



# Care planning for children in proceedings

## Introduction

Social workers responsible for children and their families in care proceedings are required to make recommendations to the court regarding where the child should live, who will care for them, and how they will see and stay in touch with significant family members. Inevitably, these decisions are complex and have far-reaching consequences for children and their families now and in the longer term and are likely to provoke strong feelings for all. The process involves consideration of:

- > Information specific to the family including multiple assessments of key adults and children, their views, wishes and feelings.
- > Testing this information within the legal framework.
- > Placing the process within care planning regulations.
- > Integrating research into what is known to support children's belonging, stability, identity and psychological permanence now and in the longer term.

Within the context of care proceedings, there is a danger that the attention of social workers, advocates and the court is focused on risk and safety, with adults in the child's life ruled 'positive or negative' according to their capacity to offer safe, full-time care of the child. Consequently, there can be limited time to think through the impact of care planning decisions and how the child's permanence will be supported. As a result, plans presented to court can often be criticised for making standardised recommendations that are not specific to the child, their individual circumstances and relationships (Featherstone et al., 2018).

Despite this complexity in practice, research has highlighted arrangements for care planning are a neglected area of study (Thomas, 2011). There has been little research undertaken to explore the process of **how** social workers and others involved in decision-making effectively interrogate information, think through the potential impact of decisions and achieve proposals to ensure that children's permanence needs are supported.

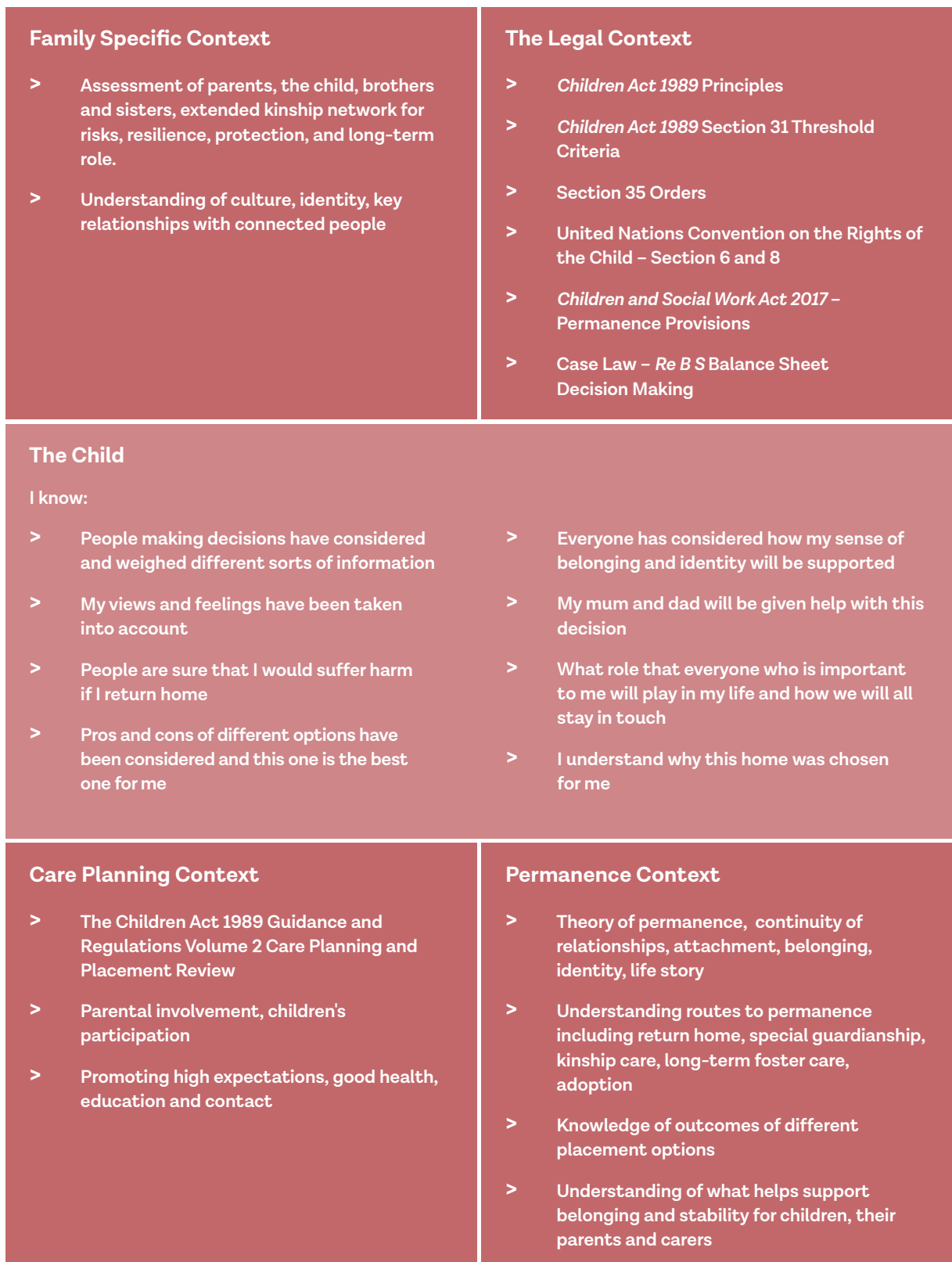
This guide supports social workers and managers in making care plans for children prior to final hearings in care proceedings. It highlights the key legislation and case law, care planning regulations and research that should inform these decisions. It also offers tools to help guide practitioners through the issues they need to consider to enable them to demonstrate to the child, family and the court why they have reached the decisions they have and the evidential basis for this.

