



Open Report on behalf of Janice Spencer OBE, Assistant Director of Children's Services

Report to:	Corporate Parenting Panel
Date:	22 July 2021
Subject:	Legal Services Lincolnshire End of Year Report - April 2020 to March 2021

Summary:

Within the identified period of April 2020 to March 2021 the below are reported: -

- a) An increase in the number Care Proceedings issued.
- b) Care Proceedings were concluded in respect of 81 children.
- c) The proportion of Supervision Orders has fallen significantly.
- d) The proportion of Placement Orders has dropped.

This report is providing the Panel with background information and a presentation will be provided at the meeting.

Actions Required:

The Panel is invited to note the report and comment on the presentation provided at the meeting.

1. Background

Under the Children Act 1989, there are two types of proceedings in which Children's Services are involved: -

1. Public Law Proceedings
2. Private Law proceedings

1.1 Public Law proceedings

An application is made by the Local Authority as it considers that the child(ren) is suffering/are at risk of suffering significant harm as a result of: -

- a. The care given by the parent(s)/relative not being what is reasonable to expect a parent to give; or
- b. The child(ren) being beyond parental control.

The Local Authority can apply to the Court for two types of orders under s31 Children Act 1989 (referred to as care proceedings or public law proceedings). The orders the Local Authority can apply for are: Care Order and Supervision Order.

A Care Order (or interim care order) grants the Local Authority parental responsibility for the child (shared with any person having parental responsibility for the child). If a child is made subject to a care order, looked after provisions must be implemented, including appointment of an Independent Reviewing Officer, regular looked after child meetings. Decisions for the child cannot be made without consulting all those who hold parental responsibility. A care order remains in force until the child's 18th birthday.

A Supervision Order (or interim supervision order) directs that the Local Authority has a statutory duty to advise, assist and befriend the child. If a child is made subject to a supervision order, child in need provisions must be followed, including six-weekly child in need meetings and regular visits. A Supervision Order is made for a period up to one year, if required the supervision order can be extended by application to the court. An extension can be granted for the order to be in place for up to 3 years.

The Court cannot make a Care or Supervision Order for a child who has reached the age of 17 or is 16 and married.

1.2 Private Law Proceedings

Other individuals who are connected with the child are able to make applications for a variety of Orders under Children Act (known as private law proceedings). These include: Child Arrangement Orders directing where the child is to live or who the child is to spend time with (replacing Residence and Contact Orders); Specific Issue Orders directing that something shall or shall not be done; Prohibited Steps Orders preventing a person from doing something restricted in the Order; and s14A Special Guardianship Orders appointing a person or persons who are over 18 years of age and not a parent of the child in question, to be the special guardian(s) of that child. The effect of the Special Guardianship Order is to grant the special guardian heightened parental responsibility for that child, and, to exercise such parental responsibility to the exclusion of everyone else who has parental responsibility for that child.

During these proceedings if the Court is alerted to issues which effect the safety of the child, the Court can direct the Local Authority to complete a section 37 report, setting out whether after investigation the Local Authority considers: -

- a. the child(ren) to be at risk of significant harm in the care of their parent/relative such that they seek to apply for a Public law Order to safeguard the child(ren)s welfare.
- b. there is no need to issue an application for public law proceedings, however the Local Authority consider that they should provide services or assistance for the child(ren) or his family.
- c. take any other action with respect to the child.

In any family proceedings concerning the welfare of a child the Court can make a Family Assistance Order under s.16 Children Act 1989, directing the Local Authority to appoint an officer to advise, assist and (where appropriate) befriend any person named in the order (often referred to as the private law alternative to a Supervision Order). A Family Assistance Order is made for a period up to one year. The difference between a Supervision Order and Family Assistance Order is that under a Supervision Order the Local Authority duty is to the child, however, under a Family Assistance Order the duty is to anyone named in the order, which can include the child, parents, special guardians, or any person with whom the child lives or spends time with. In addition, the court can only make a Family Assistance Order if it has the consent of all persons named in the order (apart from the child) whereas a Supervision Order can be imposed on the parties.

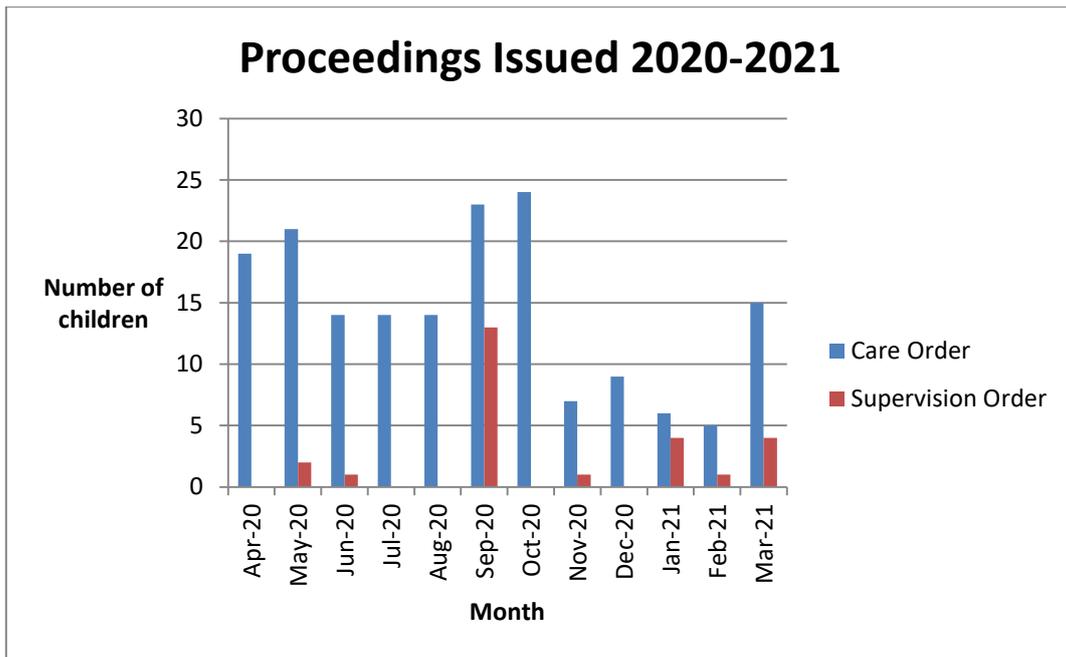
Public Law Proceedings Issued

Between April 2020 and March 2021, care proceedings were issued in respect of **197** children consisting of **171** applications for Care Orders and **26** Supervision Orders.

This is in contrast to applications being made in respect of **157** children during the period April 2019 - March 2020.

It is important to note that the figures represent the number of children in respect of whom proceedings were issued; it does not necessarily represent the number of separate applications made.

The Court does not require individual applications for Care or Supervision Orders for sibling groups: one application will be made for all the siblings and this is dealt with as one case by the court. However, the outcome for each child in a sibling group may be different.



