**Child Protection Conferences**

**AMENDMENT**

This chapter was updated in August 2018 in regard to the General Data Protection Regulations 2018.

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**1. Child Protection Conferences**

**All conferences**

A child protection conference brings together family members (and the child/ren where appropriate), supporters / advocates and those professionals most involved with the child and family to make decisions about the child's future safety, health and development. If concerns relate to an unborn child, consideration should be given as to whether to hold a child protection conference prior to the child's birth.

The tasks for all conferences are to:

* Bring together and analyse, in an inter-agency setting the information which has been obtained about the child's developmental needs, and the parents' capacity to respond to these needs to ensure the child's safety and promote the child's health and development within the context of their wider family and environment;
* Consider the evidence presented to the conference and taking into account the child's present situation and information about their family history and present and past family functioning, to decide whether the child is at risk of, or suffering, significant harm;
* Recommend what future action is required in order to safeguard and promote the welfare of the child, including the child becoming the subject of a child protection plan, what the planned developmental outcomes are for the child and how best to intervene to achieve these;
* Name the appointed lead social worker from Children's social care for each child who requires a child protection plan. The social worker is responsible for ensuring that the child protection plan is developed, co-ordinated and fully implemented to timescale;
* Identify a core group of professionals and family members to develop, implement and review the progress of the child protection plan;
* Put in place a contingency plan if the agreed actions are not completed and/or circumstances change impacting on the child's safety and welfare.

The Children's social care manager is responsible for making the decision to convene a child protection conference and the reasons for calling the conference (or not calling a conference following completion of a Section 47 Enquiry) must be recorded.

An Initial conference should be convened if requested by a professional, supported by a senior manager / named or designated professional, where there is disagreement about a decision not to hold a conference. The professional disagreement / conflict resolution procedures should be applied, if agreement cannot be reached.

**Types of conferences**

Depending on the circumstances there are several different types of child protection conferences:

* **Initial conferences**;
* **Pre-birth conferences**;
* **Transfer in conferences**;
* **Review conferences**.

**Note**: All types of child protection conferences should include not only the child who is the subject of the specific concerns but must also include consideration of the needs of all other children in the household.

An initial **child protection conference** would normally be convened following a s47 enquiry where, as a consequence of the assessment and analysis, it is believed that this is the most appropriate means of affording protection to a child who is suspected of, or likely to be, suffering significant harm.

The initial child protection conference should take place within 15 working days of:

* The first strategy meeting / discussion when the section 47 enquiries were initiated; or
* Notification by another local authority that a child subject of a child protection plan has moved into the area (Transfer in conference).

If there is an emergency protection order (EPO) and it is decided to hold a child protection conference, the conference should, whenever possible, be held before the EPO expires.

Where a child assessment order has been made, the conference should be held immediately on conclusion of examinations and assessments.

Where there is delay, this must be reported to the children's social care manager (including reasons for the delay) and children's social care must ensure risks of harm to the child are monitored and action taken to safeguard the child.

A **pre-birth conference** is an initial child protection conference concerning an unborn child. Such a conference has the same status as, and must be conducted in a comparable manner to an initial child protection conference. The timing of the conference should be carefully considered bearing in mind the need for early action to allow time to plan for the birth.

Pre-birth conferences should always be convened where there is a need to consider if a multi-agency child protection plan is required. This decision will usually follow from a pre-birth assessment.

A pre-birth conference should be held where:

* A pre-birth assessment gives rise to concerns that an unborn child may be at risk of significant harm;
* A previous child has died or been removed from parent/s as a result of significant harm;
* A child is to be born into a family or household that already has children who are subject of a child protection plan;
* An adult or child who is a risk to children resides in the household or is known to be a regular visitor.

A pre-birth conference should be considered where the current pregnancy has been concealed or denied or where a previous pregnancy was concealed or denied.

Other risk factors to be considered are:

* The impact of parental risk factors such as mental ill health, learning disabilities, substance misuse and domestic violence and abuse;
* A mother under 18 years of age about whom there are concerns regarding her ability to self-care and / or to care for the child.

All agencies involved with pregnant women, where there are concerns about the unborn child, should consider whether there is the need for an early referral to Children's social care so that assessments are undertaken as early as possible in the pregnancy.

The pre-birth conference should take place as soon as practical and at least 10 weeks before the due date of delivery, so as to allow as much time as possible for planning support for the baby and family. Where there is a known likelihood of a premature birth, the conference should be held earlier.

**Transfer in conferences** should take place when a child, who is a subject of a child protection plan, moves from the originating LA area to Northamptonshire to live here permanently e.g. for a period of more than 3 months. Children's social care, designated health professionals and the police should be notified promptly.

The transfer in conference should receive reports from the originating LA and the originating authority should be invited, and expected, to attend the conference which should take place within 15 working days of the notification. Such a conference has the same status and purpose and must be conducted in a comparable manner to an initial child protection conference.

A **review conference** is intended:

* To review whether the child is continuing to suffer, or is likely to suffer, significant harm, and review developmental progress against the child protection plan outcomes;
* To consider whether the child protection plan should continue or should be changed.

