



## **Pre Proceedings Policy 2024**



This policy sets out the framework for good practice in relation to the pre proceedings process. The following principles apply to pre-proceedings work undertaken in Swindon:

Care Proceedings should be seen as a last resort for children. The Public Law Outline (PLO) introduced a period of time prior to any initiation of Care Proceedings which is described as Pre-proceedings.

The PLO pre-proceedings process represents a genuine opportunity to work closely with families by offering help and support to address their recognised needs to negate the need to issue care proceedings;

Entering the pre proceedings process should only happen where the Local Authority are seriously considering and attempting to avoid commencing care proceedings. The establishment of threshold is only one of the factors to be considered alongside proportionality, least interventionism and the welfare of the child.

Working in partnership with families requires a collaborative approach to identifying issues together and co-producing a plan to support change;

The welfare of the child is paramount. The voice of the child along with their wishes and feelings should be given appropriate consideration and weight.

The decision to initiate court proceedings should be taken by a designated senior manager within the Legal Gateway Process;

It is crucial that the parents clearly understand the PLO pre-proceedings process and what is expected of them; and,

In respect of new-borns, if the local authority comes to an early view that proceedings will be issued at birth, then draft documents should be ready to send to parents or their legal representatives before the child's birth.

### [Legal Framework:](#)

In order to commence the pre-proceedings process the Local Authority must establish that the threshold for significant harm is met. The threshold is the factual basis on which the Local Authority asserts they have grounds to enter public law proceedings or pre-proceedings.

The threshold to commence pre proceedings is the same as it is to commence an application for a Care or Supervision Order and is set out in Section 31 (2) of the Children Act 1989 being that:  
A Court may only make a Care or Supervision Order if it is satisfied –

- a) that the child concerned is suffering, or likely to suffer, significant harm;  
and
- b) that the harm, or likelihood of harm is attributable to –
  - (i) the care given to the child, or likely to be given to him if the order were not made, not being what it would be reasonable to expect a parent to give him; or
  - (ii) the child's being beyond parent control.

The Local Authority need only establish there is reason to believe threshold is made out on a balance of probably to commence either process.

Although, the threshold for pre-proceedings is the same as for an order to be made, the pre proceedings process is used to create an opportunity to work with the family to address and reduce the risks of significant harm to children and avoid issuing proceedings.

Threshold whilst the primary consideration is not the sole consideration and the Local Authority should be mindful of S.1 Children Act 1989 when considering the steps to take, specifically the welfare checklist, the least interventionist or no order principle and proportionality.

It should be remembered that even when threshold for significant harm is met wherever possible work should be undertaken through child in need and child protection as long as it is safe to do so.

### [Pre-Proceedings](#)

Pre-proceedings is sometimes described as a last chance for parents to make changes. Pre-proceedings is an important intervention for children and their families as it can divert the need for proceedings and potential separation of children from their family.

Additionally, it offers preparation for potential proceedings to ensure a clear outcome, and limited delays if Care Proceedings are subsequently initiated.

It is imperative that timescales are adhered to, and the Local Authority acts within the best interests of the child to ensure their future life outcomes are not further compromised.

Pre-Proceedings should end no later than 12 weeks to be effective and should be reviewed at 6-weeks. It should be made clear to families what the concerns are and how they can be addressed through a detailed and agreed pre-proceedings plan.

The Local Authority should always work in partnership with parents to divert and avoid court proceedings where it is safe and in the best interests of the child. Planning should be effective, providing appropriate interventions to safely manage potential significant harm. The process should, if deemed necessary, identify, and assesses potential alternative carers. Permanency should be considered at the earliest opportunity.

Assessing parenting capacity should be progressed at the point of referral and should continue throughout the Local Authority's intervention. Wherever possible the parenting assessment will be completed prior to Legal Gateway. This will facilitate a clear understanding of what the parents need to undertake to avoid an application to court. Any specialist assessment identified should be undertaken at the earliest opportunity prior to Legal Gateway.

Pre proceedings will initiate existing assessments being updated and reviewed.

## [Legal Gateway Panel \(LGWP\)](#)

All children where we wish to enter into pre proceedings must be considered at the Legal Gateway Panel (LGWP) except for cases requiring urgent safeguarding.

Any family presented to LGWP should have received support through child in need and child protection processes with analysis as to why any harm cannot be managed or has not been managed through those processes. A decision to take the child to LGWP should be made by the social worker and their line manager, with oversight from their Service Manager and there should be evidence that the child meets the threshold for legal intervention in the referral to LGWP.