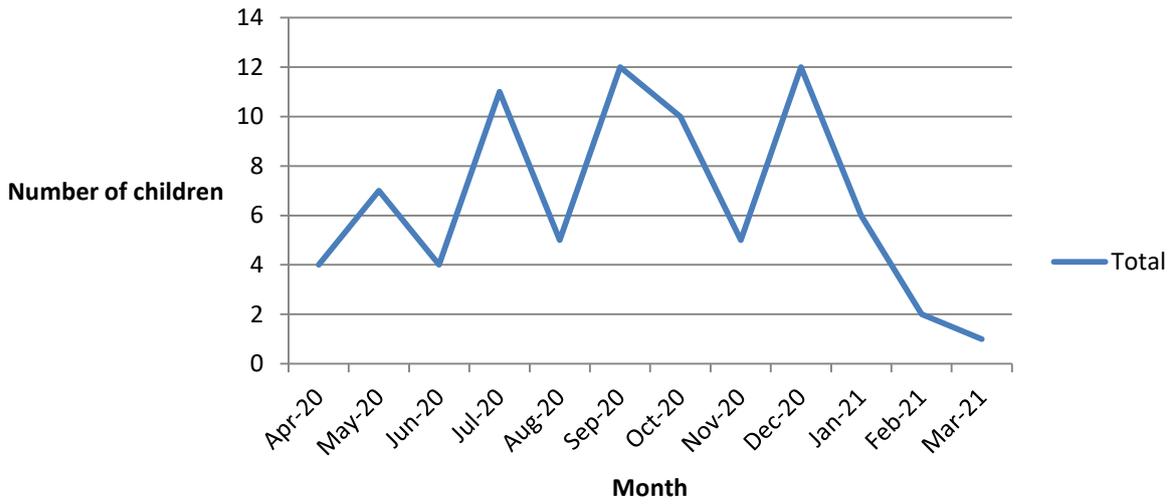
As previously stated, the Local Authority is unable to apply for orders which bestow parental responsibility upon the child's extended family, for example Child Arrangement Order (who the child shall live with), and Special Guardianship Order (which grants the special guardian heightened parental responsibility). An application for a Care Order or Supervision Order may be made as a route to such private law orders being made to extended family.

Advantages of care proceedings in these circumstances include: the child being separately represented by their own solicitor; an independent children's guardian being appointed; the proceedings should be completed within 26 weeks; and the parents will be entitled to legal aid, which would not be available in private law proceedings. In addition, extended family members cannot automatically apply for a Special Guardianship Order until the child has lived with them for at least a year before making such application. In Care Proceedings this time period is not required.

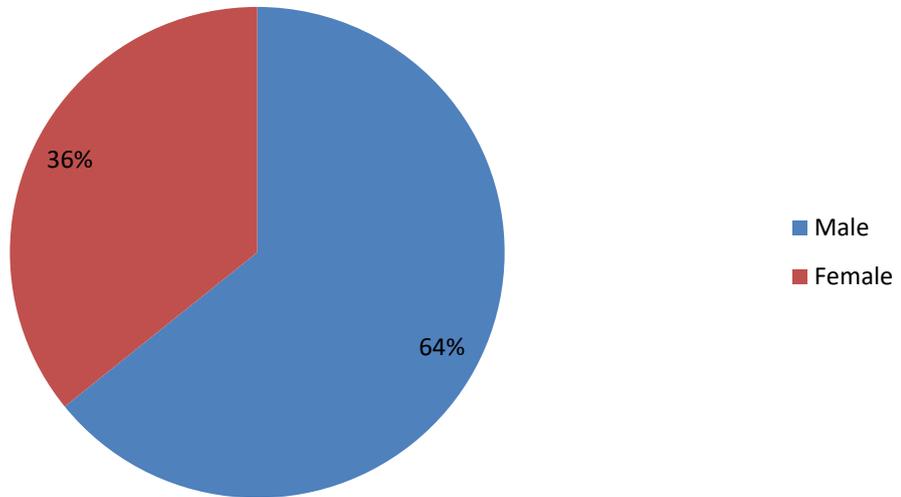
PROCEEDINGS CONCLUDED

Between April 2020 and March 2021, care proceedings were concluded in respect of **82** children, **53** males and **29** females. In the previous financial year proceedings were concluded in respect of **119** children.

Proceedings Concluded 2020-21



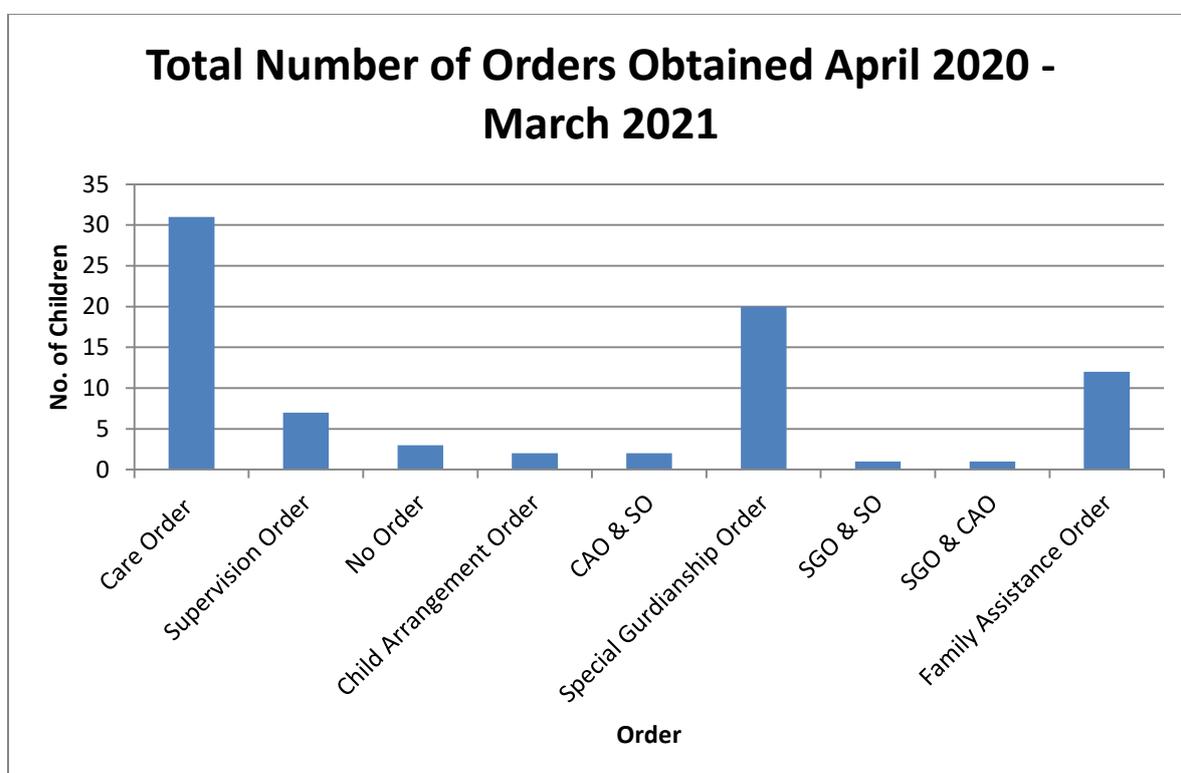
Gender of Children that final orders were obtained in respect of



Analysis of Outcomes for children who have been the subject of care proceedings

The final orders granted by the Court in 2020/21 in contrast to 2019/20 were as follows: -

<u>Order</u>	<u>Number of Orders 2020/21</u>	<u>Number of Orders 2019/20</u>
Care Order	31	27
Care Order & Placement Order	12	22
Supervision Order	7	22
No Order	3	6
Child Arrangements Order	2	1
Child Arrangements Order & Supervision Order	2	16
Special Guardianship Order	20	18
Special Guardianship Order & Supervision Order	1	6
Family Assistance Order	0	1



Analysis of Orders:

At first glance it appears that the number of cases resulting in the making of care orders has stayed relatively consistent between 2019/2020 and 2020/2021 however upon further consideration, it is clear that the proportion of cases concluding with the making of care orders has increased.

