

GUIDANCE FOR THE WRITING OF STATEMENTS REQUIRED FOR COURT IN CARE PROCEEDINGS UNDER THE REVISED PUBLIC LAW OUTLINE

As someone providing direct support and intervention to a child at risk of significant harm you may be asked to provide a statement following a Public Law Outline meeting and/or to support court proceedings in respect of vulnerable children. It is important that the statement is of good quality and provides the parties to the case and the Court with relevant information to assist in future decision making for the child. The statement should provide a clear chronological account of the worker and service involvement with the child/family.

All information should be accurate and relevant and be as concise as possible. Please note full records may be requested by any party in proceedings.

Statements and reports for the Public Law Outline meeting and for Court should always present a balanced objective view of the child and their family circumstances; it should accurately note all protective as well as risk factors to the child.

If you are noting information given to you by a third party e.g. neighbour, family member or other agency; wherever possible, the identity of the source of information should be made available. If, however, there are issues of confidentiality, then draw this to the attention of the solicitor allocated to the case. If you are including sensitive or contentious information this must be discussed with your line manager. It is also important that you discuss with your manager any issue regarding third part disclosure.

In all instances, before a statement is submitted under the Public Law Outline and to Court it must be shared and quality assured according to your service agreement.

The statement should be marked 'what – confidential or protect' with each page numbered. The main body of your statement should not exceed approximately 3 to 5 pages in total. Paragraphs within the sections of the main body of the statement should be numbered, e.g. in section 5, number the paragraphs 5.1, 5.2, 5.3 etc. The standard font to be used is "Arial 12".

Remember that your statement will be seen by a number of people including parents, and may be used in legal evidence, sometimes by opposing parties. The statement should be written in a way that is clear for all parties to understand including full explanation of any medical terms or conditions.

1. INTRODUCTION/FRONT SHEET

- Set out your full name and qualifications, who employs you, where you are based and your job role. This will enable the court to have an understanding of the person writing the statement.

- State what documents you have seen to assist you in the making of your statement.
- State why and when your involvement with the family began, who requested the statement from you and why.
- State who the statement relates to and how long services have been involved with the family.

2. FAMILY COMPOSITION

- You should put down all the names and dates of birth of all the children and adults in the family and the addresses at which they live. **Foster carer's** details [names and addresses] must not be disclosed – it is sufficient to say the child is in a foster placement. You should not detail the names of other children in the placement.
- You should set out who and which of the above are full or half siblings to your knowledge and clarify the status of relationships between adults if known.
- You should also detail any other significant family members/partners who are living at the property or elsewhere.

3. SUMMARY OF VISITS / CONTACTS WITH FAMILY

- A full chronology will not usually be required as a summary of contacts/significant events will provide sufficient information. If unsure about the requirement for a full chronology discuss this with the Safeguarding Children Team
- Significant events can be described further in the main body of the statement.
- This part of the statement should include details about historic and current involvement, including any specific interventions you have undertaken
- State the number of visits / contacts/ meetings with the family, indicate how many were planned and how many were no access visits or failure to attend pre-arranged clinic appointments. For example: 20 home visits of which 12 were no access visits; 12 non-attendances at clinic appointments.

MAIN BODY OF THE STATEMENT

4. CHILDREN'S HEALTH AND DEVELOPMENTAL NEEDS

For each child this may include:-

- A summary of growth and development

- Access to appropriate healthcare, i.e. immunisations, appropriate health assessments, hospital / GP/ other medical appointments including dental and optical care.
- Any referral made to any other agencies, including outcomes where known.
- Access to and use of appropriate health advice and information, for example diet, management of health conditions, safe sleeping
- Feeding/diet based on developmental stage and any special requirements
The impact of any disability or impairment and of any potential impairment
- Significant issues relating to the child's cognitive development e.g. opportunities for play and interaction, attendance at school
- The nature and quality of attachment to parents/carers, whether the child has a stable and affectionate relationship with parents
- Whether the child is dressed appropriately for their age, gender, culture and religion and discuss cleanliness and personal hygiene
- If there are recorded weights of children, these should be set out and where they are on the centile. Any faltering growth should be detailed. Feeding routines – if relevant should be included.
- In the case of a child whose injuries have been found by the practitioner completing the statement include a concise account of how and when the injury occurred and the nature of the injury from the records
- Where the child is unborn include information that may impact on maternal or child health for example medical or obstetric history

5. ISSUES AFFECTING PARENTS CAPACITY TO MEET CHILDREN'S NEEDS

This section should include evidence of the parents/carers ability to meet the needs of the child over time including providing basic care and ensuring safety.

The statement may contain comments and observations about the relationship between the parent and child including emotional warmth, providing a stable family environment, home conditions, guidance and boundaries and play and stimulation.

The statement should include information about contribution of each parent and significant adults in providing care if known or documented in the records.

The statement should include parental motivation to work with agencies if known or recorded.

Where there are concerns about parenting capacity the statement should include specific information about assessment of parenting capacity detailing:-

- The type of assessment, it's purpose and any subsequent interventions
- The desired outcomes for the child
- The impact and effectiveness of any intervention, arising from the assessment in improving the child's outcomes

- Any contributing factors as to why/why not the intervention made a difference to the child for example parental engagement, parental motivation to acknowledge, implement or sustain changes etc

Where the child is unborn details of engagement with services and ante-natal care should be included, any assessments completed, details about relationships and partner, expectations of pregnancy /birth becoming a parent and knowledge and understanding of identified risks.

Where there are any particular health issues for the unborn infant arising from the mother's lifestyle you may also wish to consider commenting on what advice and guidance was provided and how this was responded to.

6. ISSUES RELATING TO THE FAMILY HISTORY AND FUNCTIONING

This section should include information about factors within the family or environment which are significant for the child including changes in the household or family composition. Consider the home conditions, employment, income and factors relating to the wider family or community. If you have observed poor home conditions you should detail when and explain the nature of your concerns and any action taken including any advice given.

7. ANALYSIS AND CONCLUSION

This part of the statement requires information about how the child's needs are being met and their safety/welfare promoted.

The analysis should consist of a summary of risk and protective issues.

The parent's ability to accept concerns needs to be commented upon as well as their ability to have any insight about their lifestyle and also to act upon any advice given and any issues that require urgent intervention. You should also consider reflecting on their overall motivation to implement and sustain change, as well as the timescale required to achieve this –considering whether this aligns with the child's need.

If the family /child require support you need to set out what support they would need and the outcomes required for the child.

If you have seen the child following their removal from home and placement in Local Authority care you need to comment upon any changes that you have seen in the child –this may include developmental progress, weight gain, changes in presentation or behaviour. It is important to comment on knowledge of child's experience in the care of parents and the impact for the current placement.

If you are providing additional information – for example a growth chart or assessment pro-forma these need to be referred to in the body of the statement and marked and numbered and attached at the end of the hard copy.

END OF STATEMENT/DECLARATION

At the end of the statement the following declaration should be included:

“I believe that the facts stated in this statement are true. I am able to provide further specific information on request in relation to this statement if required.

The statement needs to be signed and dated in hard copy prior to submission to Children’s Services Legal Department.