LGWP should be chaired by a designated senior manager. Attendees should include:

Local Authority solicitor; a minute taker; care proceedings and court manager; representatives from other services, such as the placement team, SGO, adoption; and for each child brought to the meeting; team manager, social worker, and adult practitioners from FST where appropriate.

To inform the decision at LGWP the social worker should provide:

An up to date Genogram that includes three generations; a chronology; the child protection plan; pre-proceedings plan; draft pre-proceedings letter; and a child and family / parenting assessment written within the last 6 months, this should include the impact on the children of parent's behaviour and any resultant harm.

In making the decision the LGWP members will have access to the above which will inform the following decisions:

- a. whether the legal threshold for significant harm has been met;
- b. whether the legal threshold for separation has been met;
- c. the need for any further specialist assessments if required for a defining issue.
- d. whether to issue proceedings / enter pre-proceedings;

## [Timescales](#)

The duration of the pre-proceedings process will commence from the date of the first pre proceedings meeting at which the plan will be agreed with the parent(s) including the date of review meetings (which need to be at 6-weeks).

The pre-proceedings letter will be sent within a maximum of 2 working days of the LGWP.

A pre proceedings meeting with the parents will be held within 10 working days of the LGWP.

The whole process should last a maximum of 12-weeks – there will be a midway review outside of LGWP. A final decision to issue/step down from pre proceedings will be made at LGWP at week-12 (or earlier if there is an escalation)

All minutes of pre proceedings meetings will be added to the child's file within 72 hours of the meetings.

See below for flowchart and detailed guidance on the letter before proceedings and the first pre proceedings meeting with parents.

## Pre Proceedings Letter

When a decision is made to enter pre-proceedings process, parents need to be advised verbally and in written form that proceedings are being considered in respect of their child, and that they need to attend a meeting to explore alternative options to keep the child/ren safe.

This is known as a Pre Proceedings Letter (see appendix A for a suggested template). A draft pre proceedings letter should be brought to Legal Gateway. The letter should clearly outline the worries; the support the Local Authority has provided and what the family need to do to ameliorate concerns.

After Legal Gateway the Pre Proceedings letter should be finalised and sent to Legal Services to check. This is an important document, it informs parents/carers, that the Local Authority are considering proceedings in respect of their child. The letter will encourage parents/carers to seek legal advice immediately and will include a list of child law accredited local solicitors that the parents can contact, along with the draft pre proceedings plan; and a Family Group conference and Pre proceedings information leaflet. The letter will advise parent's that they need to attend an initial pre-proceeding meeting with a solicitor to explore alternative options to keep the child(ren) safe and can refer to any current/ past plans and assessments in respect of the child.

Special consideration should be given to those families where English is not their first language, or where there are concerns the parent or those who have parental responsibility, may struggle to read or have a learning disability. Consideration should be given as to whether a discussion involving an interpreter, advocate/and or legal representative should take place prior to sending out the letter or whether some additional documents might be helpful to fully explain what the worries are (such as use of images/pictures etc). The letter must encourage the parent and those with parental responsibility to read the information thoroughly with a solicitor, advocate, or support worker.

Once a final pre proceedings letter has been agreed, practitioners should hand deliver the letter and go through the content of the letter and plan verbally to offer parents, and those who hold parental responsibility the opportunity to discuss its contents and any additional information prior to the pre-proceedings meeting.

## Child's views:

Children's views are integral to any plan. The Local Authority need to ensure that they use creative approaches, observations, and interpretation of children's behaviour and views whatever their age, understanding or ability.

## Pre-Proceedings Meetings

Children's views, wishes and feelings should be considered within this meeting.

A pre-proceedings meeting should be held no more than a maximum of 10 working days following the LGWP. It should provide reasonable notice for those caring for the child/ren to attend any planned meetings with their chosen solicitor. It is important that the parents clearly understand this process and what is expected of them. Any learning /disability/language/literacy need should be considered

and the use of advocates and interpreters considered where necessary.

The meetings must be chaired by an experienced designated manager and should have the attendance of parents, their legal representative, the Local Authority social worker, team manager, and the Local Authority's legal representative. Parents should have joint meetings unless it is necessary to hold separate meetings. The withholding of consent for information sharing by either parent within the process is not a reason to have split meetings. However, parents may have to leave the meeting while some issues are being discussed and then join for the wider plan to be determined as should be the case at conference.

