk/acts/acts1989/ukpga_19890041_en_7#pt5-l1g47

² http://www.opsi.gov.uk/acts/acts1989/ukpga_19890041_en_7#pt5-l1g47

³ http://www.opsi.gov.uk/acts/acts1989/ukpga_19890041_en_6#pt4-pb4-l1g37

⁴ http://www.opsi.gov.uk/acts/acts1989/ukpga_19890041_en_7#pt5-l1g47

Timing of Initial Child Protection Conference

- 4.1.8 The Initial Child Protection Conference must take place within 15 working days of the Strategy Discussion and/or Meeting initiating s47⁵ enquiries or of the notification of another Local Authority that a child who is the subject of a Child Protection Plan has moved into the County.
- 4.1.9 In exceptional circumstances, e.g. when Police are at a sensitive stage in their enquiries or during enquiries into fabricated or induced illness, the Initial Child Protection Conference may be delayed.
- 4.1.10 Any delay must have written authorisation from the relevant Service Manager (Children in Need) (including reasons for the delay) and Safeguarding & Specialist Services must ensure risks to the child are monitored and action taken to safeguard the child.

⁵ http://www.opsi.gov.uk/acts/acts1989/ukpga_19890041_en_7#pt5-l1g47

4.2 Review Child Protection Conference

Purpose

4.2.1 The purpose of a Review Child Protection Conference is to:

- review the safety, health and development of the child against the intended outcomes set out in the Child Protection Plan and Core Assessment;
 - ensure that the measures put into place to ensure the child is adequately protected from the risk of harm are effective and appropriate;
 - bring together and analyse information about the child's health, development and functioning and the parent/carer's capacity to ensure the child's welfare and promote their welfare;
 - make judgements about the likelihood of the child suffering significant harm in the future;
 - decide what action is required to safeguard the child and promote their welfare and identity;
 - set desired outcomes and timescales;
 - consider changes that may be required to the Child Protection Plan;
 - determine any need for an updated Core Assessment;
 - decide explicitly if the child is still at continued risk of significant harm and hence whether they need to remain the subject of a Child Protection Plan.
- If so, the category must be considered again.
- If the child no longer requires a Child Protection Plan, the conference must consider what support may benefit the child and family and who is responsible for providing that support.

Timing of a Review Child Protection Conference

- 4.2.2 If a child is made the subject of a Child Protection Plan, the first Review Child Protection Conference must be held within three months of the Initial Child Protection Conference.
- 4.2.3 Further Review Child Protection Conferences must be held at intervals of no more than six months, for as long as the child is the subject of a Child Protection Plan.
- 4.2.4 Consideration should always be given to bringing the date of a conference forward in the following circumstances:
- Where child protection concerns relating to a new incident or allegation of abuse have been sustained;
 - Where there are significant difficulties in carrying out the Child Protection Plan;
 - Where a child is to be born into the household of a child who is already the subject of a Child Protection Plan;
 - Where a person considered a 'risk to children' is to join or commences regular contact with the household;
 - When there is a significant change in circumstances of the child or family not anticipated at the previous conference and with implications for the safety of the child;
 - Where a child who is the subject of a Child Protection Plan is looked after by the Local Authority and consideration is being given to returning the child to the circumstances where care of the child required the formulation of a Child Protection Plan (unless this step is anticipated in the existing Child Protection Plan);
 - Where the Core Group believe that early discontinuation of the Child Protection Plan should be considered.

4.3 Transfer Conference

4.3.1 At the transfer conference the criteria for the removal of a child's name from the List, rather than the criteria to be added to the List must be considered at all transfer conferences.

4.4 Membership of Conferences

4.4.1 A conference must consist of the smallest number of people consistent with effective case management. Those who have a relevant contribution to make may include:

- the Independent Reviewing Officer (Chair) and dedicated Administrative Officer;
- Standing members i.e., Keyworker, the Police, Named Nurse Safeguarding Children, Designated Teacher (Child Protection); GP; Solicitor, Corporate & Legal Services (to give legal advice only);
- those with Parental Responsibility, other relevant family members and if requested family legal advisers (to give legal advice only) or supporters;
- the child;
- the Social Worker and Team Manager;
- the residential/foster carer, if appropriate;
- relevant professionals involved with the child (e.g. Midwife, Health Visitor, School Nurse, CAMHS staff, Substance Misuse Services, Adult & Community Services, Learning Disabilities staff, Youth Offending Service staff, children's guardian, Paediatrician, Education staff, Early Years staff);
- service providers (e.g. Family Support Services, Adult Mental Health Services, Probation, Voluntary Organisations);
- a professional observer can only attend with the prior consent of the Chair and the family and must not take part in discussions or decision-making.

4.4.2 There should be sufficient information and expertise at a conference to make an informed decision about what action is necessary to safeguard and promote the welfare of the child. It is mandatory for key professionals to be invited to all conferences. Team Managers are to ensure that, if it is known they are involved, Substance Misuse Services are invited to the conference.

4.4.3 To assist the IRO to ensure that those in attendance have sufficient knowledge of the child and family circumstances, those submitting reports are required to state in the introduction of the report their involvement with the child and family. For example, "I have worked with the child and family since * or I have been the child's GP since his/her birth and have seen the child and family regularly over that period.