Every review should consider explicitly whether the child is suffering, or is likely to suffer, significant harm and hence continues to require safeguarding from harm through adherence to a formal child protection plan. If the child is considered to be suffering significant harm, the local authority should consider whether to initiate family court proceedings.

If not, then the child should no longer be the subject of a child protection plan and the conference should consider what continuing support services may benefit the child and family and make recommendations accordingly.

Thorough, regular review is critical to achieving the best possible outcomes for the child and includes:

* Sharing and analysing up-to-date information about the child's health, development and functioning and the parent's capacity to ensure and promote the child's welfare;
* Maintaining contact with Health professionals such as GP's and Health Visitors about the child;
* Considering the impact on the child of the capacity and functioning of the parent/carer;
* Ensuring that the measures already in place to safeguard the child from harm are effective and in line with local arrangements;
* An ongoing review of the progress of all aspects of the child protection plan;
* Making changes to the child protection plan (e.g. where a family is not co-operating or a service is no longer available);
* Deciding what further action is required to safeguard the child if there are changes to the child's circumstances;
* Setting or re-setting desired outcomes and timescales;
* Seeking and taking into account the child's (possibly changed) wishes and feelings;
* Making judgements about the likelihood of the child suffering significant harm in the future;
* Deciding whether there is a need for a new or further assessment.

The first child protection review conference should be held within 3 months of the date of the initial child protection conference.

Further reviews should be held at intervals of not more than 6 months for as long as the child remains the subject of a child protection plan. If the initial conference was a pre-birth conference the first review conference should take place within 1 month of the child's birth or within 3 months of the date of the pre-birth conference, whichever is sooner. Subsequent review conferences should take place within 6 months thereafter.

All review conferences should consider the timescales to meet the needs and safety of the child. An infant or child under the age of 5 where there are serious concerns about the levels of risk might require the timescales to be shorter than those set above. The decisions should reflect the circumstances of the child and the impact on the child of the concerns rather than any agency constraints.

There should be consideration for a Review being brought forward where / when:

* Child protection concerns relating to a new incident or allegation of abuse have been sustained;
* There are significant difficulties in carrying out, or a lack of the child protection plan;
* A child is to be born into the household of a child or children already subject of child protection plans (This would be an Initial Child Protection Conference/Pre-Birth Conference for the new born/unborn child to be held at the same time as (within) a review of the other child/ren);
* An adult or child who poses a risk to children is to join, or commences regular contact with, the household;
* There is a significant change in the circumstances of the child or family not anticipated at the previous conference and with implications for the safety of the child;
* A child subject of a child protection plan is also looked after by the local authority and consideration is being given to returning them to the circumstances where care of the child previously aroused concerns (unless this step is anticipated in the existing child protection plan);
* The core group believe that the child/ren is/are no longer at risk of, or suffering, significant harm and that a child protection plan is no longer required.

**2. Looked After Children and Child Protection Conferences**

**Looked after children with child protection plans**

Children, who are already looked after will not usually be the subject of child protection conferences, though they may be the subject of a s47 enquiry. The circumstances in which a child who is looked after may be considered for a child protection conference or may be subject to a child protection plan can vary. The care plan and placement plan for a child who is looked after (whether there are proceedings pending an outcome, an interim care order or a care order in place) should provide the means to safeguard the child. The care plan and placement plan should be reviewed and updated regularly and in response to new information or concerns about the welfare of the child.

If it is proposed that a child subject to a care order should be returned to their birth family / returned home, the members of the statutory looked after child case review (see [**The Children Act 1989 Guidance and Regulations - Volume 2: Care Planning, Placement and Case Review (2015)**](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/441643/Children_Act_Guidance_2015.pdf)) considering the proposal for rehabilitation must consider and record whether, in their view, an initial child protection conference should be convened prior to the change. If the recommendation of the Review is that an initial child protection conference should be convened, this must be brought to the notice of the Children's social care manager who, if in agreement, will then convene a Strategy Discussion to start the process to progress to an initial child protection conference.

A child looked after under s20 of the Children Act 1989, who has been or is about to be returned to a parent's care about whom there are concerns in terms of safeguarding the child's welfare, may be subject of a s47 enquiry and a child protection conference. See [**The Children Act 1989 Guidance and Regulations - Volume 2: Care Planning, Placement and Case Review (2015)**](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/441643/Children_Act_Guidance_2015.pdf) and the [**Practice Guidance for the use of S20 Provision in The Children Act 1989 in England and the equivalent S76 of The Social Services and Well-being (Wales) Act 2014**](http://adcs.org.uk/assets/documentation/S20_Practice_Guidance_final.pdf).

If a parent removes or proposes to remove a child looked after under s20 from the care of the local authority and there are serious concerns about that parent's capacity to provide for the child's needs and protect them from significant harm, the social worker must discuss the case with the social care manager / ceasing to care nominated manager, who will make a decision about whether a strategy discussion should be convened. If s47 enquiries are initiated, the reasons for this must be clearly recorded on the child's record and may lead to an initial child protection conference. Any plan should be based on the child's welfare needs and avoid delay. In these circumstances, the social worker and manager should consider whether legal action is required to protect the child.