## Making decisions for children: The context

In exploring potential care plans for legal proceedings, social workers and their managers will draw on four key sources of information and guidance to inform completion of final evidence and care planning for court. These include:

- > family specific context
- > legal context
- > care planning context
- > permanence research context.

This diagram identifies the key information that each of these areas brings to the care planning process:



## Family specific context

Social workers supporting children and their families in the context of proceedings will be undertaking assessments of parents, extended family members, individual children and their brothers and sisters.

Key areas of assessment will include:

- > Parents and kinship members, their histories, risks, protective factors, quality of relationship with the child, capacity for change, support they may need to provide full-time care or play a role in the life of the child.
- > The child, history, identity, impact of significant harm, how they manage their feelings, quality of relationships with their parents and wider family, the impact on them of potentially joining a new family or return home, their readiness for this and what it will mean to them, their long-term needs.

Social workers and their managers will draw on this information to apply the legislation, care planning and permanence context to explore and test potential options and what they will mean for the child and their family.

## Legal context

The key legislation that social workers and their managers will need to consider in exploring recommendations for the long-term care of the child is the *Children Act 1989*.

### Overarching principles

The *Children Act 1989* provides the overarching principles which should underpin all decisions that social workers make for children and young people. They include that the welfare of the child is paramount; that the involvement of the parents in the child's life will further their welfare; that any delay is likely to prejudice the child; and the presumption of a 'no order principle' where the court is minded not to make an order unless it considers it would be better for the child than no order (section 1, *Children Act 1989*).

Articles 6 and 8 of the United Nations Convention on the Rights of the Child recognise that every child has a right to life and that the state must ensure to the maximum extent possible, the survival and development of the child. The Convention also respects the right of the child to preserve their identity, including their nationality, name and family relations. The European Convention on Human Rights also recognises the 'right to respect for family life'.

### Threshold criteria

In making long-term care plans for children, social workers will need to consider if the threshold criteria continue to be met and if the children have suffered or are likely to suffer significant harm if they were to be returned to the care of their parents or another member of their family.

Section 31 (2) of the *Children Act 1989* states that the court can only issue a care or supervision order if it is satisfied that:

- > The child concerned is suffering or is likely to suffer significant harm and
- > That the harm, or likelihood of harm, is attributable to the care given to the child, or likely to be given to them if the order were not made, not being what it would be reasonable to expect a parent to give to them; or the child's being beyond parental control.
- > Harm, according to the *Children Act 1989* means the 'ill-treatment or the impairment of health or development'. 'Development' means physical, intellectual, emotional, social or behavioural development; 'health' means physical or mental health; and 'ill-treatment' includes sexual abuse and forms of ill-treatment which are not physical.

- > Under the *Adoption and Children Act 2002*, the definition of harm also includes ‘impairment suffered by hearing or seeing the ill-treatment of another’.
- > The definition of ‘likely to suffer’ is used in the sense of a real possibility, that there is a real and substantial risk that the child will suffer significant harm.

## Welfare checklist

When making recommendations to the court regarding which order will be appropriate, social workers must regard the welfare checklist and demonstrate how they have considered each element in coming to the recommendation. This includes:

- > The ascertainable wishes and feelings of the child (considered in light of their age and understanding).
- > Their physical, emotional and / or educational needs.
- > The likely effect on them of any change in their circumstances.
- > Their age, sex, background and any other characteristic that the court considers relevant.
- > Any harm which they have suffered or are at risk of suffering.
- > How capable each of their parents or any other relevant person is of meeting their needs.
- > The range of powers available to the court under the *Children Act 1989* in the proceedings in question.



## Care orders and permanence provision

In making decisions about where the child should live and how they will be cared for, social workers will also need to identify which order will be sought, which legislation supports this decision, and devise a care plan based on this proposal.