Parents can also be supported by wider members of the family, an advocate, support worker, or friends within their meeting. The other parent would need to consent to non-legal representatives joining the meeting.

The aim of the meeting is to set out the clear expectations of what improvements need to be made, and to consider and agree the draft plan. It will also discuss options should the plan not be successful which could include the initiation of Care Proceedings, placement with wider family/network, or adoption.

This plan should be reviewed in accordance with the child/ren's needs within 6 weeks (midpoint review), between the Court and Pre proceedings managers, the allocated Social Worker and the Team Manager.

Parallel Planning and any additional specialist assessments not completed, but considered necessary.. This can include viability assessments to identify potential carers and updating assessments. There should be a copy of the minutes which should be made available to the parents and their solicitor and children should be advised of the outcome of the meeting in a child focussed and age-appropriate manner.

### Specialist Assessments

Prior to entering pre-proceedings, the Local Authority should have completed relevant assessments so that parents have access to the right support in a timely manner. Assessments should be up to date at the point of pre proceedings. In some circumstances, specialist assessments may be necessary if the view is that the Local Authority does not hold the knowledge or expertise on a defining issue:

- Human Rights assessments;
- Specialist cognitive assessments;
- Psychological / Psychiatric assessment;
- Drug and alcohol testing;

### Outcomes

The overriding aim of the pre proceedings process is to avoid commencing care proceedings without causing delay in permanence planning for children. Therefore, while the process should be completed within 12-weeks if it is possible to extend this timeframe should there be purposeful reason to do.

The outcome of the pre-proceedings process should be clearly and succinctly summarised at the end of the process.

The decisions at the end of the pre-proceedings process are as follows:

- to commence proceedings (see Appendix B suggested letter).
- 'step out' of the pre-proceedings process.

The deciding factor should always be the welfare of the child.

If the decision is made to 'step out' of the process, the family should be informed in person . A step out letter should also be sent (see appendix C).

If there is a decision to issue care proceedings, then the parent(s) should be informed of this in person during a pre proceedings meeting. Following this the social worker will send the parents/those with parental responsibility a letter of issue (see appendix B) which states that proceedings are being initiated. The letter should not be overly legalistic and should be easy to understand. The social worker and Local Authority legal team will then prepare the documents that are required to be produced for Court.

Care proceedings should not take longer than 26 weeks. Proceedings should be issued on a final care plan as all the necessary assessments and investigations of the possibility of extended family caring for the child will have been undertaken during pre-proceedings.

# PRE-PROCEEDINGS FLOWCHART

Two weeks before pre proceedings meeting

## Week -3

Permission sought from SM to hold an LPM.

Social worker sends LGWP documentation to panel admin & legal by noon on Thursday.

PAPERWORK:

- Genogram
- CP / CIN mins
- Parenting Assessment / stat assessment / Parent Assess / Family Programme
- Any other expert assessments completed as part of front loading, e.g. cognitive, psychological, psychiatric, risk, forensic, DNA, HST
- FGC family plan

A LPM will be arranged giving legal advice re: threshold. The LPM will consider the plan and threshold and ensure that the case is ready to be presented to LGW. All timescales will be planned with a view to complete within 12-weeks.

PAPERWORK -As above plus:

- Completed pre proceedings letter
- Social work pre proceedings plan

## Week -2

The family will be presented to LGWP on the Monday after, 12 days after submission of paperwork. The LGWP decides if any additional expert assessments are **necessary** and gives permission to enter into pre proceedings

The pre proceedings letter should be hand delivered to the parents along with the draft social work pre proceedings plans

Week Zero

## Week 0 Pre-proceedings meeting with family

The social work pre proceedings plan including all actions, addendum assessments (as all assessment should have been completed before pre proceedings), any additional expert assessments and expectations are agreed with parents and their solicitors during the pre-proceedings meeting.

Date for pre proceedings review meeting is set with both parents at 5-weeks

Experts are instructed.

Week 6-11

## Week 6-10

Parenting assessment addendum to conclude.

Midway review of any SGO / connected carers assessment

Sibling assessment to conclude.

SW makes sure that the family are receiving the additional support being offered

## Week 11

SW finalises their addendum assessment.