In 2019-2020, 22% children were made the subjects of care orders at the conclusion of proceedings. In 2020-2021 this was 38%.

There has been a small decline in the proportion of cases concluding with care and placement orders. In 2019/2020 the percentage of children being made subject to placement orders was 18%. In 2020/2021 this figure has dropped to 14%.

There has also been a sharp decline in the making of supervision orders. In 2020/2021 only 12% of outcomes involved a supervision order. This contrasts with 36% cases involving a final supervision order in 2019/2020.

The increase in the making of care orders and the decline in the making of supervision orders may be as a result of fewer children returning to live with their parents in 2020/2021 at the conclusion of proceedings. It is unusual for a case to conclude on a care order when the child is living at home and in this circumstance a supervision order is very often made. In 2019/2020 31 children were placed with their parents at the conclusion of proceedings under supervision orders. In 2020/2021 only 8 children were placed with their parents at the conclusion of proceedings under supervision orders.

The proportion of special guardianship orders being granted has slightly risen. In 2019/2020 this figure was 20%. In 2020/2021 the proportion of cases resulting in special guardianship orders was 25%.

Post proceedings local authority involvement 2019/2020

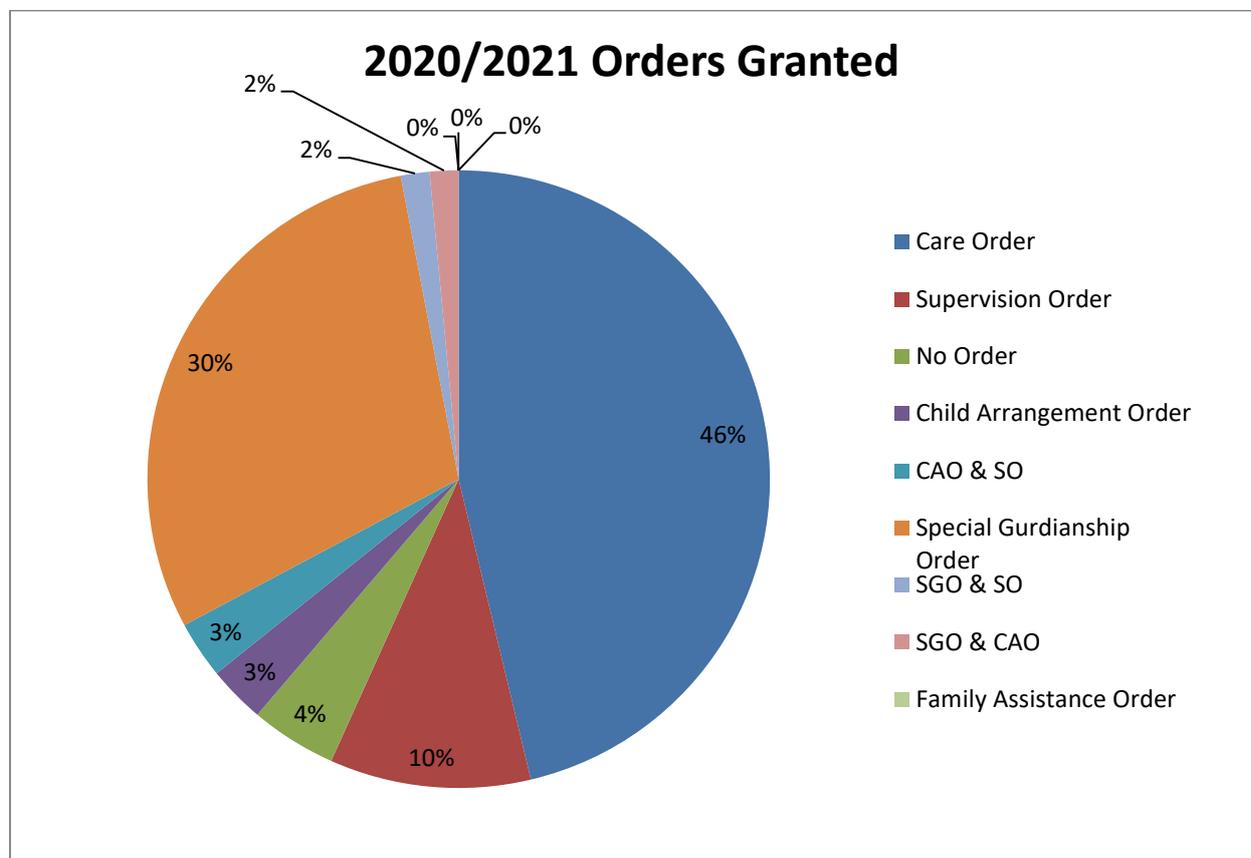
From the Orders made in **2020/2021**, the Local Authority will have remained statutorily involved with **73 (90%)** of the children subject to proceedings, either because of the child being looked after (under Care Order), subject to child in need procedures (Supervision Order and Family Assistance Order) or providing support services to Special Guardians (under Special Guardianship Orders).

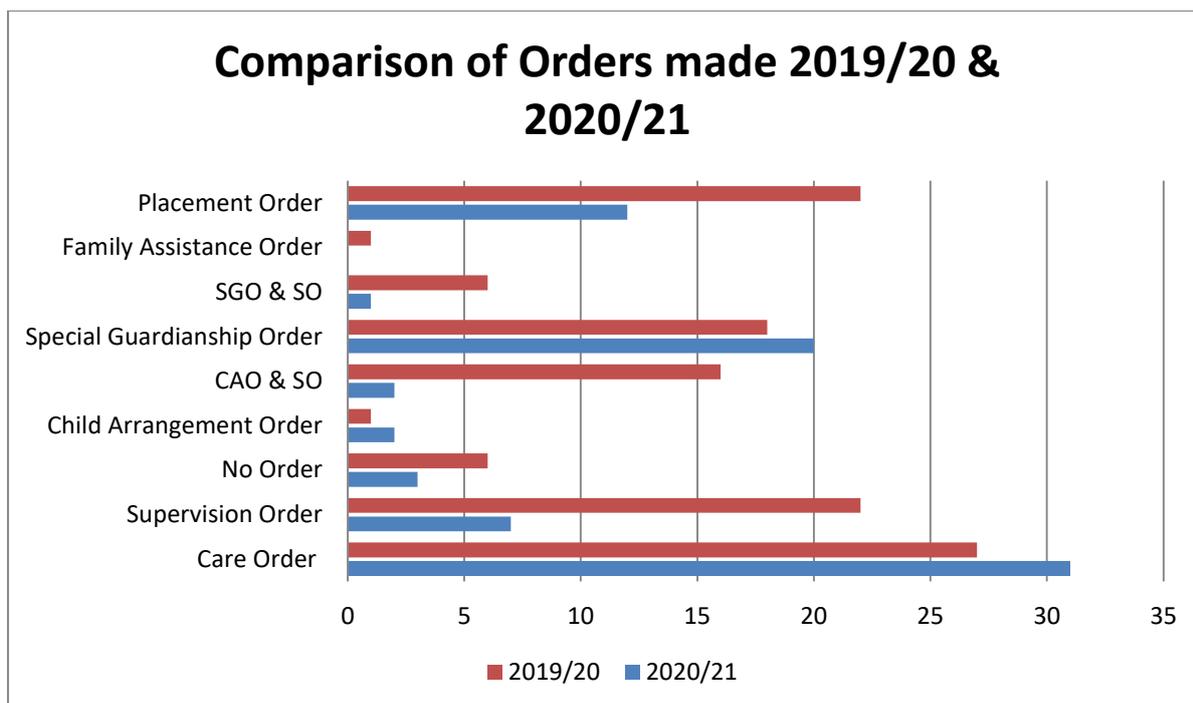
Supervision Orders and Family Assistance Orders are initially made for a period of up to one year (however, can be extended on application by Local Authority), therefore the Local Authority will cease to be involved with **10 children (12%)** of those children (provided there is no need to make an application to extend the duration of the Orders).

