

# The Participation of Children and their Families in Child Protection Conferences

April 2019

## Parental Participation

All parents and persons with parental responsibility must be invited to conferences (unless exclusion is justified as described below). Parents will be encouraged to contribute to conferences; usually by attending, unless it is likely to prejudice the welfare of the child.

The social worker must facilitate the constructive involvement of the parents by ensuring in advance of the conference that they are given sufficient information and practical support to make a meaningful contribution, including providing them with a copy of the Conference report prior to the meeting.

Invitations for the parent(s) to attend the conference should be conveyed verbally by the social worker and will be confirmed in writing by the IRO Team.

The social worker must explain to parents/carers the purpose of the meeting, who will attend, the way in which it will operate, the purpose and meaning if their child is deemed to require a child protection plan and the complaints process.

Provision should be made to ensure that visually or hearing impaired or otherwise disabled parents/carers are enabled to participate, including whether they need assistance with transport to enable their attendance.

Preparation should also include consideration of childcare and travel arrangements to enable the attendance of parents.

Those for whom English is not a first language must be offered and provided with an interpreter, if required. A family member should not be expected to act as an interpreter of spoken or signed language.

Parents and carers should be informed that they may request to bring a friend, supporter (including an advocate) or solicitor (in the role of supporter).

Children and young people should be given a copy of the National Youth Advocacy Service (NYAS) leaflet detailing advocacy services.

### **Role of a supporter or Advocate at a Child Protection Conference**

An advocate is usually someone independent who can help parents and carers have their voice heard when social workers and professionals in multi-agency meetings are discussing issues regarding the safety and welfare of children and to help parents and carers contribute effectively to plans to ensure the safety of their children.

Advocates should be allowed to attend and participate in a Child Protection Conference if requested by parents or carers unless and until it is felt that they will undermine the purpose of the conference by making it unnecessarily confrontational. This will be determined by the chair of the meeting. If the chair of the meeting determines that the advocate proposed by the parents should not attend or contribute to the meeting, the reasons for this should be made clear to the parents and to the advocate and be provided in writing or email.

Research suggests that advocates are most helpful if they are professionally trained and have detailed knowledge of child care law. (*Protocol for advice and advocacy for parents (child protection)*, Lindley, B and Richards, M. Centre for Family Research, University of Cambridge, DoH, December 2002'). The Family Rights Group [www.frg.org.uk](http://www.frg.org.uk) also have information for adults regarding the role of advocates, leaflet 10, 'Advocacy for families when social workers make plans for their children' (2018)

[https://www.frg.org.uk/images/Advice\\_Sheets/10-advocacy-for-families.pdf](https://www.frg.org.uk/images/Advice_Sheets/10-advocacy-for-families.pdf)

However parents or carers may wish to bring a supporter who can be a friend or family member. This should be someone who can be trusted to keep confidential the very personal and sensitive information they are likely to hear in a Child Protection Conference. This will be the judgement of the family, though the final decision with regard to the attendance of an advocate or supporter rests with the chair of the Child Protection Conference.

Advocates can help parents or carers to:

- Prepare for meetings with social workers and other professionals
- Ask questions
- Speak up and get points of view across in the meeting
- Negotiate
- Challenge in a constructive way if there is disagreement with what is being said
- Remember what was said after the meeting and to help plan what to do next.

Where an advocate, supporter or solicitor has been involved in a Child Protection Conference they should not normally receive a copy of the record of the meeting.

If parents do not wish to attend the conference they must be provided with opportunities to contribute their views. This should be facilitated by any of the following:

- The use of an advocate or supporter to attend on behalf of the parent (subject to the Conference Chairs agreement);
- Enabling the parent to write, or tape, or use drawings to represent their views;
- Meeting the Conference Chair prior to conference;
- Agreeing that the social worker, or any other professional, expresses their views.

### **Criteria for Excluding Parents or Restricting their Participation**

In circumstances where it may be necessary to exclude one or more family members from part or all of a child protection conference it is the responsibility of the Child Protection Conference chair (IRO) to come a decision. Requests from other professionals to exclude or restrict the participation of a parent or family member should be discussed with the Conference Chair and confirmed in writing if possible in advance of the meeting outlining the reason for the request with regard to the criteria set out below.

The family and the subject of the exclusion should be notified of the exclusion from the meeting and the reason for the decision before the Child Protection Conference takes place. Consideration should be given to how the excluded person may be consulted prior to the Child Protection Conference.

