

Tracking Cases within the Pre-Proceedings Public Law Outline

This guidance should be read in conjunction with the Brighton & Hove Online Procedures Chapters 1.4.1 *Care and Supervision Proceedings and the Public Law Outline* and 1.4.2 *Pathway to Public Law Outline*

Background

The outcome of audits has identified that there are issues regarding lack of clear timescales, monitoring and review that may lead to drift for cases within the Public Law Outline. It should also be noted that there are no statutory timescales for the PLO Pre-proceedings in the way that there are for care proceedings, looked after children, CIN and CP work. PLO Pre-proceedings work is therefore the least regulated part of statutory social work. There are obvious risks in terms of delay and drift. Whilst the duration of care proceedings has reduced, the overall timeframes to achieve permanence for children who are subject to the PLO followed by care proceedings are no shorter and in some cases are longer than was previously the case in lengthy care proceedings.

The purpose of this procedure is to ensure cases within the Public Law Outline are tracked and therefore that

- Decisions are timely
- Delay and drift are avoided
- The PLO process offers added value for children in producing better outcomes

Pathway for Cases from Identification of Need for Legal Planning Meeting

- Referral to the Care Planning Panel must be made within 1 week of identification of the need for a Legal Planning Meeting.
- Where Child Protection Reviewing Officers make a recommendation at a Child Protection Conference that legal advice be sought, they must email this to the Team Manager within 1 day.
- Legal Planning Meetings (LPM) should be held within 10 days of agreement at Care Planning Panel. Minutes to be circulated within 5 working days of the LPM.
- Letter Before Action (LBA) should be sent within 1 week of the LPM being held. The LBA should include reference to identifying contingency carers which will be shared at the MBA.
- Meeting Before Action (MBA) should be held within 2 weeks of LBA. MBA should set out specific actions within clear timescales.

- Draft Letters of Instruction (LOI) (drafted by legal services) should be taken to initial MBA and corrections by parties required within a week.
- All pre-proceedings assessments should have target time for completion of a maximum of 12 weeks from instruction, which instruction should be finalised within a week of the initial MBA.
- A review LPM should be planned for when the assessments are submitted to parties – ie around 14 weeks after initial LBA. This review LPM should determine what other actions are necessary to reduce risk and concerns, whether the PLO period should be extended and if so why. Consideration should be given to whether the pre-proceedings may end. If there are complicating factors or intensive, specialist resources needed then consideration should be given to taking the case back to Care Planning Panel, with the lawyer preparing a summary of the case issues and advice given for the Panel. Pod Team Manager should alert Head of Service if pre-proceedings work is being extended. In such cases, the PLO must be reviewed every 3 months.
- A review MBA should be held within a week of the review LPM to discuss with the family what should happen next. This can be extended to 2 weeks if the matter is waiting for any agreements from Care Planning Panel.

These timescales should be tracked by Information Officers and data reported on a weekly basis to social workers, Pod Team Managers and HoS for monitoring and action.

All decisions and interventions must be clearly recorded on Carefirst using the PLO Pre-Proceedings assessment document and Management Decision casenote.