A plan of adoption should be reviewed at each looked after child review, generally if a child has not been placed with prospective adopters after 18 months, the Local Authority will

change the care plan to one of long-term foster care and an application be made to Court to discharge the Placement Order. Should all the children subject to a Placement Order in **2020/2021 (12 children - 14%)** be placed for adoption and later adopted, within 18 months the Local Authority will only remain involved with **51 children (62%)** of the total number of children subject to proceedings which concluded in **2020/2021**.

Support Services under Special Guardianship Orders are provided for up to three years, therefore by April 2024 the Local Authority will not be involved with **26% (21 children)** of those children. By such time the Local Authority shall only be involved with **38% (31 children)** of the children subject to proceedings which concluded in **2020/2021** (those subject to Care Orders).





Analysis of care plans for children made the subject of Care Orders

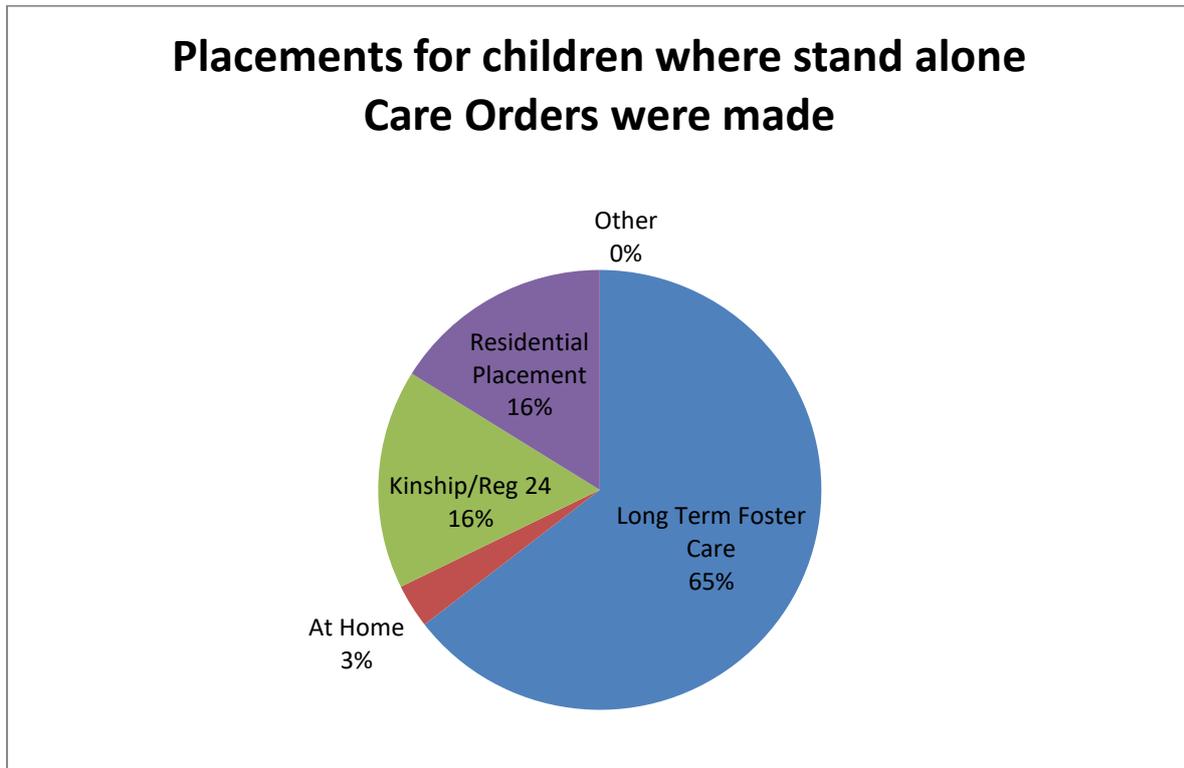
During the period April 2020 to March 2021, a total of **43** children were made subject to care orders. Placement Orders were made alongside Care Orders in respect of **12** children. A Placement Order is applied for where the Local Authority care plan is one of adoption. The effect of Placement Order is that it permits the Local Authority to place the child for adoption. Where a child is placed with prospective adopters the Local Authority continues to share parental responsibility for the child with the adopters and the parents, until such time as an Adoption Order is made.

Provided all the children who were made subject to Placement Orders in the period April 2020 – March 2021, are placed for adoption and adoption Orders made, the Local Authority would not retain parental responsibility for these children, and they would not remain subject to Looked After Child procedures. Therefore **72%** of the children made subject to Care Orders would remain Looked After children.

During April 2020 – March 2021 **31** children were subject to Care Orders, **1** children's plans were that they be: cared for parents with the Local Authority sharing parental responsibility (3%); **5** children's plans were cared for by extended family members/friends (kinship/regulation 24 placements where the family member is approved as a foster carer (16%), and the Local Authority holds parental responsibility); **20** children's plans were long term foster care (65%); **5** children's plans were residential care (16%).

At Looked After Child (LAC) reviews, the social work team and Independent Reviewing Officer (IRO) will consider whether it remains in the Child's best interests to be subject to a Care Order with the Local Authority sharing parental responsibility for the child, or whether

the child's best interests can be served via another Order, for example SGO to extended family member. These children's care plans will therefore remain under regular review.



Special Guardianship Orders

When a Special Guardianship Order is made in respect of a previously looked after child (subject to ICO or s20 accommodation) who has been placed by the local authority with the special guardians, there is a statutory duty on the authority to provide support to the placement for 3 years after the order has been made.