4.4.4 In the judgement of the IRO there needs to be sufficient attendance at the conference by individuals who have direct experience working with the family/child.

4.4.5 The time of day at which a conference is convened and its venue should be

determined so as to facilitate attendance of key personnel. If a Paediatric Assessment has been undertaken it is imperative that the timing facilitates the attendance of the responsible paediatrician.

Role of the Legal Adviser

4.4.6 The Local Authority Legal Adviser attends the Child Protection Conference to gather information. Only in exceptional circumstances should the need to give advice arise during the conference.

4.4.7 In all cases, the social work team must seek advice from the Legal Adviser prior to the Child Protection Conference, with particular reference to issuing a letter before proceedings in accordance with the Public Law Outline or issuing care proceedings.

4.4.8 The IRO may seek legal advice prior to the conference.

4.4.9 The Legal Adviser does not participate in the decision making of the conference. Once the decision has been made at conference, the Legal Adviser may in exceptional circumstances advise the IRO whether the criteria for listing is or is not met.

4.4.10 If information is provided at the conference that requires the Local Authority to seek advice from the Legal Adviser, the conference should be adjourned to allow the Local Authority to take the necessary advice. The Legal Adviser should then summarise the outcome of the discussion for the benefit of conference participants.

Quorate Conferences

4.4.11 The primary principle for determining quoracy is that there should be sufficient agencies present to enable safe decisions to be made in the individual circumstances.

4.4.12 Normally, minimum representation is Safeguarding & Specialist Services and at least two other agencies. When there are less than three agencies involved with a child, e.g. in the case of a baby, the IRO must be confident that all agencies who have knowledge of the family/child are present. When a Child Protection Conference is not quorate the Chair must ensure that either:

- an interim Child Protection Plan is produced; *or*
- the existing Child Protection Plan is reviewed with the professionals and family members that do attend, so as to safeguard the welfare of the child/ren.

4.4.13 In exceptional circumstances, where a child has not had relevant contact with three agencies, the conference may proceed. Most critically, this may apply to pre-birth conferences.

4.4.14 It will be the decision of the Independent Reviewing Officer as to whether a conference should proceed or not. In the judgement of the IRO there needs to be sufficient attendance at the conference by individuals who have direct experience working with the family/child. If it is decided that a conference should not proceed, arrangements should be made for a reconvened conference as a matter of urgency.

Involving Children & Family Members in Child Protection Conferences

4.4.15 A recommended approach for working in partnership with service users is set out in *“The Challenge of Partnership in Child Protection”* and reproduced in *“Working Together to Safeguard Children”* (2006) as follows:

- Treat all family members with dignity and respect and offer a caring and courteous service;
- Ensure family members know the child’s safety and welfare has priority;
- Minimise infringement of privacy consistent with protecting the child;
- Be clear about powers and purpose of any intervention;
- Be aware of the impact on the family of professional actions;
- Respect confidentiality and pass on information/observations about the family only with permission or to protect the child;
- Listen to and try to understand the concerns, wishes and feelings of the child and family before formulating explanations and plans;
- Learn about the child’s religious, cultural, community and familial context;
- Consider both strengths, potential and limitations of family members;
- Ensure all family members know their responsibilities and rights with respect to receipt or refusal of services and its consequences;
- Use simple jargon-free language appropriate to age and culture of each individual;
- Be open and honest about concerns and professionals’ responsibilities, plans and limitations;
- Allow individuals time to absorb professional concerns and processes;
- Distinguish between personal feelings, values, prejudices and beliefs, and professional roles and responsibilities and seek and use supervision to check achievement of this;
- Always acknowledge errors, failures or oversights and the distress caused to families.

4.4.16 Explicit consideration should be given to the potential of conflict between family members and possible need for children or adults to speak without other family members present.

Involving Parents/Carers

4.4.17 All persons with Parental Responsibility and carers must be invited to conferences (unless exclusion is justified as described below).

4.4.18 The Social Worker must facilitate their constructive involvement by ensuring in advance of the conference that they are given sufficient information and practical support to make a meaningful contribution.

4.4.19 The Social Worker must explain to parents/carers the purpose of the meeting, who will attend, the way in which it will be operated, the purpose and meaning of the Child Protection Plan and the complaints process.

4.4.20 Preparation should include consideration of childcare arrangements to enable the attendance of parent(s).

4.4.21 Written information should be left with both the family regarding conferences, the right to bring an advocate, friend, supporter, or solicitor (in role of supporter), and details of local advice and advocacy services.

4.4.22 The role of the supporter is to enable the parent/carer to put his/her point of view, not to take an adversarial position or cross-examine participants (of particular relevance if a solicitor attends as a supporter).

4.4.23 Those for whom English is not their preferred language an interpreter should be offered and provided, if required.

4.4.24 Provision should be made to ensure that visually or hearing impaired or otherwise disabled parents/carers are enabled to participate.

4.4.25 A family member should not be expected to act as an interpreter of spoken or signed language.

4.4.26 Immediately prior to the conference, the Chair should meet with any family members to ensure they understand the process. This may, where the potential for conflict exists, involve separate meetings with the different parties.

4.4.27 If parents/carers feel unable to attend the conference, alternative means should be provided for them to communicate with the Chair of the conference.

4.4.28 Where a parent/carer attends only part of a conference as a result of exclusion, he/she will only receive the record of that part of the conference attended.