**Children with child protection plans who become looked after**

If a child subject of a child protection plan becomes looked after under s20, their legal situation is not permanently secure and the next child protection review conference should consider the child's safety in the light of the possibility that the parent can simply request their removal from the local authority's care. The child protection review conference must be sure that the looked after care plan and placement plan provide adequate security for the child and sufficiently reduces or eliminates the risk of significant harm identified by the initial child protection conference before a decision to discontinue the child protection plan can be considered.

If a child ceases to be subject of a child protection plan as a result of a decision at a child protection review conference, and the parent then unexpectedly requests the return of the child from the local authority's care, the social worker and manager should discuss the need to convene a strategy discussion with a view to progressing to an initial child protection conference. The reasons for the decision made must be clearly recorded on the child's case file.

If a court grants a care order in respect of a child who is subject of a child protection plan, the subsequent child protection review conference must make an assessment about the security of the child, considering issues such as contact and the looked after care plan for the child. If the care plan for the child involves remaining in or returning to the family of origin, the child protection review conference should give careful consideration to whether the child can be adequately protected through the framework of the child care reviews.

**Review conferences and children who are looked after**

Where a looked after child remains the subject of a child protection plan there must be a single plan and a single planning and reviewing process, led by the Independent Reviewing Officer (IRO). This means that the timing of the review of the child protection aspects of the care plan should be the same as the review under [**The Children Act 1989 Guidance and Regulations - Volume 2: Care Planning, Placement and Case Review (2015)**](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/441643/Children_Act_Guidance_2015.pdf) (also see the [**IRO Handbook**](http://www.education.gov.uk/childrenandyoungpeople/families/childrenincare/g00227338/iro-handbook)) and the accompanying statutory guidance Putting Care into Practice. This will ensure that up to date information in relation to the child's welfare and safety is considered within the review meeting and informs the overall care planning process.

Consideration should be given to whether the criteria continue to be met for the child to remain the subject of a child protection plan and consideration to bring forward a Review conference should be addressed. Significant changes to the care plan should only be made following the looked after child's review.

Consideration should be given to the IRO chairing the child protection conference where a looked after child remains the subject of a child protection plan despite there being:

* Different requirements for independence of the IRO function compared to the chair of the child protection conference; and
* A requirement for the child protection conference to be a multi-agency forum while children for the most part want as few external people as possible at a review meeting where they are present.

This should be decided on an individual case basis and managed to ensure that the independence of the independent reviewing officer is not compromised. Similarly the child might benefit from another independent chair and where it is possible should be consulted about the use of the IRO as chair. Where it is not possible for the IRO to chair the child protection conference the IRO will attend the child protection review conference.

A further option would be for the conference chair to attend the looked after child Lac review and for the child protection plan to be reviewed, and a decision made as to whether the child protection plan should continue, within the Lac review. This option should always be considered where attendees at the separate reviews would be the same. Prior consultation between the IRO and conference chair is essential in such circumstances.

Where it is not possible for the IRO to chair a joint review the IRO should attend the child protection review conference.

Where it is not possible for there to be a single plan and a single planning and review process there must be discussion and close liaison between the conference chair and the IRO prior to, and in preparation for, each review scheduled to take place.

**3. Membership of Child Protection Conference**

A conference should consist of only those people who have a significant contribution to make due to their knowledge of the child and family or their expertise relevant to the case. This is likely to include:

* The child or their representative;
* Parents /those with parental responsibility;
* Family members (including the wider family);
* Foster carers (current or former);
* Residential care staff;
* Suitably qualified, Health and Care Professions Council (HCPC) registered children's social work professionals who have led and been involved in an assessment of the child and family (and their first line manager);
* Professionals involved with the child (e.g. health visitor, school nurse, paediatrician, GP, school staff, CAMHS, early years staff, education welfare officers);
* Professionals with expertise in the particular type of harm suffered by the child or in the child's particular condition (e.g. a disability or long term illness);
* Those involved in investigations (e.g. the police);
* Involved third sector organisations;
* A professional who is independent of operational or line management responsibilities for the case as Chair. The status of the Chair should be sufficient to ensure multi-agency commitment to the conference and the child protection plan.

Invitations to conference should be provided to all professionals with a need to know or who have a contribution to the task involved. These may include:

* Local authority legal services (child protection), if it is anticipated that legal advice will be required;
* The child/ren's guardian where there are current court proceedings;
* Professionals involved with the parents or other family members (e.g. family support services, adult mental health services, probation providers, the GP, Health visiting;
* Midwifery services where the conference concerns an unborn or new-born child;
* Probation or the Youth Offending Team;
* Local authority housing services;
* Domestic violence adviser;
* Alcohol and substance abuse services;
* A representative of the armed services, in cases where there is a service connection;
* Any other relevant professional or service provider;
* A supporter / advocate for the child and/or parents (e.g. a friend or solicitor); solicitors must comply with the Law Society guidance '[**Attendance of solicitors at local authority Children Act Meetings**](http://www.lawsociety.org.uk/support-services/advice/practice-notes/attendance-of-solicitors-at-local-authority-children-act-meetings/)' and related '[**Code of Conduct (2011)**](http://www.sra.org.uk/solicitors/handbook/code/content.page)'.