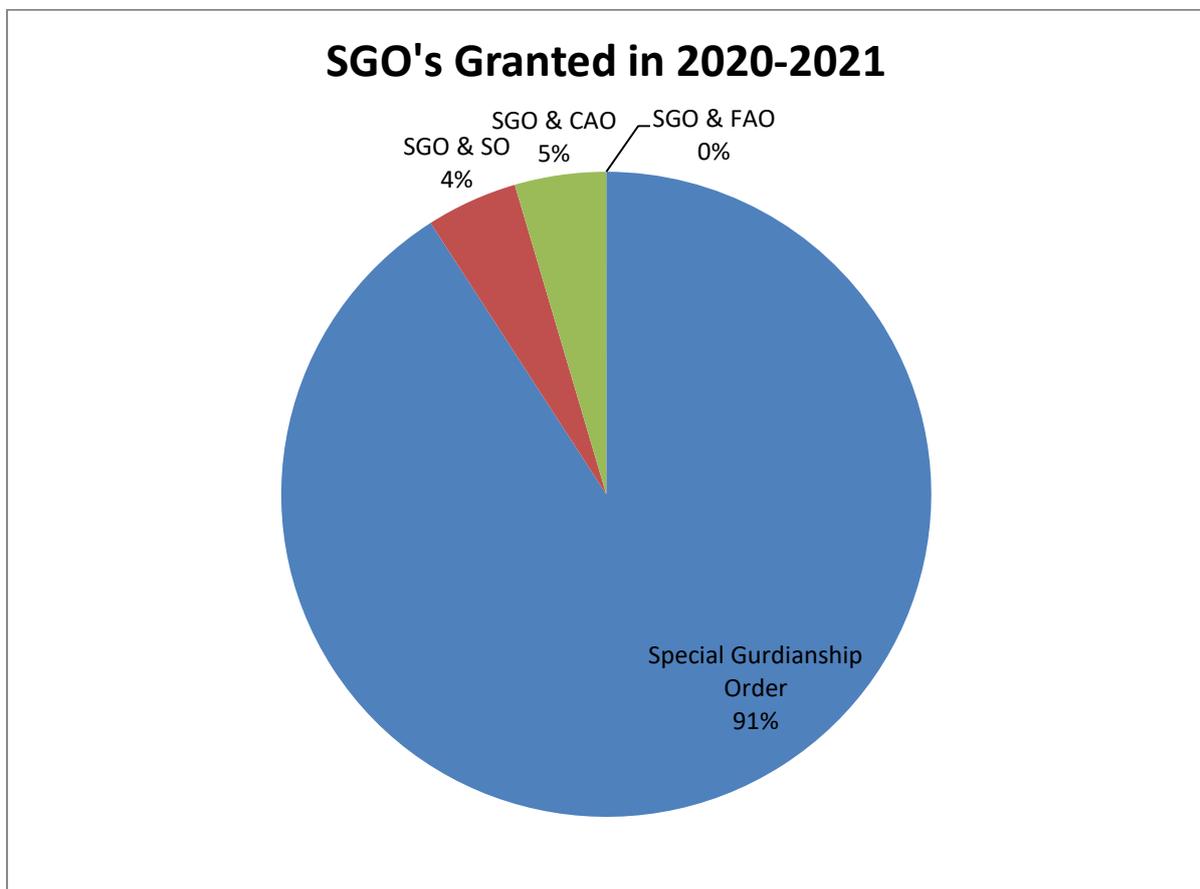
In addition, the court can make additional orders to support the placement such as supervision orders and family assistance orders. There has however over recent years been a decline in the number of supervision orders and family assistance orders being made alongside SGOs. Judicial guidance has emphasised that all of the support a placement requires should be provided as part of and detailed within the Special Guardianship Support Plan thereby removing the need for other orders.

The court has also confirmed in case law that extending proceedings to allow for the testing out of proposed special guardianship placements is a valid justification for extending the statutory 26-week timescale.

In the case *Re P-S (Children) [2018] EWCA Civ 1407* the court of appeal stated that if the assessment process '*cannot be completed justly, fairly and in a manner compatible with the child's welfare within 26 weeks then time must be extended*'. The court confirmed that the concept of a 'short term' care order (i.e., a care order made on the basis that an application

to discharge would be made in the not-too-distant future which was an approach that had been advocated by some judges to ensure matters concluded within the 26-week timeframe) did not have any legal basis and was a flawed approach.

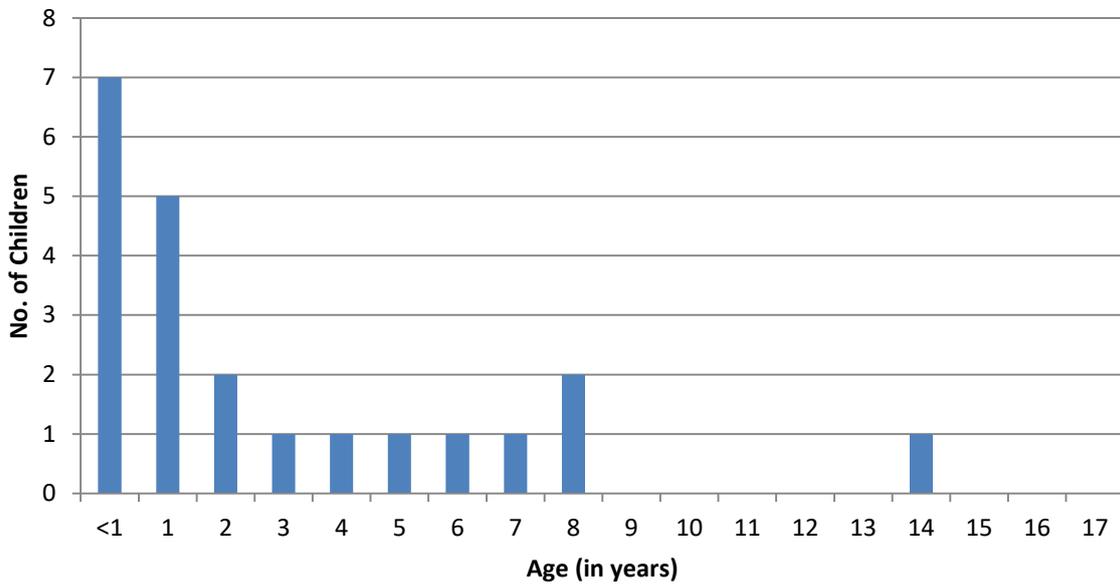
As a result, the court is more frequently permitting extensions of the 26-week timetable to accommodate further assessments of connected persons so that the court is able to make a final decision at the conclusion of proceedings as to whether a connected person is an appropriate special guardian for the child or not and indeed whether the testing out period has been for an "appreciable" period. Although this has an effect on the timetable of proceedings, this thorough testing out of placements should also ensure that there is a reduced need (if any) for supervision orders or family assistance orders alongside SGOs to be granted in the future.



The majority of children made subject to SGOs continue to be below the age of one year with 76% children being under the age of 5 years. This is a slight rise compared with last year with 62.5% children subject to SGOs in 2019/2020 being under the age of 5 years. Had a viable family placement not been available for this cohort of children, it is very likely that the only option available would have been a plan of adoption. This therefore continues to be a positive reflection of the ability and willingness of extended family members and connected persons to care for children.

In 2020/2021, only one child over the age of 9 was made subject to an SGO.

