

Challenging meetings and talking about troubles: families and professionals in statutory meetings about children

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Talking about children's family troubles...

- *'Pre-proceedings meetings'* – called when a LA is considering care proceedings on a child.
- *'LAC review meetings'* – periodic reviews when a child is 'looked after' by a LA.
- Draw out comparisons and contrasts:
 - *'Troubles', social work and the law*
 - *Making plans and reviewing plans*
 - *Timescales and preventing 'drift'*
 - *Participation*
 - *Independence*

Key features (1): the pre-proceedings process

- Introduced April 2008 (England & Wales) – statutory guidance on care proceedings (DCSF, 2008)
- LA considering care proceedings should (if appropriate) send the parents a ‘letter before proceedings’ stating its concerns and inviting them to a ‘pre-proceedings meeting’
- Parents are entitled to legal aid and can attend the meeting with a legal adviser
- Stated aims – to divert cases from court or reduce delay in proceedings by narrowing issues in dispute

Key features (2): LAC reviews

- LAs are 'corporate parents' for children they are looking after, and have statutory duties to review their cases (since before CA 1989 came into force)
- Long-standing concerns about LAs failing to implement care plans, and lack of accountability
- 'Independent Reviewing Officers' created as the remedy (2004)
- April 2011 – new regs and stat guidance on care planning and review, and IRO role enhanced, 'IRO handbook'

Key features (3): practicalities

- PPMs – typically – M, M's lawyer; perhaps F, F's lawyer, perhaps extended family; SW, TM, LA solicitor; perhaps more than one SW, more than one manager.
 - May be separate meetings for M and F.
 - Usually in the SW office.
- LAC reviews – typically – IRO, child's SW, FC/residential worker, foster carer's supervising SW, parent(s), young person; perhaps extended family, other professionals.
 - Prior consultations and may be separate meetings.
 - Often in the child's placement.

'Troubles', social work and the law

- PPMs in stat guidance, but not strictly required in each case; no regs and little guidance;
- there has to be a 'problem';
- the outcome is usually an 'agreement', with the real possibility of court proceedings if parents don't comply.

- LAC reviews are very tightly specified, in regs and stat guidance;
- have to take place at set intervals even if there isn't a 'problem';
- outcome is an up-dated plan, with the (remote) possibility of referral back to court (initiated by IRO) if LA doesn't comply.

Making plans and reviewing plans

- In the PPM, there is usually a draft '*agreement*' (often the child protection plan) – room for limited negotiation, marginal changes
- *The parents are held to account*
- The PPM is essentially a one-off, though there may be reviews

- In the LAC review, progression of the plan is checked by the IRO – *the LA is held to account*
- '*Active overview*'
- Reviews can '*ratify*' or make *recommendations*
- Complex relationship between review and other LA decision-making processes (and in some cases, courts)

Timescales and preventing 'drift'

- The PPP did not reduce the duration of subsequent care proceedings; it did add time before cases went to court.
- Some setbacks can be expected, as can short-lived improvements; the challenge is *allowing time for change but avoiding drift, undue delay.*

- The IRO has an important checking/QA role; but pressured by heavy workloads themselves and aware of the pressures on SW teams
- Close *scrutiny* and challenge may be required, but within relational context and involving 'professional empathy'

Participation

- The lawyers usually say very little; essentially a discussion between the parent(s) and the TM. The child does not attend. Tend to be quite short (45 mins)
- *'He never said nothing, he was just sitting there ... No, but he did a good job of just turning up'*

- The LAC review is referred to as 'the child's meeting' and young people's participation is much discussed – but great variety in practice – and how is this squared with a 'rigorous examination' of the care plan?
- Reviews can be flexible or responsive

Independence?

- The parents' lawyer is independent of the LA, and a partisan supporter of the parent – but usually advises them to cooperate with the LA.

- The IRO is independent of the case, with responsibility to ensure the child's needs are being met – but part of the LA. What sort of leverage does that give them?
- Objectivity as a state of mind rather than organisational position?

Summary: key ethical and professional dilemmas

- Family participation and children's 'presence' - attending to one ethical principle may conflict with another?
- Ensuring standards (minimum/high?) whilst being fair and realistic
- The best ways of achieving change?
 - From within, or more visible independence from outside?
 - By 'shouting' or through negotiation and 'working together'?
 - Allowing time or enforcing deadlines?
- They're just meetings ...

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