Completed assessment is sent to legal and review LPM to occur

Legal to check and share assessments with parents in preparation for final pre proceedings meeting

Week 12

### Week 12

Attendance at LGWP for permissions and next steps

#### PAPERWORK:

- Genogram
- CP / CIN mins
- Addendum Parenting Assessment / stat assessment / Parent Assess / Family Programme
- Any other expert assessments completed as part of front loading or pre proceedings, e.g. cognitive, psychological, psychiatric, risk, forensic, DNA, HST
- FGC family plan

If the LGWP makes a decision to exit pre proceedings, the process ends at the point of the meeting with the parents.

**Second pre proceedings meeting**  
SW gives the parents the letter to confirm the step down.

If the LGWP makes a decision to issue, the process ends at the point of issue.

#### Second pre-proceedings meeting

SW and parents' lawyers give the parents the letter of intent to issue prior to the meeting & in the meeting ensures that they understand the process and that there is nothing else the family can offer as an alternative at this time

If the LGWP decides to extend the PLO process for a further 4 weeks.

#### Second pre proceedings meeting

SW gives progress reports from the professionals supporting the family and, on the assessments, completed by the SW team. Clear plan is

Week 13

#### Urgent cases

QA evidence to Legal within agreed timescales (not more than 3 days)

#### Non-urgent cases

QA'ed evidence to Legal within 5 working days of decision to issue at LGWP

Week 16

### Week 16

Final assessments completed

Review LPM to happen

Attendance at LGWP for permissions and next steps - PAPERWORK as above, including any further addendum assessments

Third review pre proceedings meeting with parents - The SW will share either the letter to confirm step down, or the letter of intent to issue prior to the meeting & this is discussed within the meeting



## Appendix A Pre-proceedings letter and information about solicitors and FGC



**Childrens Services**  
Civic Offices, Euclid Street  
Swindon, SN1 2JH  
**Tel:** 01793 463000  
**Fax:** 01793 463948  
**Minicom:** 01793 436659

**Insert Name and Address**

Please ask for: **Social Worker Name**

Direct Dial No: **Social Worker number**

Email: **Social Worker email**

Our Ref: **Child/ren's ID**

Your Ref: **Surname**

Date: **TBC**

Dear **[first name of parent and or person with parental responsibility]**

**RE: Swindon Borough Council's worries about [insert name(s) of child(ren)] – Pre-proceedings letter**

**MEETING: [insert TIME AND DATE]**

As you know we have been working with you to try to help you improve the care of your children. Unfortunately, despite our support you are still struggling to care for (insert names) and keep them safe, so we are writing to let you know what is going to happen next.

We want to support you to be able to care for (insert names) without Local Authority involvement. If you are not able, with support, to make the improvements needed then we may need to go to court to ask a Judge to help decide whether (insert names) would be better cared for by someone else.

We would like to avoid this if we can because children should, as long as it safe to do so, remain with their families, and we want to work with you to enable (insert names) to stay at home in your care. To give you the best chance of avoiding court proceedings we have attached to this letter an outline of our worries along with what we would like you to do, with support, to improve things for (insert names).

### **Important Meeting.**

To enable you to be able to express your views and be fully involved in how we can work together to make the changes needed to ensure (insert names) are safe we would like to invite you to an important meeting.

The meeting has been arranged for (time/date) and it will be face to face. If this date and time is not right for you then please tell us so that an alternative one can be arranged for you.

If you would like a family member or friend to attend the meeting with you then please let us know beforehand so that we can explain to you what this may mean in terms of them hearing information which may be personal and sensitive to you.

**Legal Advice – We strongly recommend you take this letter to a solicitor.**

It would be really helpful to you if you take this letter to a solicitor, who will be able to give you advice and come to the meeting with you. You will not have to pay for this. To help you we have included a list of local solicitors who specialise in family/child care law. Their advice is completely separate from Children's Services. If you need any help with this then please let us know.

Your solicitor will need to know the details of the legal contact in the Local Authority, which are (name email etc).

I know this letter and its contents will be difficult and stressful for you. It would therefore be helpful if you can talk to your family about what support they can give you both individually and in caring for (insert names). We all need to work together with you and your family to make the changes needed to ensure (insert names) are safe and well cared for.

It is really important that you come to this meeting. It is a chance to go through the concerns with you and to help you understand what needs to happen to prevent us going to court.

We know that this may feel overwhelming and frightening and we want to help and support you as much as we can but most importantly we would like you to attend the meeting.

If you do not understand any part of this letter then please contact me as soon as possible so we can talk you through with you.