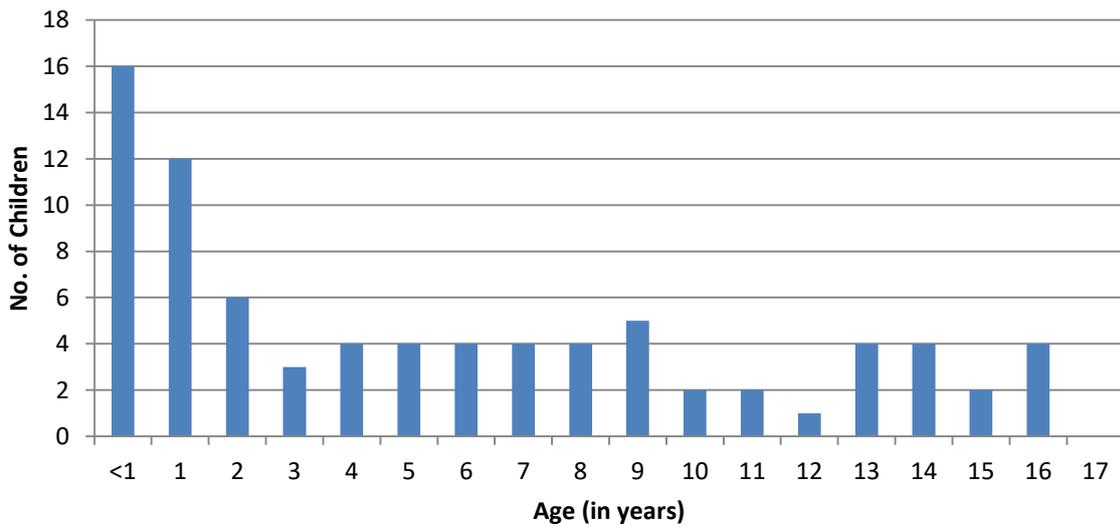
Age of children that were made subject to SGO's between April 2020 and March 2021



Age of children who are the subject of care proceedings

The totals are as follows: -

Age of children that s.31 proceedings were concluded in respect of between April 2020 and March 2021



Analysis of ages: -

Age Range	Number of Children	Percentage
0 - <5 years	41	51%
5 - <10 years	23	28%
10 – 16 years	17	21%

Over half the children subject to proceedings concluded 2020/21 are of an age where a plan of adoption could be progressed if there were no viable family placements available (0 - <5 years).

Timescales for proceedings

On 22 April 2014, the Public Law Outline was enshrined in law. The focus is now on the child's timetable and the need for urgent decisions regarding their future. All s31 Children Act 1989 proceedings are to be completed within 26 weeks (except in exceptional circumstances, where proceedings can be extended by 8 weeks at a time).

The average timescales for proceedings in 2019/20 was **42 weeks**, in contrast to **51 weeks** in 2020/21. The length of proceedings has risen as a result of a number of factors.

By far the most significant factor which has prevented cases from finishing in 2020/2021 is the effects of COVID-19 and in particular the 'lockdown'.

The COVID-19 'lockdown' resulted in Lincoln Family Court largely closing to the public. Hearings could no longer take place in person and instead they started being held remotely via telephone conference and video conference. Initially, in March and April 2020, this meant that the court was unable to hear any substantive contested hearings which required giving evidence. This was due to both technical issues preventing the court from joining witnesses into hearings whilst the court was getting used to remote hearing platforms as well as evolving judicial guidance at the beginning of the pandemic which questioned whether contested hearings could be fairly conducted remotely via telephone or video conference. A number of contested hearings that were originally due to take place in March and April 2020 had to be adjourned which prevented these cases from finishing.

Fortunately, the courts, judiciary and Lincolnshire in response, were all able to quickly adapt to holding remote hearings. Further case law was also handed down which confirmed that in principle contested hearings could be conducted remotely in a fair manner as long as each case was considered on its own facts and appropriate measures were put in place to assist full participation of the particular parties which could include some parties attending in person. This meant that contested hearings could start again; many taking place as 'hybrid' hearings whereby some parties would attend court in person and some parties would attend via video conference.

Significant support has been provided to parties in cases by Lincolnshire Children's Services providing accommodation "Hubs" in buildings to facilitate hybrid hearings. These were swiftly set up across Lincolnshire in family centres to meet demand and have meant that parents and legal representatives can attend these Hubs and participate in the remote hearing. This has ensured that cases requiring evidence to be given to the court have been able to be progressed. These Hubs continue to be utilised.

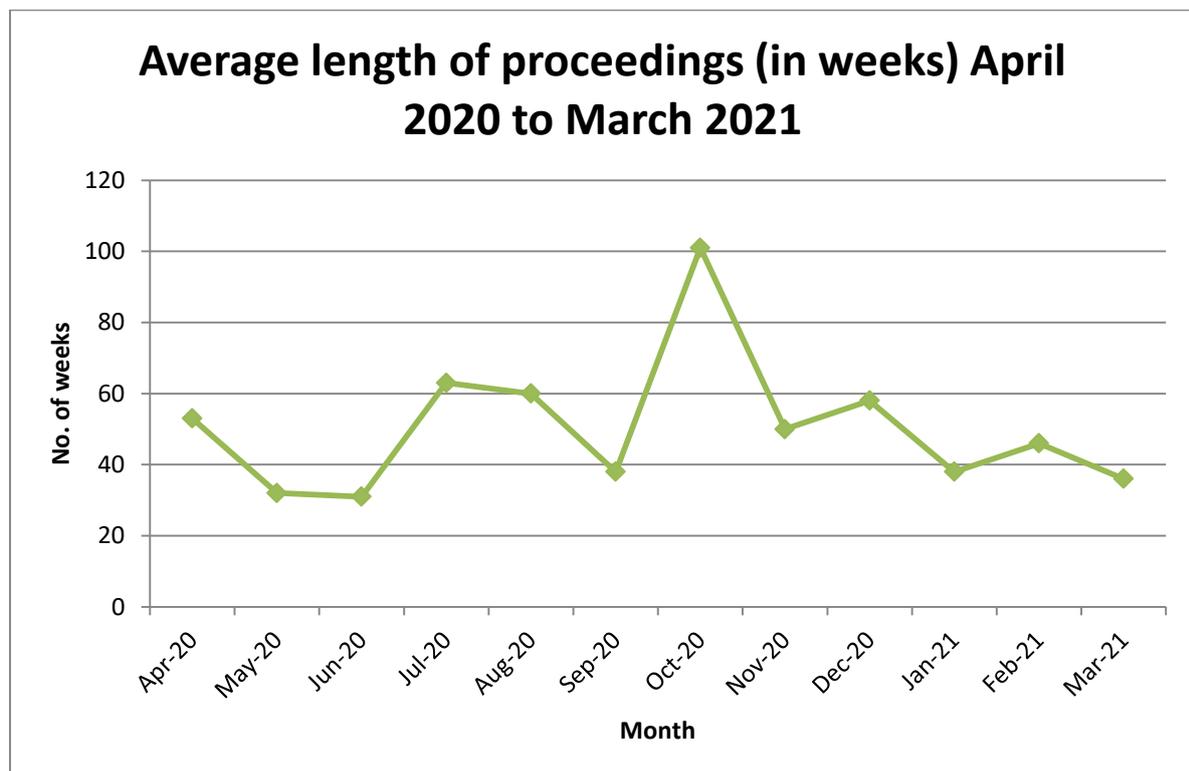
The length of hearings has also increased as a result of remote working which has affected the timetable for proceedings. Contested hearings often take longer when they are conducted remotely as all parties involved need to take regular breaks away from the screen and there are also often technical issues for example with joining and releasing witnesses from the hearings or parties not been able to log onto the link provided by the court for video conferencing in a timely manner. This has resulted in the judiciary requesting that more court time is allotted for contested hearings which reduces the number of hearings that can be dealt with in a day. This causes delay in proceedings concluding as issues with judicial availability and the pressure of COVID-19 requiring the re-listing of numerous multi-day contested hearings means that the court has to look week and months ahead into the court calendar to identify any court time available for multi-day hearings.