Involving Children

4.4.29 The child, subject to his/her level of understanding, must be given the opportunity to contribute meaningfully to the conference.

4.4.30 In practice, the appropriateness of including an individual child must be assessed in advance and relevant arrangements made to facilitate attendance at all or part of the conference.

4.4.31 Where it is assessed, in accordance with the criteria below, that it would be inappropriate for the child to attend, alternative arrangements should be made to ensure his/her wishes and feelings are made clear to all relevant parties, e.g. use of an advocate, written or taped comments. The Social Worker should ensure that the child's views and wishes are communicated to the conference.

Criteria for Presence of Children at Conference

4.4.32 The test of "sufficient understanding", is partly a function of age and partly the child's capacity to understand.

4.4.33 In order to establish his/her wish with respect to attendance the child must be first provided with a full and clear explanation of purpose, conduct, membership of the conference and potential provision of an advocate or support person.

4.4.34 Written information should be provided to those who are able to read it and an alternative medium, e.g. tape offered to those who cannot read.

4.4.35 A declared wish **not** to attend a conference (having been given such an explanation) must be respected.

4.4.36 Consideration must be given to the impact of the conference on the child, e.g. if they have a significant learning difficulty or where it will be impossible to ensure they are kept apart from a parent who may be hostile and/or attribute responsibility onto them.

4.4.37 In such cases, energy and resources should be directed towards ensuring that by means of an advocate and/or preparatory work by a Social Worker, the child's wishes and feelings are effectively represented (see below).

4.4.38 The following approach is recommended:

- A presumption that a child of less than 12 years of age is unlikely to be able to be a direct and/or full participant in a forum such as a child protection conference;
- A presumption that from the age of 12 and over, a child should be offered such an opportunity.

Indirect Contributions when a Child is not Attending

4.4.39 Indirect contributions from a child should include a pre-meeting with the Conference Chair.

4.4.40 Other indirect methods include written statements, an e-mail, taped comments prepared alone or with independent support, and representation via an advocate.

Direct Involvement of a Child in a Conference

4.4.41 In advance of the conference, the Chair together with the Social Worker should agree whether:

- the child attends for all or part of the conference, taking into account confidentiality of parents and/or siblings;
- the child should be present with one or more of his/her parents;
- the Chair is introduced to the child by the Keyworker where the Chair explains the process of their involvement.

4.4.42 If the child attends all or part of the conference, it is essential that he/she is prepared by the Social Worker in readiness for the meeting.

4.4.43 Those for whom English is not their preferred language an interpreter should be offered and provided.

4.4.44 Provision should be made to ensure that a child who has any form of disability is enabled to participate.

4.4.45 Consideration should be given to enabling the child to be accompanied by a supporter or an advocate.

Exclusion of Family Members from a Conference

4.4.46 Exceptionally it may be necessary to exclude one or more family members from part or all of a conference.

4.4.47 Any exclusion of parents/carers will be decided by the Chair according to the following criteria:

- The circumstances of the case indicate that the presence of the parent may seriously prejudice the welfare of the child;
- There is sufficient evidence that the parents may behave in such a way as to interfere seriously with the work of the conference (e.g. violence, threats of violence, racism, or other forms of discriminatory or oppressive behaviour or being in an unfit state, e.g. through drug, alcohol consumption or acute mental health difficulty) - when a parent has been excluded from the conference arrangements should be made to ensure that their views are made known;
- A child requests that the parent/person with Parental Responsibility or carer are not present while he/she is present – Social Worker to progress in consultation with the Chair;
- There is evidence that the presence of parents would prevent a participant from making his/her proper contribution;
- The need (agreed in advance with the Conference Chair) for members to receive confidential information that would otherwise be unavailable, such as legal advice or information about a criminal investigation;
- Conflicts between family members who may not be able to attend at the same time.

4.4.48 These situations will be rare, Social Worker to formally discuss with Team Manager who will need to consult with the Chair to seek endorsement.

4.4.49 Where a worker from any agency believes a parent should, on the basis of the above criteria, be excluded, representation must be made, if possible at least three days in advance, to the Chair.

4.4.50 The agency concerned must indicate which of the grounds it believes is met and the information or evidence the request is based on. The Chair must consider the representation carefully and may need legal advice.

4.4.51 If, in planning a conference, it becomes clear to the Chair that there may be conflict of interests between the children and parents, the conference should be planned so that the welfare of the child can remain paramount.

4.4.52 This may mean arranging for the child and parents to participate in separate parts of the conference and for separate waiting arrangements to be made.

4.4.53 Any exclusion period should be for the minimum duration necessary and must be clearly recorded in the notes of the conference.

4.4.54 It may also become clear in the course of a conference, that its effectiveness will be seriously impaired by the presence of the parent(s). In these circumstances, the Chair may ask them to leave.

4.4.55 Where a parent is on bail, or subject to an active police investigation, it is the responsibility of the Chair to ensure that the Police can fully present their information and views and also that the parents participate as fully as circumstances allow.

4.4.56 The decision of the Chair over matters of exclusion is final regarding both parents and the child/ren.

4.4.57 If the Chair has decided, prior to the conference, to exclude a parent, this must be communicated in writing to the parent using the standard letter.