Yours sincerely,

[name]

**Social Worker**

Copy to: Social Worker Team Manager

Enclosures: Leaflet providing more information  
List of concerns  
List of Children Panel solicitors

### **What's working well and is positive for your children**

### **What we and other professionals have done to support your family**

### **List of Concerns**

These are the main worries we have and the ones which have the most effect on (names). We need to work together to see if we can improve things so that (names) are happy, healthy and safe.

Everything we ask you do is to improve the lives of (names). Some of the worries we have are more serious than others, so we would like you to concentrate on those changes first to ensure it is safe for (names) to stay at home and avoid us going to court.

Example: We are worried that by drinking so much you will neglect (names) and that you will get into arguments with (name) which is frightening for (names). To help you manage how much you drink we would like you to talk to someone about it.

Example: We think it would help if we asked for a psychological/psychiatric/specialist assessment to help us understand what support/help you might need in the future to enable you to look after (names safely).

LIST OF SOLICITORS  
EXPERIENCED IN CHILD CARE WORK

**Swindon**

Bevirs Solicitors,  
36 Regent Circus, Swindon SN1 1UQ Tel: 01793 532363  
Contacts are: **Claire Webb** (338) **Rebecca Scammell** (ext 327), Emily Clayton-Lang (ext 322) Michelle Godwin (ext 335) **Harriett Woodman**

Child Law Partnership  
3 Newbridge Square, Swindon, SN1 1HN 01256 630080  
Contacts are Mohima Miah-Khan, Hannah Kelly, **Justin Belcher**, Natasha Atkins,

Reeds Solicitors,  
10 Commercial Road, Swindon SN1 5NF  
Tel: 01793 683989  
Contacts are: **Jessica Reddy**, Roberta Jackson, Jess Cantu

RWK Goodman LLP Solicitors,  
34 Regent Circus, Swindon, SN1 1PY 01793 847777  
Contacts are: [Kim Moules, D: 01793 516831 T: 01793 847777 ext: 1421 M: 07557 740572](tel:01793516831)  
**Tracy McCormack**, D: 01225 730233 T: 01793 847777 ext: 1462  
Georgina Hancock

Wilsons Solicitors,  
The Parade, Swindon, SN1 1BB  
Tel: 01793 781979 / 01865 874497  
Contacts are: Sebastien Wilson, Laurence Wilson

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**Melksham**

Wansboroughs, Solicitors,  
Oakwood House, 7 Spa Road, Melksham, SN12 7NP.  
Tel: 01225 896100  
Contacts are: **Naomi Owen**, Kelly Davy and **Anne Goodenough**

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**Bath**

RWK Goodman LLP Solicitors,  
5-6 Northumberland Buildings, Queen Square, Bath. Tel: 01225 425731 / 01225 730100  
Contacts are: Sophie Webb  
**Richard Ellis** Direct Dial 01225 730181 ext: 1226 Mobile 07970296863  
**Emma Young** Direct Dial 01225 459923 T: 01225 730100 ext: 1252

Stone King Solicitors,  
13 Queens Square, Bath BA1 2HJ Tel: 01225 337599 / 01225 478177  
Contacts are: Ruth Slader Direct dial: 01225 326786 | Ext. 2084 | Mobile: 07966 144319  
Daniela Nickols Direct dial: 01225 485719 Mobile: 07717476082  
Harriet Woodman Direct dial: 01225 369001

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## **Bristol**

Bobbetts Mackan Solicitors,  
17 Berkeley Square, Clifton, Bristol BS8 1HB Tel: 0845 1202350  
25 Trenchard Street, Bristol, BS1 5AN Tel: 0117 9299001  
Contacts are: Sally Mitchell and Emily Price

Daniel Woodman  
41-43 High Street Hanham, Bristol, BS15 3DQ Tel: 0117 967 9800  
**Ruth Slader, Rebecca Cook, Rachael Heale**

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## **Berkshire**

Albin & Co. Solicitors,  
46A West Street, Reading, RG1 1TZ  
Tel: 0118 9574018  
Contact is: Ranjit Jhaghra