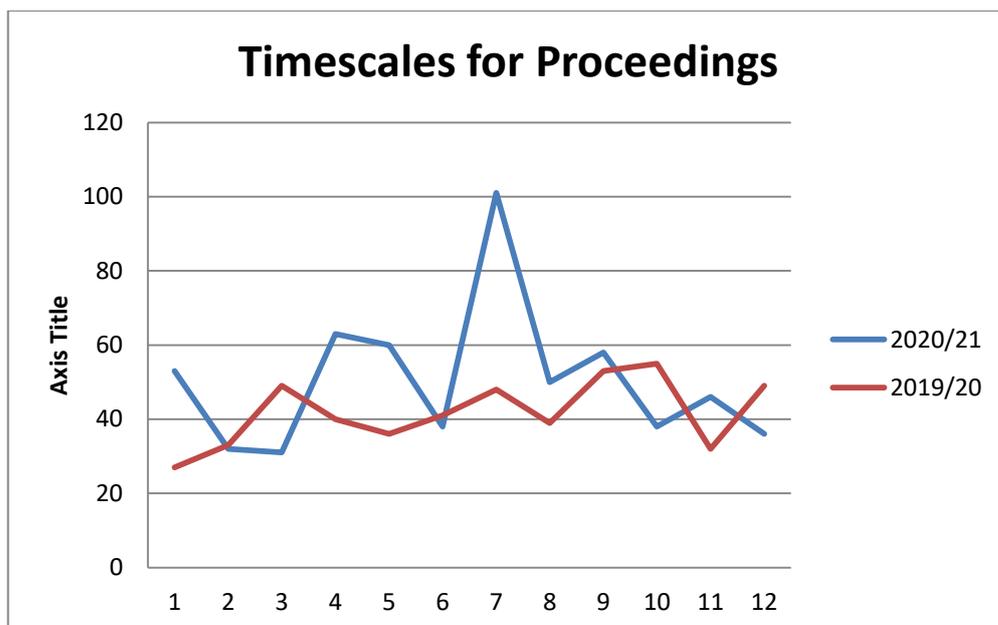
The following factors have also affected the length of proceedings:

- Court availability (cases have had to be concluded outside of 26 weeks given Judicial availability).
- Increased requests for re-timetabling/further hearings.
- Extended family members being identified/seeking assessment late in the proceedings (after the case management hearing to be held no later than 18 business days following issue of proceedings).
- International elements, parents or extended family living abroad, in these situations a referral to the Central Authority has to be made to assist with facilitating assessments being carried out abroad, unfortunately there are delays with the Central Authority accepting referrals which impacts on the start date for such assessments.
- Putative fathers have been identified at the eleventh hour, DNA testing has been needed together with further assessments of father's and paternal family members.
- A decline in the number of specialist experts willing to accept referrals for assessment which has resulted in increased timescales for those experts still willing to accept instructions.

Timescales per month 2020/2021

MONTH	RANGE (IN WEEKS)	AVERAGE (IN WEEKS)
Apr-20	21-90	53
May-20	19-79	32
Jun-20	23-48	31
Jul-20	45-86	63
Aug-20	51-65	60
Sep-20	20-66	38
Oct-20	27-128	101
Nov-20	33-100	50
Dec-20	37-82	58
Jan-21	17-53	38
Feb-21	46	46
Mar-21	36	36





Comparison between 2019-2020 & 2020-2021		
	2020/21	2019/20
April	53	27
May	32	33
June	31	49
July	63	40
August	60	36
September	38	41
October	101	48
November	50	39
December	58	53
January	38	55
February	46	32
March	36	49

Timescales Case Studies

Shortest case – 17 weeks concluded January 2021

The child became known to the Local Authority after a referral was received from Diana Princes of Wales Hospital in Grimsby due to concerns that the child had suffered a non-accidental injury. The child was not previously known to the Local Authority prior to this incident.

The child was presented at hospital on 9 August 2020 after being referred by her GP due to having a small 50p size lump on her collarbone. It was confirmed by skeletal x-ray on 12 August 2020 that the child had a fracture to her left clavicle. The child's parents were unable

to explain the injury and could not offer any history of a fall or trauma. The treating paediatrician also raised concern that the injury was three to four weeks old, and no medical advice had been sought up until that point. The mother confirmed she had noticed the lump three weeks beforehand but as it was not causing any distress to the child, she did not take any action in relation to it. The treating paediatrician provided a report on 12 August 2020 confirming that in their opinion the fracture was a 'non-accidental injury'.

A safety plan was put in place whereby the child moved to live with her paternal grandmother and paternal grandmother's partner. The child's parents were also permitted to stay at the address, but all their care of the child was supervised by paternal grandmother.

The Local Authority issued proceedings on 11 September 2020 and sought an interim Supervision Order.

The first case management hearing took place on 29 September 2020. At this hearing, the court made an interim Supervision Order, and a number of assessments were timetabled including an expert assessment by a consultant paediatric orthopaedic surgeon. A further case management hearing which dealt with re-timetabling took place on 23 November 2020.

The report from the paediatric orthopaedic surgeon was received on 22 December 2020. The expert concluded that the clavicle fracture was most likely caused by non-inflicted trauma such as an un-witnessed low energy fall or unintentional trauma. The expert confirmed that the parents' late presentation for medical advice was understandable and reasonable in the circumstances as the child was never symptomatic or observed to be in any pain or discomfort.

Following receipt of this report, the LA agreed with parents that supervision of their care of the child was no longer required.

A further case management hearing took place on 6 January 2021. At this hearing the LA sought to withdraw its application on the basis that threshold could not be deemed to be met following receipt of the expert's report as no other concerns had been identified. The court gave permission to withdraw the proceedings and the matter concluded with the making of no order.

Longest case – 128 weeks – concluded October 2020

This matter concerned a family who were known to the Local Authority for a number of years prior to court proceedings being issued. This case originally involved six siblings. A seventh sibling was born during the course of the proceedings.

The family first came to the attention of the Local Authority in 2005. Concerns related to neglect, emotional harm, physical harm and the mother's ability to protect the children from their partners. The children were subject to child protection plans on three occasions: once in 2004, once 2006-2007 and once 2010-2012.

An older sibling was removed from the mother's care in 2016 due to concerns about his behaviour and assaulting his mother. Pre-proceedings was commenced in relation to the six siblings that remained in the family home. An agreement was reached at the initial pre-proceedings meeting that mother would engage in a parenting assessment, early help worker, a domestic violence agency and that her partner (father to the youngest two children) would not be allowed into the family home. Unfortunately, this did not result in any positive change for the family. The children continued to be seen with injuries due to lack of supervision, home conditions were poor, the children were assaulting their mother and each other, there were multiple police call outs to the family home and the mother's partner was seen in the family home.

The Local Authority issued care proceedings on 2 May 2018. The Local Authority initially sought interim care orders with a plan of removal of the six siblings to foster care. The first hearing took place on 22 May 2018. At this hearing after considering the position of the other parties and in particular the Children's Guardian, the LA amended its position and no longer sought immediate removal of the children. Directions were made for the Local Authority to file further evidence in support of its application to remove the children from their mother's care.

A contested hearing was listed on 7 September 2018 to deal with the Local Authority's application to remove the children from their mother's care in the interim. At the hearing the court determined that there was not sufficient evidence to remove the children from their mother's care in the interim. The court made interim Supervision Orders and an updated safety plan was put in place. The matter was timetabled through to a final hearing in November 2018.

A further contested hearing took place on 14, 15 and 16 November 2018. This hearing was originally intended to be a final hearing however could not proceed as such due to the final care plans for the children not having the correct senior management approval and placement order applications not having been issued for the younger children. Instead, the court conducted a fact-finding exercise and determined that the threshold for making public law orders was met. The court made interim care orders and approved the Local Authority's care plan that the children be moved to foster care.