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.

Professionals who are invited but unable to attend for unavoidable reasons should:

* Inform the conference administrator;
* Submit a written report; and
* Arrange for a well-briefed agency representative to attend and speak to the report;
* Agencies are expected to share a report about the child and family in written form with the family and other agencies as appropriate, prior to the conference, whether or not they are able to attend the conference. See [**Section 7, Information for the Conference**](http://northamptonshirescb.proceduresonline.com/p_ch_protection_conf.html#info).

Babies and young children should only be present during the conference with the prior agreement of the Chair as they may cause distraction from the focus of the meeting. Parents should be assisted to make arrangements for their care where necessary.

**Location, timing and safety for conferences**

The location and timing of the conference should be planned to ensure maximum attendance from the most critical attendees. In exceptional circumstances it may be considered for key professionals to contribute via conference calls. Conferences should not be scheduled for times when parents will be busy looking after children at home (e.g. after the end of the school day). Wherever possible, Children's social care should provide parents with the opportunity to utilise appropriate day care for their children to enable their attendance at the conference.

Children's social care is responsible for taking into account health and safety issues and security arrangements when planning each conference. See also [**Section 5, Exclusion of Family Members from a Conference**](http://northamptonshirescb.proceduresonline.com/p_ch_protection_conf.html#exclusion).

**Electronic and digital recording**

Advances in technology make the recording of meetings and other conversations e.g. via smart phones much more easily available to individual service-users. This may be simply because they wish to have a verbatim record of the conversation to refer back to, or because they have difficulties in following or recalling conversations. They may, however, seek to use the recording for other purposes such as admission into evidence in family court proceedings, or even for wider broadcast.

This may arise in the context of child protection/safeguarding meetings, private law or public law proceedings, and may involve recording of conversations between parents, between parents and professionals, conversations between parents and children or discussions in meetings.

The recording may take place overtly or covertly.

There are no specific legal restrictions on the recording of face-to-face conversations, whether this is overt or covert. Thus, whilst good practice would suggest that advance consent should be sought for any planned recording, a blanket ban on recording is unlikely to be lawful.

This is not a clear-cut area, and legal advice **must** be sought as appropriate. Practitioners should be mindful that covert recording may be taking place, and should endeavour to ensure that they do not make statements during 'private' conversations which they would not be prepared to hear produced as evidence in court.

If the scale or style of recording is excessive, oppressive or disproportionate, then this may cross a threshold. For example, a parent recording their questioning of the child in a manner which is oppressive may in fact be evidence of possible emotional abuse of the child by that parent.

Where the making of an audio or video record of a child protection/safeguarding meeting is proposed then this request should be considered by an LA senior manager who will consult participating agency managers and others as required, in the light of up-to-date local policy and legal advice.

In the case of child protection conferences the Conference Chair should determine the response in consultation with Conference members and/or by taking legal advice. For Core Group meetings the chair, often an LA Manager, or Lead social worker will determine the response.

In considering the request by any party, it should be ensured that agreeing to such a request will not impact on the quality of the information-sharing and discussion, or compromise the decision-making with regard to the safeguarding of the child. The interests of the child must be the primary concern and confidentiality must be observed.

Whilst the recording itself may well be legitimate, there may be restrictions on its use.

If a party seeks to admit such material into court proceedings, then it is at the discretion of the court whether to allow this or not. Such evidence will only be admitted if it is relevant to the issues in the case and not, for example, in furtherance of a personal grievance by a parent against a social worker.

The Data Protection Act 2018 does not apply to the processing of personal data by an individual in the course of a purely personal or household activity. However, the scope of this provision in the context of recording is not clear. Jackson J in M v F (Covert Recording of Children) [2016] EWFC 29 expressed the view that a similar exemption contained in the previous Data Protection Act (1998) was intended to protect normal domestic use, and would not cover the covert recording of individuals, and particularly children, for the purpose of evidence-gathering in family proceedings and Ward of Court proceedings.

Wider distribution of any material recorded as part of a child protection conference, for example, making such recordings available via the internet, would be in contravention of the General Data Protection Regulations and the Data Protection Act 2018. Such recordings are likely to contain information (including possible 'sensitive personal information') relating to third parties, and the distribution of such information so as to enable those third parties to be identified would be in breach of data protection legislation. If the issues in question are the subject of ongoing court proceedings, then there is also a possible contempt of court.