4.4.58 Those excluded should be provided with a copy of the Social Worker's report to the conference and be provided with the opportunity to have their views recorded and presented to the conference. Exclusion at one conference is not reason enough in itself for exclusion at further conferences.

The Absence of Parents and/or Children

4.4.59 If parents and/or children do not wish to attend the conference they must be provided with full opportunities to contribute their views. The Social Worker must facilitate this by ensuring that their views are communicated appropriately and effectively.

4.5 Preparing for a Conference - All Agencies

4.5.1 In preparation for the conference, all members should adhere to the following guidance:

- Any reservations about the attendance of family members should be indicated in advance to the Conference Chair, bearing in mind the criteria for exclusion listed above.
- Information in written reports to the conference should be shared with family members prior to the meeting and a copy of the report made available to the Administrative Officer. (Two days prior to an Initial Child Protection Conference before 12 noon and seven days prior to a Review Child Protection Conference).
- Participants should consider whether any of the information they intend to share in written or verbal form to the conference originates from a third party, in which case they should seek permission to divulge that information.
- Participants should attempt to ensure that the family is not hearing their information for the first time during the conference.
- Any participant who is worried about how to share particularly sensitive information or opinion during the conference should discuss this in advance with their line manager or designated officer and, if necessary, with the Chair. This will generally be seen as a preparation issue rather than a reason to exclude the family from the conference.
- In drawing up the decisions and recommendations, participants should be prepared in advance and able to offer positive suggestions about their agency's contribution to the Child Protection Plan.
- All participants should ensure that they understand the purpose and remit of the child protection conference and the purpose of the Child Protection Plan. Any confusion should be discussed with line managers or designated officers
- The information presented within child protection conference is confidential and therefore should not be shared outside the conference without the permission of the author.
- Participants should be aware of the need to respect other individuals in these conferences regardless of race, gender, culture, class or disability.

Provision of Information for Conference – All Agencies

4.5.2 The standard invitation letter should list the names and contact details of all invitees. Every agency should take responsibility for ensuring that their report is sent to Administrative Officer within two working days for Initial Child Protection Conferences and seven working days for Review Child Protection Conferences before 12 noon.

4.5.3 Medical reports would normally be sent directly to the Keyworker within the agreed timescales. See [Section 3.14](#)⁶.

4.5.4 All invited agencies and professionals must attend or send a representative to contribute both written and verbal information and to be part of the evaluation and decision-making process. To assist the IRO to ensure that those in attendance have sufficient knowledge of the child and family circumstances, those submitting reports are required to state in the introduction of the report their involvement with the child and family. For example, “I have worked with the child and family since * or I have been the child’s GP since his/her birth and have seen the child and family regularly over that period.

Information from Safeguarding & Specialist Services

4.5.5 The Social Worker should provide a written report to all Initial and Review Child Protection Conferences, which must be countersigned by the Team Manager. The written report must include a genogram for the Initial Child Protection Conference.

4.5.6 The report must be provided to parents and older children at least two working days and before 12 noon prior to an Initial Child Protection Conferences and seven working days before 12 noon prior to a Review Child Protection Conferences to enable any factual inaccuracies to be identified, amended and areas of disagreement noted. Where necessary, the reports should be translated into the relevant language or medium.

4.5.7 The report must be provided to the relevant Administrative Officer and circulated to all those invited to attend at least two working days before 12 noon prior to the Initial Child Protection Conference and seven working days before 12 noon in advance of the Review Child Protection Conference.

4.5.8 The report must make it clear which children are the subjects of the conference (previously decided by the Social Worker and his/her manager).

4.5.9 Even if they are not subject of the conference, all children in the household need to be considered and information must be provided on each of them.

⁶ <http://durham-lscb.gov.uk/Procedures/Section-3.pdf>

Information from Other Agencies

- 4.5.10 It is the responsibility of all the agencies who have participated in the enquiry or who have relevant information to make this available to the conference.
- 4.5.11 This should be in the form of a written report and must be provided to the relevant Administrative Officer at least two working days before 12 noon prior to an Initial Child Protection and at least seven working days before 12 noon prior to a Review Child Protection Conference. All agencies should have a proforma for reports that incorporates the *Framework for the Assessment of Children in Need and their Families*⁷. To assist the IRO to ensure that those in attendance have sufficient knowledge of the child and family circumstances, those submitting reports are required to state in the introduction of the report their involvement with the child and family. For example, “I have worked with the child and family since * or I have been the child’s GP since his/her birth and have seen the child and family regularly over that period.
- 4.5.12 The reports must be shared with the family before the conference (two working days before an Initial Child Protection Conference and seven working days before a Review Child Protection Conference), and where necessary, should be translated into the appropriate language or medium. If reports have not been shared within these timescales the Chair reserves the right to postpone the conference.
- 4.5.13 Where any agency representatives are unable to attend the conference they must ensure that a written report is made available to the conference, through the Chair, or that a colleague attend in their place. IROs will need to consider whether there is sufficient direct knowledge of the child and family to enable the conference to proceed.

Information from Children & Families

- 4.5.14 Children and family members should be helped in advance to consider what they wish to convey to the conference, how they wish to do so and what help and support they will require, for example, they may choose to communicate in writing, by tape or with the help of an advocate.
- 4.5.15 Families may need to be reminded that submissions need to be sufficiently succinct to allow proper consideration within the time constraints of the conference.