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## **Oxfordshire**

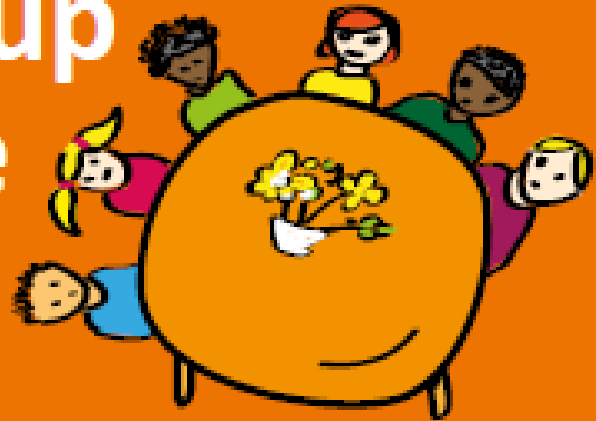
Boardman Hawkins and Osborne LLP  
1-3 Ock Street Abingdon, Oxfordshire, OX14 5AL  
Tel: 01235 425500  
Contact is: **Ruth Hawkins, Emily Boardman**, Irena Osborne

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## **Gloucestershire**

WSP Solicitors Limited  
3-7 Rowcroft, Stroud, Gloucestershire, GL5 3BJ, England Tel: 01453847200  
Contact is: **Lydia Andrews**

# Family Group Conference Service



**Your Family... Your Meeting...  
Your Decision!**

*“The meeting went really well it came together and we were all there for the same reason. We were able to really get to the bottom of what needs to change and as a family get there together.”*

**Aunt**

Your coordinator's contact details :

Sally Gregory

Everleigh centre

Everleigh Rd Swindon

01793 465111

07881281801

*“The coordinator really listened to me and the meeting was about what we wanted and what we needed, we got to choose where it was, when it was, who came and even what snacks were there! It wasn't like other meetings I have been to.”*

**Mother**

# What is a FGC?

A Family Group Conference is your opportunity with your family to talk about worries that you, or people working with you have for your child(ren). The meeting is an opportunity for you and your close family and friends to make a plan to make things better. The plan is yours as a family and can include any ideas you or any other members of your family or friends have, to try and support you or your child(ren).

## What happens at your FGC?

**Step 1** - Introductions, discussions with the referrer and the questions for the conference and what must happen is written down.

**Step 2** - Private family time. Professionals and coordinator leave and allow family to talk about the ideas they have.

**Step 3** - Review and agree the plan. As long as the plan keeps the child safe and the plan will not harm the child this will be agreed.

**Step 4** - Reviewing; a review will be set to check on the progress of the plan.

## Who will be there?

- You and family and friends who are important, and can help support you, your family and friends who are important, and can help support you and your family. You will need to be happy with those attending having information about your family.
- Your Coordinator, who can start and coordinate the meeting for you. They will visit you and your family to discuss the FGC before it happens so there will be no surprises.
- The Referrer, to answer any questions you have.
- An Advocate, someone who can help share the views of the child or adult.

You will be given an evaluation form at the end of the FGC to complete, but should you wish to discuss any aspect of this or the process at anytime please contact your Coordinator, the Senior Coordinator or Team Manager on 01793 430334

## **Appendix B**

### **Letter of intention to issue Court Proceedings**



**PRIVATE & CONFIDENTIAL  
BY HAND**

Your Ref:  
Our Ref:  
Please ask for:  
Direct line /  
Extension:  
E-mail:  
[Date]

**DO NOT IGNORE THIS LETTER – TAKE IT TO A SOLICITOR**

**Dear [first name of parent and or person with parental responsibility],**

**Re: [name of child/ren]**

As you know I have been working with you to try to help you improve the care of your children. Unfortunately, despite our support you are still struggling to care for (insert names) and keep them safe, so I am writing to let you know what is going to happen next.

Other professionals working with you are also worried about the safety and wellbeing of (names) and although we have set out our concerns and worked with you to support your care of the children, things have not improved enough.

We now intend to apply to the Court for a Care Order so that we can share Parental Responsibility with you. This may mean that (child) is removed from your care to the care of a family member or into foster care.

The application will be sent to you or to your solicitor if you have one. Please let me know who this is.

#### **What you need to do:**

- 1. Contact a solicitor:** It is really important that you get advice from a solicitor who specialises in family law as soon as possible. They will help you understand the situation and advise you about your rights and your options. If you give them this letter you will not have to pay for the work that they do. In case you do not have a solicitor, we have sent with this letter a list of local solicitors who specialise in this work. They are all independent from Children's Services.

Information your Solicitor will need is:

Local Authority Legal Contact: [name/address/email address/tel no.]



- 2. Get your wider family involved:** If the Court decides you cannot care for your child(ren), we will first try and place them with one of your relatives or a person or persons close to your child(ren), if it is best for your child(ren) to do this. You should therefore let us know immediately who in your family might be able to care for your child(ren). Please also ask them to get in touch with us directly.

