

THE CHRONOLOGY

The responsibility for preparing the chronology rests with Social Services.

It is essential under the new protocol for the social work file to be in good order – properly written up. The chronology should be cross-referenced to the files. This means that a running chronology should be maintained on the file.

A draft chronology is annexed to these notes. Appendix B describes the content of the new form of chronology.

Events are to be given a serial number, date, and description of event and where possible a reference should be made to the document containing the information on the social services file. The recordings made in the chronology should be concise. The court does not want to see long complicated chronologies.

IN THE INNER LONDON AND CITY FAMILY PROCEEDINGS COURT

**IN THE MATTER OF JACK SMITH (a boy DOB 20.5.95)
AND
IN THE MATTER OF THE CHILDREN ACT 1989**

BETWEEN:

**The Mayor and Burgesses of the
London Borough of Tower Hamlets**

Applicant

and

Mrs. Smith

First Respondent

and

Mr. Smith

Second Respondent

and

**Jack Smith
(represented by his Guardian)**

Third Respondent

SOCIAL WORK CHRONOLOGY

N o.	Date	Description	
1.	20.8.68	Birth of Mr. David Smith	
2.	16.5.71	Birth of Mrs. Joan Smith	
3.	20.5.03	Referral from Jack Jones Primary School regarding allegations made by Jack of physical assault by his father.	Detailed recording dated 20.5.03 Vol. I and letter from Head Teacher 20.5.03.
4.	21.5.03	Meeting with parents to discuss allegations and agree to medical examination. Jack has disclosed that father beat him with stick and tied him to door handle. Parents agree that Jack can move temporarily to live with maternal aunt until investigations complete. The condition of the flat is appalling, very unhygienic. Father has history of alcohol abuse but not previously known to social services. Jack moves to reside with aunt under S20 CA89. Jack examined by Dr. Davis his GP.	Detailed recording 21.5.03 Vol. I
5.	May- July 03	Ten visits made to parents to discuss the allegations made by Jack. No one answered the door. Parents have not contacted Social Services to advise them of any problem.	Social Services file May – July 2003

DISCLOSURE

The Local Authority must disclose relevant documents to the court and parties within 20 days of the issuing of proceedings.

What is relevant?

Relevant documents are those which support the application and in particular support the threshold criteria. This should include the following:-

- a. Medical information. You will need to ensure that you have the consent of the health professional that prepared it.
- b. Running records, which support the allegations, which are being made. e.g. notes of interviews with children.
- c. Contact records
- d. Attendance notes of meetings and conversations
- e. Minutes of case conferences, care group meetings.

If Social Services object to the disclosure of inspection of any documents, these objections should be notified to the parties at the earliest possible stage in the proceedings and raised with the Court by the Local Authority without delay. Social Workers need to consider this issue and discuss it with the lawyer allocated to the case.

The Social Services file needs to be kept up to date in order to facilitate the above process.

Information from the Eva Armsby Centre and from foster carers may also need to be disclosed. They should be given advice on how to record information, which will ensure that good notes are available for the record and for the court in evidence.

Disclosure more generally

The courts have provided guidance to Social Workers about recording and preparing information for use in care proceedings.

- a. Social Workers should as soon as practicable notify parents of material criticism of and deficits in their parenting or behaviour and of the expectations of them; and
- b. Advise them how they may remedy or improve their parenting or behaviour.
- c. All professionals involved should at all times keep clear, accurate, full and balanced notes of all relevant conversations and meetings between themselves and/or with parent, other family members and others involved with the family.
- d. The minutes of meetings and conversations should be disclosed to the parties at an early stage of the proceedings.

STATEMENT

The initial social work statement is filed by the Local Authority within 2 days of issue of the application. Social Workers should if possible prepare the statement prior to the issuing of proceedings. Legal Services will be in a position to comment on the contents of the statement before filing it at court and serving it on the parties.

Once issued, the application together with the local authority evidence should be served on the parties.

Contents of Statement

The statement should outline the precipitating incidents and background circumstances relevant to the grounds and reasons for making the application. This should include a brief description of any referral and assessment processes that have already occurred.

Appendix D of the protocol sets out what should be included in the statement. These are as follows:-

- i. Any facts and matters that are within the Social Workers personal knowledge.
- ii. Any emergency steps and previous Court Orders that are relevant to the application.
- iii. Any decisions made by the Local Authority that are relevant to the application.
- iv. Information relevant to the ethnicity, language, religion, culture, gender and vulnerability of the child and other significant persons in the form of a 'Family Profile' together with a description and detail of the social care services that are relevant to the same.
- v. Where the Local Authority is applying for an Interim Care Order and/or seeking to continue the removal of a child under Emergency Protection the Local Authority's initial proposals for the child including placement, contact with parents and other significant persons and the social care services which are proposed.
- vi. The Local Authority's initial proposals for the further assessment of the parties during the proceedings including twin-track planning.
- vii. The social work timetable, tasks and responsibilities so far as they are known.
- viii. The protocol does not indicate that the statement should address the welfare checklist. However, it is extremely helpful to the court when they formulate their facts and reasons. On this basis we suggest that

social services continue to address the welfare checklist within the statement.

A care plan is not required to be filed with the initial statement. However, the initial statement should address the issue of contact and any assessment you have identified as necessary.

A model statement is attached.

LEGAL PLANNING MEETINGS

In order to achieve a well presented case at the first hearing we intend to hold legal planning meetings prior to the issue of proceedings. You will find a form attached to these course notes at Appendix E, which provide a checklist for all issues which need to be covered during the course of the legal planning meetings.

The purpose of the legal planning meeting is to allow social services and legal to discuss the case and ensure that the case satisfies the threshold criteria and we are in a position to comply with the protocol. We will need to ensure the following:-

1. That all documents which are required are ready to be served by day 3. This means the chronology and statement.
2. Discuss when the interim care plan will be ready for service. The interim care plan needs to be filed after the first hearing (by day 10). Directions will be given for filing the interim care plan either at the first hearing or the allocation hearing. In any event the interim care plan should be filed by the date of the CMC.
3. Discuss whether expert evidence is required.
4. Discuss whether the case is appropriate for transfer to a higher court.
5. Consideration should also be given to the preparation of a core assessment if one has not already been prepared. Please read Appendix F which is provided in the protocol documents as an aide-memoir to social services assessments and care planning.

The protocol provides for a direction to be made that social services prepare a core assessment. It will be necessary at the legal planning meeting to discuss whether one should be completed with a time scale.

6. Consideration should be given as to whether it would be appropriate to disclose documents at this stage or indeed whether and which documents should be attached to the social work statement.
7. Consideration of parallel planning.

S 37 Reports

Where, in any family proceedings in which a question arises with respect to the welfare of any child, it appears to the court that it may be appropriate for a care or supervision order to be made with respect to the child, the Court may direct the Local Authority to undertake an investigation of the child's circumstances.

Appendix 6 to the protocol sets out the procedure, which the court will use to initiate a s37 report.

(Who is our Court Liaison Manager?)

The Court will inform Legal Services that a s37 report is needed within a certain time frame.

We will forward the request to the appropriate team manager and discuss whether it is possible to complete the investigation and prepare the report within the timescale indicated by the court. If at any stage it begins to appear that social services will be unable to comply with the court order, the team manager should inform Legal Services and provide an explanation. We will write to the court to inform them of the position. We will need to know the new date by which the report will be ready.