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4.6 Chairing the Conference

4.6.1 The Chair of a child protection conference will be an Independent Reviewing Officer (IRO) who is accountable to the Director of Children & Young People's Service. The Chair must ensure that the functions of the conference are fulfilled as detailed below.

4.6.2 The Chair must meet with the child, (if attending), and family prior to the conference to ensure that the family:

- understands the purpose of the conference and how it will be conducted and their supporters are prepared for the conference;
- are aware of the procedures;
- are introduced;
- are encouraged to contribute;
- are aware of their right to lodge a complaint or make representation;
- has an interpreter made available, where necessary, to facilitate family participation.

4.6.3 It is strongly recommended that the Independent Reviewing Officer Chairs all subsequent Review Child Protection Conferences in order to ensure consistency and avoid information slippage.

4.6.4 At the start of the conference the Chair will:

- set out the purpose of the conference.
- confirm the agenda.
- emphasise the need for confidentiality.
- emphasise the need to respect the contributions of all members of the conference.
- emphasise that verbal abuse or threats will not be tolerated. Refer to [Criteria for Exclusion⁸](#).
- address equal opportunities issues, e.g. specifying that racist, homophobic and threatening behaviour will not be tolerated.
- clarify the roles of those present, including supporters of the family.

⁸ Please link to relevant information within this section

4.6.5 During the conference the Chair will ensure that:

- the conference maintains a focus on the welfare of the child.
- consideration is given to all the children in the family or household.
- all those present, including the parents/carers and child, make a full contribution and that full consideration is given to the information they present.
- reports of those not present are made known to parties.
- the wishes and feelings of the child are clearly outlined and fully considered.
- participant's attention is drawn to those areas where further information should be sought and provide theoretical knowledge about child abuse relevant to the case.
- issues of race, religion, language, class, gender, sexuality and disability are fully taken into account in the work of the conference.
- the conference takes decisions required of it in an informed and systematic way.
- all the children being considered have their protection, therapeutic and social education and health needs recognised and that the Core Assessment and Child Protection Plan should provide for them to be evaluated and addressed;
- conference members are assisted in making decisions/ recommendations, ensuring the formulation of an action plan for protecting the child, helping the family and achieving clarity about the objectives and implementation of the plan.

4.6.6 **In exceptional circumstances**, the Chair has the authority to override the majority/minority or consensus view of the members of the conference in relation to making a child subject of a Child Protection Plan. If this happens, the Chair's reasons should be fully recorded within the conference record and discussed with the Service Manager for Independent Reviewing Officers.

4.7 Threshold for Agreeing a Formal Child Protection Plan

4.7.1 As described in *Working Together to Safeguard Children (2006 para. 5.102)* the conference should consider the following question when determining whether to make a child subject to a Child Protection Plan:

- Is the child at continuing risk of significant harm?

4.7.2 The conference should consider the following criteria when determining whether a child should be the subject of a Child Protection Plan:

- The child can be shown to have suffered ill-treatment or impairment of health or development as a result of physical, emotional, or sexual abuse or neglect and professional judgement is that further ill-treatment or impairment are likely; or
- Professional judgement, substantiated by the findings of enquiries in this individual case or by research evidence, is that the child is likely to suffer ill treatment or the impairment of health or development as a result of physical, emotional, or sexual abuse or neglect.

4.7.3 If the child is at continuing risk of significant harm, then he/she will require inter-agency help and intervention delivered through a formal Child Protection Plan.

4.7.4 Conference members must consider whether the criteria are met in respect of all children in the family or household, based on the information presented. Decisions will normally take place with parents/carers present. Participation of the child will be considered by the Chair according to the section, “Direct Involvement of a Child in a Conference”.

The Decision-Making Process

4.7.5 If the child has moved into the Durham area from another Local Authority the child **must** be considered as a child currently subject to a Child Protection Plan and only removed from the Child Protection List if it is considered he/she is no longer at risk of significant harm.

4.7.6 The decision-making process must take account of the views of all agencies represented at the conference and will normally take place with parents/carers present.

4.7.7 The Chair must summarise the substantive content of the discussion about the Child Protection Plan “based on the views of all agencies represented at the conference and also take into account any written contributions that have been made” (*Working Together to Safeguard Children*⁹2006 para.5.96).

4.7.8 If criteria for a Child Protection Plan are satisfied, the child should be made subject of a Child Protection Plan.

4.7.9 Any dissent must be fully recorded in the record of discussion. When this occurs, the Social Worker must involve that agency in future decision-making and in the Child Protection Plan if the child is made subject to a Child Protection Plan.

4.7.10 If parents/carers dissent from the conference decision, the Chair must discuss the issue with them and explain their right to and the process for challenge.

4.7.11 If professionals dissent, this should be recorded and they should be advised to make representation through the appropriate route. (See 4.10¹⁰)

Is a Child Protection Plan the best way to safeguard the child? Avoiding “Dual Process”

4.7.12 The thresholds for obtaining an Interim Care Order, or a Care Order, or for making a child subject of a Child Protection Plan, are identical. That is to say, the child has suffered or is likely to suffer significant harm.

4.7.13 The fact that the thresholds are the same might suggest that these represent alternative rather than parallel options.

4.7.14 Children and young people should generally not be the subjects of both the child protection planning process and the care planning process.