My contact details are:

*[Name of Social Worker]*

Children's Services

Any questions at all, please contact me on *[contact number for social worker]*.

Yours sincerely,

[name]

Social Worker

Copy to: [name] Social Worker Team Manager

Enclosures: Details of how to access Solicitors

**Appendix C**

**Letter to family to inform them we are stepping out of proceedings**



**Swindon Children's Services**

**PRIVATE & CONFIDENTIAL  
BY HAND**

Your Ref:  
Our Ref:  
Please ask for:  
Direct line /  
Extension:  
E-mail:

24 September 2024

Dear **[first name of parent and or person with parental responsibility]**

**Re: [name of child/ren]**

I am writing to confirm that due to the changes you have made the period of pre-proceedings has now ended as we are no longer worried about (child's name) being in your care.. We discussed the positive progress you have made in our last meeting. The improvements you have made are set out below:-

<b>Worries</b>	<b>Improvements</b>
1.	
2.	
3.	
4.	
5.	

I will remain the Social Worker for [name of child(ren)] and it is important that we continue to work together so that I can provide support and guidance when needed.

The plan for name of child(ren)] is [insert plan] (e.g. name of child(ren)] will remain living with you and subject to a Child Protection Plan).

The next meetings that you need to attend are:

Child Protection Review on ....at...  
Core Group on ....at.....

If you have any questions at all, please contact me on *[contact number for social worker]*.

Yours sincerely

***[Name of Social Worker]***

Appendix D Draft Pre-proceedings plan

**Swindon Borough Council**  
**PRIVATE AND CONFIDENTIAL**  
**Social Worker Pre Proceedings plan**



Being open and honest with the social worker means that Children’s Social Care can better manage any increased risks to your children.

Pre Proceedings Plan for			
Child(ren) & DOB		Who they live with	
The parents			
Mother			
Father			
The Local Authority immediate concerns			
1.			
2.			
3.			
4.			
5.			
6.			
Support from Family & Friends - Family Network Meeting/ Family Group Conference			
We recommend a Family Group Conference to agree a plan with family & friends to help you to make changes and agree who should care for the children if it is not safe for them to be with you. Family & Friends to be invited (to be completed with parents before the first pre proceedings meeting)			
Name:	Relationship:	Telephone Number:	Are they aware of why the Local Authority is worried?

When the referral for a FGC was/will be made			
When the meeting/ conference has /will take place			
Plan agreed at the FGC meeting <b>OR</b> why the conference/ network did not take place		Attach	
<b>Support from Professionals</b>			
<b>Professional</b>	<b>Support</b>	<b>Impact on the child/ren</b>	
<b>Children Social Care</b> Children's Social Worker Assistant Team Manager Team Manager	The social worker will visit you and the children regularly  Children Social Care will hold child protection conferences and core group meetings  The social worker will help you to complete a family tree (a genogram) to see who might be able to support your family		
<b>Health</b> Midwife/Health visitor: School Nurse:			
<b>Nursery/ School</b>			
<b>Domestic Abuse/ Health Relationship Support</b>			
<b>Substance Recovery Services (CGL)</b>			
<b>Mental Health Services</b>			
<b>Family Support Worker</b>			
<b>What changes do you agree to make to avoid care proceedings?</b>			
1.			
2.			

3.	
4.	
5.	

**What assessments have been done /are to be undertaken?**

Assessment	Completion Date	Outcome

**What may lead to care proceedings being issued?**

Children Social Care will consider starting care proceedings:

1. If you do not make long term positive changes or
2. If there is a serious unexplained breach of this plan or
3. If Children's Services can no longer safely manage the risks to your children or
4. If you do not tell Children's Services about not keeping to this plan and Children's Services find out later.

	Signature	Print name	Date
Mother			
Father			
Social Worker			
Team Manager			

**Pre-proceedings Meetings**

<b>First pre proceedings Meeting DATE:</b>	
<b>Review pre proceedings Meeting DATE (to be set in meeting):</b>	
<b>16 week deadline (from date of first pre proceedings meeting):</b>	

**AGREEMENTS AND NEXT STEPS**

Has this plan been discussed at the pre proceedings meeting and is now therefore agreed?	Yes	Ensure document is converted from DRAFT to FINAL and is shared with parent(s) and solicitors for LA and is saved on the system. LA solicitor will ensure this is shared with the parent(s) solicitors.
	No	Why? (please complete)