The decision should be made according to the following criteria:

- Indications that the presence of the parent may seriously prejudice the welfare of the child, for example where information shared could further victimise the child or increase the child's vulnerability to further abuse;
- Sufficient evidence that a parent/carer may behave in such a way as to disrupt the conference such as violence, threats of violence, racist, or other forms of discriminatory or oppressive behaviour or being in an unfit state e.g. through drug, alcohol consumption or acute mental health difficulty (but in their absence a friend or advocate may represent them at the conference);
- A child requests that the parent/person with parental responsibility or carer is not present while s/he is present;

- The need (agreed in advance with the Conference Chair) for members to receive confidential information that would otherwise be unavailable, such as legal advice or information about a third party or criminal investigation;
- Conflicts between different family members who may not be able to attend at the same time e.g. in situations of domestic abuse;
- It is necessary to present information to the conference which, if shared with certain family members, might increase the risk to the child;
- Attendance by a known, alleged or suspected perpetrator may threaten or otherwise place the child at risk;
- Their presence may prejudice any legal proceedings or Police investigation, for example because they have yet to be interviewed or because bail conditions restrict their attendance;
- There is a serious threat of violence toward any person at the conference.

Exclusion from one conference is not reason enough in itself for exclusion from further conferences. The decision must be reviewed on each occasion before subsequent conferences take place.

The possibility that the parent may be prosecuted for an offence against a child is not in itself a reason for exclusion although in these circumstances the Conference Chair should take advice from the Police about the implications arising from an alleged perpetrators attendance.

If the Conference Chair makes a decision to exclude or restrict the participation of a parent or family member, the decision should be communicated to the following people:

1. The person making the request;
2. All other professionals invited to the meeting;
3. The parent or family member concerned (in writing) – unless a decision is made that they should not be informed at all of the conference (see below).

The letter to the parent must be signed by the Conference Chair and set out

- The reason for exclusion or restriction;
- An explanation of any other methods the parents have open to them to ensure their views and wishes are considered;
- How the parents will be told the outcome of the conference;
- The complaints procedure.

Any exclusion period should be for the minimum duration necessary and the decision to exclude must be clearly recorded in the conference record.

The chair of the Child Protection Conference must decide if those excluded should be given copies of reports provided to the conference in full, in part or not at all. This should not be provided if this is likely to create a risk of harm or if it is deemed that the information provided may be shared inappropriately, via social media for example. The chair should also decide whether it is appropriate for the excluded person to be provided with the opportunity to have their views recorded and presented to the conference.

If, in planning a conference, it becomes clear to the Conference Chair that there may be conflict of interests between the children and parents, the conference should be planned so that the welfare of the child can remain paramount.

This may mean arranging for the child and parents to participate in separate parts of the conference and make separate waiting arrangements.

It may also become clear in the course of a conference, that its effectiveness will be seriously impaired by the presence of the parent/s. In these circumstances, the Conference Chair may ask them to leave.

Where a parent is on bail, or subject to an active police investigation, it is the responsibility of the Conference Chair to ensure that the Police can fully present their information and views and also that the parents participate as fully as circumstances allow.

The decision of the Conference Chair over matters of exclusion is final.

Where a parent/carer attends only part of a conference as a result of exclusion, s/he will receive the record of the conference. The Conference Chair should decide if the entire record is provided or only that part attended by the excluded parent/carer.

## Participation of children and young people

The child's attendance at the Conference must be actively considered and the reasons for and against recorded. If the age and level of understanding of the child or young person is sufficient, they should be invited to contribute to the conference. It is helpful to think of participation as a process rather than an event; the aim is to enable the child to understand and contribute to the decision making and to be able to convey their views to the meeting.

A decision about whether to invite the child should be made in advance of the conference by the Conference Chair in consultation with the social worker, their manager and any other relevant professional, including the child's independent advocate where relevant.

The key considerations are:

- Has the process been properly explained the child in an age appropriate way?
- Has s/he expressed an explicit or implicit wish to be involved?
- What are the parents' views about the child's proposed presence?
- Is inclusion assessed to be of benefit to the child?
- Will the conference be able to fulfil its aims of protecting the child and planning effectively if the child is present?

The test of 'sufficient understanding', is partly a function of age and partly the child's capacity to understand. A guiding principle is that usually a child under 10 should not be invited to attend the Conference in person, but their views should be ascertained and included in the Social Worker's report. This should be decided by the chair of the conference in consultation with the Social Worker.

In order to establish her/his wish with respect to attendance, the child must be first provided with a full and clear age appropriate explanation of the purpose, conduct, membership of the conference and the potential provision of an independent advocate.

Written information translated into the appropriate language should be provided to children able to read and an alternative medium offered to those who cannot read.

A declared wish not to attend a conference (having been given such an explanation) must be respected.