**Good Practice**

A clear process should be in place for dealing with requests to record meetings/conversations or for situations where it seems likely that covert recording is taking place or is likely to take place. It is preferable for this to be addressed with all service-users at an early stage, rather than waiting until the situation arises at the start of a meeting. The process should set out how the request should be made, who will consider the request and how far in advance of the meeting the request should be made. It should also make clear to the service-user the limitations upon the use of the recorded material, e.g. that it can only be used in relation to the ongoing family proceedings/child protection processes and cannot be broadcast more widely. The service-user will preferably be invited to sign to indicate their agreement to and understanding of these limitations.

It is important that each such request is considered on its own merits. If the decision-maker is minded to refuse the request, then legal advice should be sought.

For further information see [**Parents recording social workers - A guidance note for parents and professionals (The Transparency Project)**](http://www.transparencyproject.org.uk/press/wp-content/uploads/2016/05/Whymightparentswanttorecordmeetingsv2jan16.pdf).

**Conference quorum**

As a minimum quorum, at every conference there should be attendance by local authority children's social care and at least two other professional groups or agencies, which have had direct contact with each child who is the subject of the conference. In addition, attendees may also include those whose contribution relates to their professional expertise or responsibility for relevant services. In exceptional cases, where a child has not had relevant contact with 3 agencies (that is, local authority children's social care and two others), this minimum quorum may be breached.

In exceptional circumstances, the Chair may decide to proceed with the conference despite lack of agency representation. This would be relevant where:

* A child has not had relevant contact with 3 agencies (e.g. pre-birth conferences);
* Sufficient information is available from the relevant agencies; and
* A delay will be detrimental to the child.

Where an inquorate conference is held, the scheduling of an early review conference should be considered by the Chair. The Chair must ensure that the reasons for proceeding with the conference and any arrangements to safeguard the child in the meantime are noted in the conference records.

**4. Involving Children and Family Members**

It is important that the principles of partnership with children and parents are maintained in the child protection process. The following are minimum requirements for all attendees of the conference and the responsibility of the Chair of the conference to uphold:

* Parents must be invited and encouraged to participate in all child protection meetings unless it is likely to prejudice the welfare of the child;
* Parents should be supported to enable them to participate by timely preparation and information, such as leaflets, being provided about the process and their role;
* Advocates should be facilitated to support parents;
* A meeting with the conference Chair prior to the meeting should take place;
* Those parents for whom English is not a first language must be offered and provided with an interpreter, if required. This is the responsibility of the Children's social care lead social worker. A family member should not be asked or expected to act as an interpreter of spoken or signed language. See [**Working with Interpreters and others with Special Communication Skills**](http://northamptonshirescb.proceduresonline.com/p_work_interpret.html).

Exceptionally, it may be necessary to exclude one or more family members from a conference, in whole or in part. Where a parent attends only part of a conference as a result of exclusion, they must receive the record of the conference. The Chair should decide if the entire record is provided or only that part attended by the excluded parent (see [**Section 5, Exclusion of Family Members from a Conference**](http://northamptonshirescb.proceduresonline.com/p_ch_protection_conf.html#exclusion)).

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

The child, subject to their level of understanding, needs to be given the opportunity to contribute meaningfully to the conference.

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.

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 their wishes and feelings are made clear to all relevant parties (e.g. use of an advocate, written or taped comments).

**Criteria for presence of child at conference, including direct involvement**

The primary questions to be addressed are:

* Does the child have sufficient understanding of the process?
* Have they expressed an explicit or implicit wish to be involved?
* What are the parents' views about the child's proposed presence?
* Is inclusion assessed to be of benefit to the child?

The test of 'sufficient understanding' is partly a function of age and partly the child's capacity to understand. The following approach is recommended:

* A (rebuttable) presumption that a child of less than twelve 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 (also rebuttable by evidence to the contrary) that from the age of twelve and over, a child should be offered such an opportunity.

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

Consideration should be given to the views of and impact on parent/s of their child's proposed attendance.

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). Consideration must be given in particular to the extent to which it is appropriate for a child to hear details of a parent's personal difficulties and a parent's view about this must be respected.

In such cases, energy and resources should be directed toward ensuring that, by means of an advocate and / or preparatory work by a social worker, the child's wishes and feelings are effectively represented.

**Direct involvement of a child in a conference**

In advance of the conference, the Chair and social worker should agree whether:

* The child attends for all or part of the conference, taking into account confidentiality or parents and / or siblings;
* The child should be present with one or more of their parents;
* The Chair meets the child alone or with a parent prior to the meeting.

If a child attends all or part of the conference, it is essential that they are prepared by the social worker or independent advocate who can help them prepare a report or rehearse any particular points that the child wishes to make.

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

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

**Indirect contributions when a child is not attending**

Indirect contributions from a child should, whenever possible, include a pre-meeting with the conference Chair.

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

Childcare professionals should all be able to represent a child's views and a particular responsibility falls upon the social worker to do so. It is more important that the child feels involved in the whole process of child protection assessment rather than merely receiving an invitation to the conference.