**REVIEW PRE PROCEEDINGS MEETING**

<b>Date of review pre proceedings meeting:</b>	
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What assessments have been done /are to be undertaken?		
Assessment	Completion Date	Outcome
How did the pre proceedings meeting end?		
Step down from pre proceedings:	YES/NO	
If the family are stepped down from the PLO process, any further work/ actions:		
Proceedings to be issued:	YES/NO	
Extension to pre proceedings:	YES/NO	
Date & time agreed for next meeting:		

## Frequently Asked Questions:

### Why has the local authority sent me a

### letter before proceedings?

If you get a letter before proceedings, it means your local authority are worried your child is not being looked after properly and want to invite you to a meeting which we call a Pre Proceedings meeting.

Read the letter carefully. The letter will tell you what the worries are about the care of your child. It might be helpful for you to note down what your thoughts are about the concerns and whether or not you agree with them or not. If you agree, think about what you could do with help and support to make things better. If you don't agree, you will need to tell the meeting why.

The pre-proceedings meeting is NOT just another meeting with children's services or a social worker. It is an important meeting to look at what needs to change to stop the local authority going to court. The meeting will look at the worries outlined in the letter and at how you can be supported to make the changes necessary to keep your children safe.

### What happens if I don't follow the

### instructions in the letter?

The letter tells you when and where the pre proceedings meeting will take place. If you do not attend the meeting, your local authority may apply to the court to start care proceedings. If there is a reason why you cannot attend at the suggested time it is important that you contact your children's allocated social worker so that they can change the time or date. There should be contact details on the letter.

### What do I have to do next?

It is very important that you contact a child care solicitor for independent legal advice. With the letter will be a list of local solicitors who can help you understand the law, the process and attend the meeting with you.

If you do not want to instruct one of the solicitors from the list, you can ask Community Legal Advice for details of other solicitors or you can look on the Law Society website ([lawsociety.org.uk](http://lawsociety.org.uk)). If you have parental responsibility, you will not have to pay for the solicitor to come to the meeting with you as they can apply for legal aid for you. You will need to take the letter and some ID (driving licence/passport) to the solicitor.



## Information to Parents about the Public Law Outline (PLO) process



This guide is designed to provide advice to parents or others with parental responsibility for a child/ren who has been considered at risk of harm and a move to pre proceedings has been discussed. The guide is not a substitute for independent legal advice.

**What will happen when the local authority initiate proceedings under the Public Law Outline?**

Government guidance requires social workers to go through the pre-proceedings process with a family before considering or starting any court proceedings (except in an emergency). The specific things that they need to do, are:

**Send a 'Letter before proceedings'** The pre proceedings letter will list the outline of the main concerns, a chronology

of the social history and the help that has been provided by them so far. The letter allows parents to access free legal advice.

The letter before proceedings also includes information about local solicitors who undertake family law work as parents are encouraged to seek immediate legal advice. Parents and their legal representatives are invited to a Pre Proceedings Meeting which is

**What will happen in the Pre Proceedings Meeting (PPM)?**

The Pre Proceedings Meeting will look at what needs to happen to protect the child/ren from continued harm, so that court proceedings can be avoided. Parents may also be asked to consider involving the wider family to offer practical or other methods of support.

**How long will the Pre proceedings process last?**

Pre proceedings end as progress has been made. They can run for up to sixteen weeks, with reviews in between. These sixteen weeks are referred to as 'the period for change' and is the time for parents to evidence they have made the necessary agreed changes to reduce the concerns.

Parents and legal representatives will be invited to attend a review Pre Proceedings Meeting with the local authority, to review progress and see if the risks of harm have reduced.

A final Pre Proceedings Meeting should be held at sixteen weeks with parents and legal representatives to review progress and agree a conclusion, which will be either to step down from the Public Law Outline or to request the issuing of proceedings.

**What happens if the local authority decides to initiate Care Proceedings?**

Where it is decided that care proceedings need to be issued, the local authority will need to make an application to court, where under the Public Law Outline guidance care and supervision proceedings should be completed within twenty-six weeks.

**For further information:**

Speak with your child's social worker, your legal adviser or visit the Family Rights Group at [www.frg.org.uk/plo](http://www.frg.org.uk/plo) Telephone Community Legal Advice on 0845 345 4345 or visit: [www.communitylegaladvice.org.uk](http://www.communitylegaladvice.org.uk) see also [www.lawsociety.org.uk](http://www.lawsociety.org.uk) (select the 'I need a solicitor' tab on the right)