A further case management hearing took place on 30 November 2019. At this hearing the court directed that an expert psychological assessment be prepared of the family. This assessment could not be completed until May 2019 and therefore the proceedings had to be extended to accommodate this. The matter was timetabled through to a final hearing on 9 September 2019.

A further case management hearing took place on 28 May 2019. At this hearing the parents put forward further family members that they wished to be assessed.

A further case management hearing took place on 11 June 2019 to consider the contact between the children and their mother. The Local Authority wished to reduce the level of contact and this was opposed by the mother. At this hearing it was agreed that the case

would not be ready to proceed to a final hearing on 9 September 2019. The matter was therefore re-timetabled to a contested final hearing on 24, 25 and 26 February 2020. This was the first available dates that HHJ Hirst, who heard the fact-finding hearing, was available to be able to hear the matter.

The mother's eighth child was born on 27 September 2019. The mother concealed this pregnancy, and the Local Authority only became aware of the pregnancy when the mother was at 37 weeks gestation. The Local Authority issued proceedings immediately following this child's birth and sought an interim care order. An urgent hearing was listed, and the court made an interim care order on the same day. The matter was adjourned to a contested removal hearing on 30 September 2019. At this hearing the court sanctioned interim removal of the baby from his mother's care overnight; a further hearing was listed on 1 October 2019 so that evidence could be heard by the court. The court heard evidence on 1 October 2019 and endorsed the Local Authority's care plan that the child be removed from his mother's care and placed in a foster placement. The proceedings were consolidated with the proceedings relating to the three older children.

The final hearing listed on 24, 25 and 26 February 2020 had to be vacated because HHJ Hirst was unavailable due to suffering a family bereavement. The final hearing was re-listed for three days commencing 27 April 2020.

On 23 March 2020, the country went into 'lockdown' as a result of the COVID-19 pandemic.

On 21 April 2020, HHJ Hirst determined that it would be prejudicial to the mother's right to a fair trial for the contested hearing to proceed via video conference as she wished to fully contest the evidence and she had limited cognitive ability. HHJ Hirst directed that the matter be listed to be heard in person as soon as the COVID-19 restrictions allowed.

The matter was listed for a further case management hearing on 5 August 2020. At this hearing the matter was listed for a contested final hearing beginning 12 October 2020 with a time estimate of four days.

The hearing beginning 12 October 2020 was effective as a final hearing. The court made Care Orders in respect of the older six children and a Care and Placement Order in respect of the youngest child who had been born within the court of the proceedings.

Pre-proceedings Initiatives

Public Law Outline

The Public Law Outline (PLO) emphasises the importance of Local Authorities 'front-loading' care proceedings. This means that wherever possible assessments and investigations should be completed before proceedings are issued to avoid the proceedings continuing beyond the 26 weeks.

Before proceedings are issued local authorities need to consider if the case could be diverted away from proceedings by meeting with parents to discuss what we are worried about in relation to the children's care and seeking their co-operation with work designed to prevent the children suffering significant harm. Parents are entitled to free legal representation at the meeting.

Lincolnshire County Council has innovated two initiatives to focus on cases where proceedings can be reduced in length by work done during the pre-proceedings cases.

CAFCASS+

CAFCASS+ was a pre-proceedings initiative involving Children's Services, CAFCASS and parents and applied to unborn babies only. Unfortunately, this scheme is no longer used. Initially this suspension was put in place in May 2019 due to staffing difficulties within Lincolnshire CAFCASS. The scheme has now however been indefinitely suspended after members of the judiciary raised concern about the legality of similar schemes in other Local Authority areas. It should be noted that concerns were not raised about the Lincolnshire scheme specifically however CAFCASS implemented a nationwide review about projects after the criticism in other areas.

Whilst the formal CAFCASS+ project is not currently running, Lincolnshire social work teams continued to implement the associated protocol to commence pre-proceedings and undertake necessary assessments prior to birth in accordance with the spirit of CAFCASS+.

The pre-proceedings process itself had undergone a review and has been made more robust. Referrals to Children's Services now take place at 14 weeks with a view to the first legal planning meeting taking place between weeks 16 – 20. The objectives are:

- To allow time for planned and robust assessments and direct work with families to take place and allow them to demonstrate good enough care of their children so in turn.
- Ensures cases where possible are diverted from proceedings promptly; or
- demonstrate sufficient and robust evidence to support an application to court following the conclusion of assessments.
- As parents are represented, and participate in this process, the concerns of the Local Authority are open and transparent so by the end of the process, parents are not surprised by the outcome and that the case regarding their children will be going to court, particularly important when the child is going to be a new-born baby.

PSMIP (Parental Substance Misuse Intervention Programme)

The PSMIP programme is one that remains in place. It is a pre-proceedings initiative involving a number of different agencies, but notably Children's Services, We Are with You (formerly Addaction) and housing authorities. This is a Lincolnshire County Council pilot

project which has been initiated as a result of recommendations by the President of the Family Division which have been based on the success of the of the Family Drug and Alcohol Court.

The aim of the programme is to provide co-ordinated multi-agency services for parents whose children are at risk of removal from their families where one of the significant things that we are worried about is the effect of parental drug or alcohol misuse on the safety of the children in the household.

The main objective of the programme is to reduce the risk to the children in these families whereby it is safe for them to remain with, or be reunified with, their parent and thus divert cases away from care proceedings. The secondary objective is that if the programme is not successful and care proceedings are necessary, the case will have been frontloaded and evidence gathered during the programme can be used to support an application in care proceedings and complete the case at an early final hearing.

2. Conclusion

- a) Within the reporting period, there has been a rise in the number of care proceedings issued.

In 2019/2020 applications were issued in respect of 157 children.

In 2020/2021 applications were issued in respect of 197 children.

This equates to an increase of 40 children (25%)

In respect of the 197 children, the applications comprised of 171 applications for care orders and 26 applications for supervision orders.

- b) Care Proceedings were concluded in respect of 81 children in 2019/2020 compared to 119 in 2020/2021.

- c) There has been a rise in standalone Care Orders being granted.

In 2019/2020 27 Care Orders were granted.

In 2020/2021 31 Care Orders were granted.

4 more standalone care orders were granted, and this equates to an increase in these orders of almost 15%.

- d) There has been a decrease in the number of Supervision Orders being granted

In 2019/2020 22 Supervision Orders were granted.

In 2020/2021 10 Supervision Orders were granted.

17 fewer Supervision Orders were granted which equates to a decrease of 54%.

e) The use of Placement Orders has dropped.

In 2019/2020 22 Placement Orders were granted.

In 2020/2021 12 Placement Orders were granted.

10 fewer orders were granted, and this equates to a decrease in these orders of 45%.

f) There has been a slight increase in the use of Special Guardianship Orders.

In 2019/2020 18 Special Guardianship Orders were granted.

In 2020/2021 20 Special Guardianship Orders were granted.

2 more orders were granted, and this equates to an increase in these orders of 11%.

In 2020/2021 the number of cases concluded has significantly reduced as compared to the number of cases that concluded in 2019/2020 in that a decrease of 32% has occurred, indicative of additional factors impacting upon cases.

3. Consultation

a) Risks and Impact Analysis

N/A

4. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

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