**5. Exclusion of Family Members from a Conference**

The conference Chair, or other participants, must be notified as soon as possible by the social worker if it is considered necessary to exclude one or both parents for all or part of a conference. The Chair should make a decision according to the following criteria:

* Indications that the presence of the parent may seriously prejudice the welfare of the child;
* Sufficient evidence that a parent may behave in such a way as to interfere seriously with the work of the conference such as violence, threats of violence, racist 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). In their absence, a friend or advocate may represent them at the conference;
* A child requests that the parent / person with parental responsibility is not present while they are present;
* The presence of one or both parents would prevent a professional from making their proper contribution through concerns about violence or intimidation (which should be communicated in advance to the conference Chair);
* 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 different family members who may not be able to attend at the same time (e.g. in situations of domestic violence).

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 3 working days in advance, to the Chair of the conference.

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

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

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

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.

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 representative can fully present their information and views and also that the parents participate as fully as circumstances allow. This might mean that if the police representative is a police officer they may be asked to leave a conference after providing information. It is not appropriate for a police officer to administer a caution to parents prior to the conference; the purpose of the conference is to enable analysis and not to progress a criminal investigation.

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

If, prior to the conference, the Chair has decided to exclude a parent, this must be communicated in writing with information on how they may make their views known, how they will be told the outcome of the conference and about the complaints procedure. See [**Section 11, Professional Dissent from the Conference Decision**](http://northamptonshirescb.proceduresonline.com/p_ch_protection_conf.html#profess_dissent).

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. The Chair will determine whether or not the excluded parent should receive the record of the conference.

If a decision to exclude a parent is made, this must be fully recorded in the record. Exclusion at one conference is not reason enough in itself for exclusion at further conferences.

**6. The Absence of Parents and / or Children**

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:

* The use of an advocate or supporter to attend on behalf of the parent or child;
* Enabling the child or parent to write or tape or use drawings to represent their views;
* Agreeing that the social worker, or any other professional, expresses their views.

**7. Information for the Conference**

In order for the conference to reach well-informed decisions based on evidence, it needs adequate preparation and sharing of information on the child/ren's needs and circumstances by all agencies that have had significant involvement with the child and family, including those who were involved in the original assessment and the s47 enquiry. All reports must be clear and distinguish between facts, allegations and opinions.

**Children's social care report**

Children's social care should provide all conferences with a written report that summarises and analyses the information obtained in the course of the assessment undertaken in conjunction with the child protection enquiries under [**s47 of the Children Act 1989**](http://www.legislation.gov.uk/ukpga/1989/41/section/47) and information in existing records relating to the child and family. Reports to Review conferences should include a clear analysis of the implementation and progress of the Child protection plan including any new information or obstacles to implementation.

Where decisions are being made about more than one child in a family the report should consider the safeguarding needs of each child.

The record of the assessment by the social worker should form a part of the report.

The conference report should include information on the dates the child was seen by the social worker during the course of any s47 enquiries, if the child was seen alone and if not, who was present and for what reasons.

All children in the household need to be considered and information must be provided about the needs and circumstances of each of them, even if they are not the subject of the conference.

The social work report for an initial child protection conference should be provided to parent(s), any person with parental responsibility, or the adult caring for the child/ren and any older children (to the extent that it is believed to be in their interests) at least 3 working days in advance of an initial child protection conference and at least 5 working days in advance of a review child protection conference to enable any factual inaccuracies to be identified, any amendments made and areas of disagreement noted.

It is disrespectful to families to expect them to go into meetings and review information written about them without them being sighted on this prior to the meeting. Signs of Safety requires active involvement and engagement of children and families in changes identified to be necessary and this cannot happen without timely, transparent sharing of reports for conference.

This completed social work report should then be signed and dated by the Lead Social Worker and counter signed and dated by their Practice or Team Manager and made available to the conference Chair at least 2 working days before an initial child protection conference and at least 3 working days before a review child protection conference.

**Reports from other agencies**

Information from all agencies about their involvement with the family should be submitted in a written, legible and signed report for the conference. The report should be available to the conference Chair and other attendees 3 working days in advance of the initial conference and 3 working days before the Core Group prior to a review conference. All agencies should have a conference report proforma. The report should be discussed with the child, if appropriate and the family prior to the conference at the final pre-conference core group (to the extent that it is believed to be in their interests).

**Information from children and families**

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 (e.g. they may choose to communicate in writing, by tape or with the help of an advocate).

Families may need to be reminded that submissions need to be sufficiently succinct to allow proper consideration within the time constraints of the child protection conference.

See [**Section 4, Involving Children and Family Members**](http://northamptonshirescb.proceduresonline.com/p_ch_protection_conf.html#invol_ch_fam).

**8. Chairing the Conference**

**Conference Chair**

The Chair of a child protection conference will be a Children's social care manager or an independent Chair, accountable to the Director of Children's Services. They must not have or have had operational or line management responsibility for the case. Wherever possible, the same person should also chair subsequent child protection reviews in respect of a specific child. Independent Reviewing Officers who have had the necessary training and experience can also chair child protection conferences.