Where there is a conflict between the wishes of the child and the views of the parents, the child's interests should be the priority but should also take into account possible impact of this on the child.

Consideration must be given to the impact of the conference on the child. Where it will be impossible to ensure they are kept apart from a parent who may be hostile and/or attribute responsibility onto them, separate attendance should be considered.

The decision of the Conference Chair should be recorded, with reasons on the child's LCS record and the Child Protection Conference record.

### **Indirect Participation**

If it is decided that the child should not attend or to restrict participation, every effort should be made by the social worker to obtain and present the views and wishes of the child, which can include:

- A submission by letter, email, text message; a picture, an audio or video - prepared alone or with support; three houses or other 1:1 work with the Social Worker or

other professional who has a positive relationship with the child. Views expressed by Your Voice.

- The child's independent advocate, or other professional speaking on the child's behalf (for example, a person with specialist skills or knowledge);
- The child meeting the Conference Chair before the conference to share their views;
- The child attending to observe rather than to contribute him or herself.

### **Direct Participation**

If the decision is that the child is to attend the conference, then the conference chair, in association with the Social Worker should:

- Identify and agree a supporter/independent (NYAS) advocate with the child
- Ensure that the child has an opportunity to discuss any concerns that he/she may have about attendance;
- Explain to the child who will be at the conference, their roles and responsibilities in the meeting, the information likely to be discussed and the possible outcomes;
- Decide with the child the extent to which he/she wishes to participate and how his/her wishes and views will be presented;
- Share and discuss the content of the social work report for the Conference.
- Arrange for the child to meet with the IRO Chair and if possible visit the venue where the conference will be held if the child wishes.
- Identify what actions and outcomes the child believes should be included in any plan of intervention. This would include the Child Protection Plan or the Child in Need Plan.

If the child is attending the Conference it is the responsibility of the Conference Chair to:

- Clarify with the social worker what information will be available to the child both before and during the conference;
- Meet with the child and independent advocate/supporter prior to the conference and meet separately from the parents if required;
- Ensure that the child has sufficient support to present their wishes and views during the conference;
- Monitor the child's welfare throughout the conference, and arrange for them to have a break if necessary;
- Ensure that the child is informed of the decisions and recommendations of the conference;
- Write to the child to confirm the decision and recommendations if this is appropriate to the age, understanding and needs of the child;
- Ensure that the conference record adequately reflects the child's contribution.

If the child is attending the conference, it is the responsibility of all professionals to:

- Give consideration to which parts of their respective reports can be shared with the child; the chair of the Child Protection Conference must decide whether the child or young person is given access to all of the reports provided to the conference or to selected reports or to none of the reports. This is particularly important when sensitive information regarding the parents is included in the reports.
- Use plain language that is understandable to both the child and their family;
- Discuss with the social worker any potential difficulties arising from the child's participation.

It is essential that planning takes place prior to the conference to ensure that the practical arrangements are suitable. As far as possible the Conference Chair should in discussion with the social worker:

- Identify a venue where the child and family will feel comfortable;
- Identify and meet any special needs;
- Arrange the timing of the conference to minimise disruption to the normal routine of the family;
- Ensure that adequate time is available before the start for the child and his/her independent advocate to meet with the Conference Chair.

The social worker should inform the child about the National Youth Advocacy Service (NYAS) and help them to make contact if they wish to contact the service themselves. When a conference is being convened, a referral for a NYAS advocate may be made by the social worker in relation to any eligible child, subject to the child's consent.

Where access to the advocacy service is not possible for any reason, this should be discussed with the Conference Chair in advance of the conference. Where this is because of the lack of parental consent, this should be included in the social workers assessment report to the conference.

The advocate will attend the conference with the child, subject to the child's consent. The advocate will not be present for any part of the conference where information is presented which will not be made available to the child.

### **Support to the Child Following the Child Protection Conference**

The advocate should ensure that immediately after the conference the child has an opportunity to discuss what happened during the conference, the decisions made and, where appropriate the outline child protection plan. If the advocate has concerns about the child these should be discussed immediately with the social worker.



The social worker should meet with the child after the conference to:

- Feedback and discuss the outcomes of the conference and to allow the child to ask any questions about the decisions made;
- Identify what support they want informally through family, friends and the professional network.
- How the child will participate and/or contribute to ongoing core group meetings.

The Social Worker should consult with the child near to the time of the Review Child Protection Conference to ascertain their views regarding how well or otherwise the child protection plan is working for them and how they may wish to participate in the next meeting. The Social Worker or IRO should consider with the child whether an independent advocate should be requested for the next meeting and a referral to NYAS arranged.

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Published: April 2019