- i) If a child is made subject to a Child Protection Plan then the needs of that child, including the need to be kept safe, are identified and will be reviewed through the formal child protection process;
- ii) If a child is already the subject of a Care Order Interim Care Order, Residence Order or Special Guardianship Order, the needs of that child, including the need to be kept safe, are identified and will continue to be reviewed through the care planning process.

⁹ <http://www.dcsf.gov.uk/everychildmatters/resources-and-practice/IG00060/>

¹⁰ <http://durham-lscb.gov.uk/Procedures/Section-4.pdf>

Categories of making a child subject of a Child Protection Plan

- 4.7.15 The categories of abuse, which are defined in (*Working Together 2006*¹¹) paras 1.29 – 1.33 and outlined in **Section 1**¹² of these procedures, are Physical Abuse, Emotional Abuse, Sexual Abuse and Neglect. Whilst more than one category may be used, the use of multiple categories will not be helpful for the child, family and professionals to focus on necessary change. The category of abuse to be recorded should be considered separately in respect of each child in the family or household. The category/s used must indicate to those consulting the primary presenting concerns at the time of the Child Protection Plan.
- 4.7.16 Once the decision is made that the child is at continuing risk of significant harm, the Chair should determine under which category/s of abuse the child is made subject to based on the views of all agencies represented.
- 4.7.17 The category/s used must indicate to those consulting the Child Protection List the primary presenting concerns at the time of registration.
- 4.7.18 Multiple categories should not be used to cover all eventualities, but it may, on occasions be appropriate to use more than one category if it is clear that the child is at risk of continuing significant harm in two or more categories to an equal extent.
- 4.7.19 Although emotional abuse can be a consequence of other types of abuse, emotional abuse should only be used as a second category if there is substantial evidence to warrant a Child Protection Plan.
- 4.7.20 The need for a Child Protection Plan should be considered separately in respect of each child in the family or household.
- 4.7.21 Where a pre-birth conference has decided that an unborn child is made subject to a Child Protection Plan, his/her name and expected date of delivery will be placed on the Child Protection List immediately and their name and date of birth confirmed at birth.

¹¹ <http://www.dcsf.gov.uk/everychildmatters/resources-and-practice/IG00060/>

¹² <http://durham-lscb.gov.uk/Procedures/Section-1.pdf>

4.8 Outline Child Protection Plan

- 4.8.1 The outline Child Protection Plan should be based on assessment and information presented to Conference and must identify factors associated with the likelihood of the child suffering significant harm and the ways in which the child can be protected through a multi-agency plan and which will be developed in subsequent Core Group meetings.
- 4.8.2 The Chair should ensure that the outline Child Protection Plan drawn up by conference members should:
- identify risks of significant harm to the child and ways in which the child can be protected through an inter-agency plan;
 - describe the identified developmental needs of the child, and what services are required;
 - set specific short term and long term aims and objectives and timescales for the objectives to be achieved;
 - include realistic strategies and specific actions to achieve the planned outcomes;
 - set objectives for families which are achievable and may require stages of change over time;
 - identify a means of measuring change against the objectives and evaluating progress;
 - set out clearly the roles and responsibilities of those professionals with routine contact with the child, for example, health visitors, GPs and teachers, as well as any specialist or targeted support to the child and family;
 - consider any specific considerations relating to the child and family such as special needs, ethnic or cultural issues;
 - consider the views of the child;
 - consider the views of the parents;
 - identify family strengths;
 - identify actions to support the family and wider family members in safeguarding and promoting the welfare of the child;
 - identify what further core and specialist assessment is necessary to assist in judgements about safeguarding and promoting the welfare of the child;
 - include a contingency plan if the Child Protection Plan is not adhered to or other circumstances that may necessitate its use and require action.

4.8.3 The decision of the conference and, where appropriate, details of the category of abuse or neglect, the name of the Keyworker, the Lead Professional and the Core Group membership should be circulated to all participants of the conference, those who sent apologies and those consulted within two working days.

4.8.4 The Outline plan will be sent to all Core Group members within two working days.

4.9 If Child does not become the subject of a Child Protection Plan or the Child Protection Plan is discontinued

4.9.1 If it is considered that the threshold for requiring a Child Protection Plan has not been reached or agreed that the Child Protection Plan is discontinued, but the child is in need of help to promote his/her health or development, the conference must ensure that recommendations are made to this effect.

4.9.2 Subject to the family's views and consent, it may be appropriate to:

- continue the Core Assessment of the child's needs to help determine the support required;
- make recommendations about support and help;
- establish commitment to inter-agency working, particularly where the child's needs are complex.

4.9.3 The decision must be communicated to the parents and, where appropriate the child, and confirmed in writing.

4.10 Dissent at Child Protection Conferences

4.10.1 If a professional concludes that the conference decision places a child at risk, s/he must seek the advice from their manager who should then contact the designated child protection officer in writing within two working days.

4.10.2 Where the issue is not resolved, the matter should be formalised in writing and sent to the Service Manager for Quality & Review providing details as to why the decision is believed to be incorrect. On receipt of the letter the Service Manager will arrange to read documentation of the conference and if appropriate arrange a meeting between the professional/agency designated officer and the IRO to discuss the issues. The Service Manager will decide on the information available whether there is a need to canvass the views of the other professional participants.

4.10.3 If there is no resolution, the LSCB Business Manager will review all documentation and discuss the matter with the LSCB Chair.