If a decision is made that a child requires a protection plan to safeguard their welfare, the Chair should ensure that:

* The risks to the child are stated and what is needed to change is specified;
* A qualified social worker is identified as a Lead social worker to develop, co-ordinate and implement the child protection plan;
* A core group is identified of family members and professionals;
* A date is set for the first core group meeting within ten working days of the initial conference and timescales set for subsequent meetings;
* A date for the child protection review conference is set;
* The outline child protection plan is formulated and clearly understood by all concerned including the parents and, where appropriate, the child.

If the conference determines that a child does not need the specific assistance of a protection plan but does need help to promote their welfare, the Chair must ensure that:

* The conference draws up a child in need plan or makes appropriate recommendations for a plan;
* The conference considers any local protocols in place referred to as "step down procedures" or Family Group Conference processes.

**9. The Child Protection Plan**

**Threshold for a child protection plan**

The conference should consider the following question when determining whether a child requires a multi-agency child protection plan:

* Has the child suffered significant harm? and
* Is the child likely to suffer significant harm in the future?

The test for likelihood of suffering harm in the future should be that either:

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

If a child is likely to suffer significant harm, then they will require multi-agency help and intervention delivered through a formal child protection plan.

The primary purposes of this plan are to:

* Ensure the child is safe from harm and prevent him or her from suffering further harm;
* Promote the child's health and development; and
* Support the family and wider family members to safeguard and promote the welfare of their child, provided it is in the best interests of the child.

**Decision that a child needs a child protection plan**

If a decision is taken that the child has suffered, or is likely to suffer Significant Harm and hence in need of a Child Protection Plan, the Chair should determine which category of abuse or neglect the child has suffered or is likely to suffer. The category used (that is physical, emotional, sexual abuse or neglect, see [**Responding to Abuse and Neglect Procedure**](http://northamptonshirescb.proceduresonline.com/p_respond_abuse_neg.html) for definitions) will indicate to those consulting the child's social care record the primary presenting concerns at the time the child became the subject of a Child Protection Plan.

The need for a protection plan should be considered separately in respect of each child in the family or household.

Where a child is to be the subject of a child protection plan, the conference is responsible for recommendations on how agencies, professionals and the family should work together to ensure that the child will be safeguarded from harm in the future. This should enable both professionals and the family to understand exactly what is expected of them and what they can expect of others.

The outline plan should:

* Describe specific, achievable, child-focused outcomes intended to safeguard each child;
* Describe the types of services required by each child (including family support) to promote their welfare;
* Set a timescale for the completion of the assessment, if appropriate;
* Identify any specialist assessments of each child and the family that may be required to ensure that sound judgements are being / can be made on how best to safeguard each child and promote their welfare;
* Clearly identify roles and responsibilities of professionals and family members, including the nature and frequency of contact by professionals with children and family members;
* Identify the resource implications for each agency as far as possible and determine the agency representation, who can commit agency resources, to the first core group meeting;
* Lay down points at which progress will be reviewed, the means by which progress will be judged and who will monitor this;
* Develop a robust contingency plan to respond if the family is unable to make the required changes and the child continues to be at risk of significant harm (e.g. recommend the consideration of legal action and the circumstances which would trigger this).

**10. Child Does Not Require a Protection Plan**

The conference should use the same decision-making process to reach a judgment for when a Child Protection Plan is no longer needed. This includes situations where other multi-agency planning might need to replace a Child Protection Plan.

**A child no longer needs a protection plan if:**

* A review conference judges that the child is no longer likely to suffer significant harm and no longer requires safeguarding by means of a Child Protection Plan;
* The child has moved permanently to another local authority when a Child Protection Plan can only cease after the receiving authority has convened a transfer Child Protection Conference and confirmed in writing responsibility for case management;
* The child has reached eighteen years of age, consideration should be given at the last review conference before they reach the age of eighteen of any need to be referred to Adult Care Services for Adult Safeguarding procedures;
* The child has died;
* The child has been judged by the SQAS Strategic Manager to have permanently left the UK.

**A child may no longer need a protection plan if:**

* A Court has made an order determining where a child is to live and the child is no longer living in the situation which gave rise to the decision to make her/him subject of a Child Protection Plan and there is no current plan for her/him to be returned;
* The child has become accommodated under s20.

When a child is Looked After via s.20 accommodation or is subject to a Court Order and is no longer living in the situation which gave rise to the decision to make her/him subject of a Child Protection Plan, with no current plan for her/him to be returned, her/his Child Protection Plan may be discontinued either:

* By means of a Review Child Protection Conference decision - should this be pre-timetabled to happen prior to the first LAC review;
* On request of the social work team and following written consultation by the SQAS team with the Core Group, or via minuted agreement of the Core Group to inform the LAC review process.

In the event that no objection is raised within two weeks of the request, the Child Protection Conference Chair Manager or Strategic Manager for the Safeguarding and Quality Assurance Service (SQAS) may agree to discontinue a Child Protection Plan without the need to convene a Child Protection Conference. The SQAS team will record the decision on the child's case record, notify the decision to those consulted and amend the CareFirst Child Protection Plan status.

In these circumstances the Care Plan for the Looked After Child must address any remaining risks or concerns and should include any elements of the Child Protection Plan that remain valid.

Should the Care Plan for a Looked After Child subsequently include returning the child to the situation that previously resulted in a decision to make her/him subject of a Child Protection Plan, or in the event that the Looked After Child ceases to be accommodated elsewhere, the social worker and their manager should discuss the need to convene a strategy discussion to initiate s.47 enquiries with a view to progressing to a further Initial Child Protection Conference. The reasons for the decision must be clearly recorded on the child's case file. Any initial Child Protection Conference must be convened within 15 working days of the strategy discussion that initiated the s.47 enquiries.

**11. Professional Dissent from the Conference Decision**

If an agency does not agree with a decision or recommendation made at a child protection conference, their professional dissent will be recorded in the record of the conference. The procedures to apply the [**Conflict Resolution Policy**](http://northamptonshirescb.proceduresonline.com/p_conflict_res.html) for professional disagreements should be implemented as soon as practicable after the conference has concluded.

**12. Complaints by Children and / or Parents**

Parents and, on occasion, children, may have concerns about which they wish to make representations or complain, in respect of one or more of the following aspects of the functioning of child protection conferences:

* The process of the conference;
* The outcome, in terms of the fact of and/or the category of primary concern at the time the child became the subject of a child protection plan;
* A decision for the child to become, to continue or not to become, the subject of a child protection plan.

Complaints about aspects of the functioning of conferences described above should be addressed to the conference Chair. Such complaints should be passed on to the Chair's manager in Children's social care and the local authority complaints manager. See [**Complaints in Relation to Child Protection Conference Procedure**](http://northamptonshirescb.proceduresonline.com/p_complaints.html).

Whilst a complaint is being considered, the decision made by the conference stands.

The outcome of a complaint will either be that a conference is re-convened under a different Chair, that a review conference is brought forward or that the status quo is confirmed along with a suitable explanation. The below leaflets should be made accessible to parents and families.

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

**13. Administrative Arrangements for Child Protection Conferences**

Children's social care is responsible for administering the child protection conference service.

The Northamptonshire Safeguarding Children Board has clear arrangements for the organisation of child protection conferences including:

* Arrangements for sending out invitations to children, parents and professionals;
* Information leaflets for children and for parents translated into appropriate languages.

All conferences are recorded by a dedicated person whose sole task within the conference is to provide a written record of proceedings in a consistent format. Alternatively, an audiotape or digital recording may be used in some circumstances.

The conference record, signed by the conference Chair, should be sent to all those who attended or were invited to the conference within **20** working days of the conference. Any amendments should be received within one week of receipt of record.

A copy of the conference record should be given to and discussed with the parents by the social worker within 20 working days. The conference Chair may decide that confidential material should be excluded from the parent's copy. The Decision letter should be sent to parents within 24 hours of the Conference taking place and after consideration of safety concerns e.g. in cases of domestic violence and abuse.

Where a friend, supporter or solicitor has been involved, the Chair should clarify with the parent whether a record should be provided for those individuals.

Relevant sections of the record should be explained to and discussed with the child by the social worker.

The conference Chair should decide whether a child should be given a copy of the record. The record may be supplied to a child's legal representative on request.

Where parents and / or the child/ren have a sensory disability or where English is not their first language, the social worker should ensure that they receive appropriate assistance to understand and make full use of the record. A family member should not be expected to act as an interpreter of spoken or signed language. See [**Working with Interpreters and others with Special Communication Skills**](http://northamptonshirescb.proceduresonline.com/p_work_interpret.html).

Conference records are confidential and should not be shared with third parties without the consent of either the conference Chair or an order of the court.

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

The record of the decisions of the child protection conference should be retained by the recipient agencies in accordance with their record retention policies.

**Decision letter**

The outline plan, signed by the conference Chair, should be sent together with the decision letter, to all those who attended or were invited to the conference, including the parents and where appropriate the child, within one working day of the conference. The letter should give details of conference decisions and recommendations, the name of the social worker and details about the right to complain. Safety concerns should be considered when sending any documents to parents particularly in cases involving domestic violence and abuse.

**Managing and providing information about a child**

Children's social care should designate an experienced social care manager who has responsibility for:

* Ensuring that records on children who are subject of a child protection plan are kept up to date;
* Ensuring enquiries about children about whom there are concerns or who are subject of child protection plans are recorded and reviewed in the context of the child's known history;
* Managing notifications of movements of children who are subject of a child protection plan, looked after children and other relevant children moving into or out of the local authority area;
* Managing notifications of people who may pose a risk of significant harm to children who are either identified within the local authority area or have moved into the local authority area;
* Managing requests for local authority checks to be made to ensure unsuitable people are prevented from working with children. E.g. prospective child minders, foster carers etc.

Information on each child known to Children's social care should be kept up-to-date on the electronic record system. This information should be confidential but accessible at all times to legitimate enquirers. The details of enquirers should always be checked and recorded on the system before information is provided.