4.11 Safeguarding & Specialist Services Team Manager Role

4.11.1 The Team Manager has a vital role in managing the progress of the case and supporting the Keyworker. In the absence of the Keyworker the Team Manager must ensure that the Child Protection Plan is adhered to and that multi-agency liaison is not compromised.

4.11.2 The **Team Manager** should:

- read and countersign all significant recordings, assessments and decisions on the child's file, including the chronology.
- Chair the first Core Group.
- discuss the progress of the Child Protection Plan and any concerns in supervision, including ensuring that there has been adequate direct contact with the child/ren.
- use a supervision and/or management decision sheet in the child's file to note agreed actions or decisions and sign and date the record.
- read, quality assure and countersign conference reports and the Child Protection Plan.
- review the plan with the Keyworker when unexpected developments or crises occur, and together make a decision whether to recommend that a Review Child Protection Conference date be brought forward.
- attend all Initial Child Protection Conferences (in their absence a senior practitioner will attend).
- attend Review Child Protection Conferences as appropriate, dependent on the complexity of the case/experience of the worker.
- confirm the visiting frequency of the Keyworker and the frequency of Core Group meetings.
- arrange cover for the Keyworker in case of absence, including checking and any necessary action resulting from post, e-mails and telephone contacts.
- in supervision with the Keyworker, regularly consider the risks to the child and whether any further risk assessment should be undertaken.

4.12 Administrative Arrangements and Record Keeping for the Child Protection Conference System

4.12.1 A record of discussion should be taken at all conferences by a dedicated person whose sole task within the conference is to provide a written a record of proceedings in a consistent format.

4.12.2 The notes of the conference should be provided to the parents. The content of the notes are shared with parents at the discretion of the Chairperson. This decision must be recorded.

4.12.3 Where a young person has attended a child protection conference, the Social Worker must arrange to see him/her and arrange to discuss relevant sections of the notes.

4.12.4 The Keyworker (Lead Professional) should consider whether a young person should be given copies of the notes. They may be supplied to a young person's legal representative on request.

4.12.5 Where parents have a sensory disability or where English is not their preferred language, steps must be taken to ensure that the parents can understand and make full use of the notes.

4.12.6 Conference notes are confidential and should not be passed to third parties without the consent of either the Conference Chair or by order of the court.

4.12.7 In criminal proceedings the Police may reveal the existence of child protection records to the Crown Prosecution Service and in care proceedings the notes of the conference may be revealed in court.

4.12.8 Every agency must establish arrangements for the confidential storage and should retain the notes of child protection conferences in accordance with their own record retention policies.

Decision Letter

4.12.9 The outcome of the conference, recommendations and decision making around registration must be circulated within two working days to all those invited to the conference. The report of the conference must be circulated within 30 days to all those invited to the conference. Any amendments should be received within 10 working days of receipt of notes.

Updating the Child Protection List

- 4.12.10 If any details relating to the child or family change during the currency of the entry on the Child Protection List, the Keyworker must inform the relevant Administrative Officer within two working days.
- 4.12.11 If the Keyworker changes or there are changes in the membership of the Core Group, school, GP, Health Visitor or other agencies or services becoming involved, the Keyworker must inform the relevant Administrative Officer within two working days.

Access to the Child Protection List

- 4.12.12 It is important that the information held on the Child Protection List is maintained in a confidential manner. However, all agencies and professionals under the auspices of the LSCB can make enquiries of the Child Protection List for children whom they come into contact with and about whom they have a general or particular worry. Individuals contacting the Child Protection List must identify themselves and be able to be contacted at an identifiable workbase.
- 4.12.13 Information which will be provided is:
- confirmation of the child's name being on the Child Protection List;
 - category(ies) under which registration was made;
 - name of Keyworker.
- 4.12.14 All enquiries made to the Child Protection List are logged as follows:
- If the child is subject to a Child Protection Plan, the enquiry is logged on the Child Protection List and the relevant Administrative Officer will inform the Keyworker of the enquiry;
 - If the child is not subject to a Child Protection Plan the enquiry is still logged and in the event of a subsequent enquiry, or enquiries, the relevant Administrative Officer will inform the Team Manager of the previous information and of the need to contact the previous enquirer so that information may be shared.

Circulation of Child Protection Lists to NHS Trusts and the Police

- 4.12.15 NHS Trusts and the Police may receive a copy of a list of children who are the subject of Child Protection Plans in County Durham on a weekly and monthly basis.
- 4.12.16 NHS Trusts and the Police requiring this report must supply the Custodian of the Child Protection List with the name of a specified postholder within the service who will receive the report.
- 4.12.17 The specified postholder is responsible for safeguarding confidentiality whilst enabling relevant access to the information within the Trust and the Police and for ensuring the appropriate weekly destruction of the report.
- 4.12.18 The Trust and the Police will inform the Custodian of the Child Protection List of any changes regarding specified post or postholder.

4.13 Complaints by Service Users

Eligibility

4.13.1 Parents/carers or a child (considered by the Chair to have sufficient understanding) are entitled to make a complaint in respect of one or more of the following aspects of the child protection conferences:

- The process employed by the conference;
- The outcome, in terms of the fact of and/or the category of the initial or continuing Child Protection Plan;
- The decision not to make the child the subject of a Child Protection Plan, to make the child the subject of a Child Protection Plan, to discontinue the Child Protection Plan or continue the Child Protection Plan.

4.13.2 All parties must be made aware that this complaints process cannot itself change a Child Protection Plan decision and that during the course of a complaint's consideration, the decision made by the conference stands.

4.13.3 The end result for a complainant will be either that a conference is reconvened under a different Chair, that a Review Child Protection Conference is brought forward or that it confirms the conclusions of the original conference.

4.13.4 Complaints about individual agencies, their performance and provision (or non-provision) of services should be responded to in accordance with the relevant agency's ordinary complaints handling process.

Immediate Resolution

4.13.5 An expressed concern about the conference itself which arises in the course of the meeting must be noted and an attempt made by the Chair to resolve it with the service user.

Stage 1 – Exploration of Complaint by Conference Chair

4.13.6 If this initial attempt to resolve matters fails, the service user should be reminded of the complaints process, and be invited (and if necessary assisted by the Social Worker) to write within 28 days of receipt of the notes of the conference, to the Chair.

4.13.7 The Chair must inform the LSCB Business Manager, relevant Service Manager (Children in Need) and the Complaints Manager that a complaint has been made.

4.13.8 Complaints made outside the 28 day time limit may, in exceptional circumstances and at the discretion of the Chair, be accepted.

4.13.9 The Chair should meet with the complainant (who may be supported by a friend or relative) within seven working days of receipt of the complaint so as to:

- ensure the complainant understands the child protection process;
- clarify the grounds for, and nature of, the complaint(s);
- establish the outcome desired by the complainant;
- ensure the complainant understands the scope and relevance of this complaints process with regard to their circumstances;
- gather relevant information.

4.13.10 At the meeting with the complainant the Chair should ensure that there is a note of the meeting.

4.13.11 Within a further seven working days, the Chair should provide a written response to the complainant including notes of their meeting. This letter should include information on how to pursue concerns further if the complainant remains dissatisfied.

4.13.12 The response provided to the complainant should be copied to the LSCB Business Manager.

Stage 2 – Formal Consideration of Complaint by Complaints Manager

4.13.13 If, within 28 days of receipt of the Stage 1 letter the complainant notifies the LSCB Business Manager that he/she remains dissatisfied and specifies reasons, arrangements must be made to convene, within 28 days, a Complaints Panel meeting of a minimum of three individuals from the LSCB.

4.13.14 Arrangements for this meeting will be made by the LSCB Business Manager or representative in liaison with the Team Manager, and the role of the Chair will normally be fulfilled by the representative of the agency least directly involved in the case.

4.13.15 The Complaints Panel membership must include at least two from amongst the Police, Safeguarding & Specialist Services and Health agencies and the individuals should have had no previous direct involvement for the case in question.

4.13.16 The Panel must be provided with the following documentation by the LSCB Business Manager or representative and the Team Manager:

- A formal request to convene;
- A copy of the relevant conference notes and the reports that were made available to the conference;
- Stage 1 meeting notes and correspondence;
- A list of names, addresses and telephone numbers of the conference Chair, all other professionals involved and the family concerned.

4.13.17 The LSCB Business Manager or representative will liaise with the complainant throughout, and be available at the Panel meeting, to advise on relevant processes.

4.13.18 The Panel must be convened within 28 days of the receipt of the complainant's letter and consider whether:

- relevant inter-agency protocols and procedures have been observed correctly; *and*
- if any decision in dispute follows reasonably from the processes employed and information presented.

4.13.19 The panel will:

- hear (either directly or in writing) from the complainant, the Chair of the relevant child protection conference and any other relevant person;
- consider written material;
- reach a decision;
- agree the content of their letter to the complainant.

4.13.20 The Panel's conclusions must be put in writing to the complainant within seven working days of its meeting and will:

- confirm membership of the Panel;
- state the decision reached;
- provide concise information about how the decision was reached.

4.13.21 A recommendation must be made to reconvene the conference, under a different Chair if:

- procedures/protocols relating to the conference were not correctly followed;
or
- procedures/protocols were correctly followed but the decision of the conference was unreasonable.

4.13.22 If the Panel concludes that the procedures relating to the conference were correctly followed and that the decision/s reached were reasonable, it must confirm that the conclusions from the original conference stands and will be routinely reviewed when the Review Child Protection Conference is held.

4.13.23 The panel should also consider any specific concerns which may be relevant to communicate to agencies involved with the case and may make recommendations relating to practice or procedure to any LSCB agency.

Reconvened Conference

4.13.24 The Chair of the reconvened child protection conference must ensure that all those present have seen or are briefed at the conference about the decisions reached by the Complaints Panel.

4.13.25 A distinction must be made by the Chair between the need to discuss the conclusions of the Complaints Panel and the task of the child protection conference, which is to consider the child/ren's current circumstances.

Further Challenge

4.13.26 No further internal processes exist in those cases where the independent Complaints Panel concludes that all relevant processes were followed and that the decisions which were made were reasonable.

4.13.27 In what are likely to be very rare cases, where a reconvened conference has been recommended, held and the complainant does not accept the outcome, the LSCB Complaints Panel may, (at the discretion of the LSCB Business Manager or representative in liaison with the Team Manager) be asked to reconvene and review any remaining and clearly specified concerns.