The *Children and Social Work Act 2017 Section 8* extended the definition of the permanence provisions in the Children Act 1989 so that it includes the child living with their parent, family member or friend of the family; adoption; and other types of long-term care including foster care. Under the Act courts are now required to consider the impact on the child concerned of any harm they have or are likely to have suffered; their current and future needs; and the way in which the long-term plan for the child's upbringing would meet those current and future needs.

The legislation sets out a range of orders which could be applied for under each of these contexts including:

- > **Supervision order** – most likely if children return home to parents. It places a duty on the local authority to 'advise, assist and befriend' the child. A supervision order will last for one year and can be extended by the court for a further two years.
- > **Family Assistance order** – which orders a Cafcass officer or an officer from a local authority to advise, assist (and where appropriate) befriend any person named in the order.
- > **Care order** – if children are to remain in long-term foster care or be adopted. This places the child in the care of Children's Services and they share parental responsibility with the parents. Children's Services have a duty to provide accommodation to the child. Children placed under this order will be subject to Looked After Children Reviews.
- > **Placement order** – made by the court if the permanence plan is for adoption. The court may make a placement order authorising the local authority to place a Looked After Child for adoption. This application can only be made if the local authority Agency Decision Maker (ADM) has decided the child should be placed for adoption.
- > **Special guardianship order** – made if the permanence plan is for the child to live with a family member or friend and they are to be granted parental responsibility. A special guardian support plan should detail the support to be provided to the special guardian, child and the child's family. Alternatively, a **child arrangements order** can also be granted, which gives the carer equal parental responsibility to parents but details their care arrangements. These can be appropriate in some circumstances, particularly if there is a good relationship and agreement between the family members in the care arrangements or for older children, and can follow the 'lesser order principle'.



## Supporting decisions: The place of case law

In exploring options for the long-term care of the child and presenting these recommendations to the court, social workers should also apply a judgment passed known as *Re- B-S* (2013, EWCA Civ 1146). This judgment is significant both in applying the threshold for children placed for adoption, but also how evidence of options for the child are analysed and presented to the court for all children and their families. Sir James Munby, highlighted the inadequacy of options for a child put before the court.

Where there is a care plan for adoption without parental consent, the judgment stipulated that a high degree of justification needed to be made, that it should be a last resort, where 'nothing else will do'. It stated that the interests of a child would require a relationship with his or her parents to be maintained, unless no other course of action was possible. Social workers' analysis must show that the needs of the child for permanence and stability within an adoptive family outweigh all the positive elements of ongoing connection with the child's parents or wider birth family, and that no support could be adequately provided that would enable them to do so.

The judgment outlined the importance of having a 'global, holistic evaluation' of each permanence option for the child that considers all the negatives and positives of each, including a proper analysis for and against adoption. Overall, the judgment raised expectations of social worker evidence and how they demonstrate that they have given enough thought and evidence for the care plan for adoption.

In exploring potential care plans and making recommendations to the court, social workers should demonstrate that the local authority has complied with its duty to leave 'no stone unturned' in attempting to maintain the child within the birth family. Social workers should include a careful and thoughtful analysis of each placement option and explain why a particular type of placement is or is not appropriate. When considering the child returning home or placing them within their wider family, social workers need to consider what support can be provided by the local authority and why any risks are or are not manageable with this support in place.

## Reflection point: applying the legal context

When considering a family for which you are devising a care plan for court:

- > Does the evidence indicate that the threshold criteria are met? Do the completed assessments of the parents and child show evidence of significant harm and that the child's physical, intellectual, emotional, social or behavioral development are impaired? In what ways?
- > Is there any support that could be offered to mitigate against the risks and enable the child to return to their parents or be placed within their family?
- > What are the potential legal routes to permanence for the child and what are the pros and cons of each option based on the child and their family?
- > In what ways are the recommendations underpinned by the principles of the *Children Act 1989* and ensure the child's identity, respect for family life, and role of the parents will be protected, along with ensuring that the child is safeguarded?
- > Based on this analysis, what order are you considering applying for and in what ways will this be in the best interests of the child compared to no order?

## Care planning context

Many children in care proceedings are likely to be subject to an interim care order and be a 'looked after child'. There are care planning regulations that apply to all children who are looked after by the local authority. This is outlined in [The Children Act 1989 Guidance and Regulations Volume 2 Care Planning and Placement Review \(DfE, 2021\)](#).

For children who are placed in care during care proceedings, the regulations state that they should have a permanence plan in place by the time of their second children in care review (which should take place within three months of the first review), which is likely to be prior to compiling final evidence and the final hearing for court.

The starting point for social workers is the high expectations the regulations place on providing looked after children the opportunity to the best experiences in life. It states:

*'Looked after children deserve the best experiences in life, from excellent parenting which promotes good health and educational attainment, to a wide range of opportunities to develop their talents and skills in order to have an enjoyable childhood and successful adult life. Stable placements, good health and support during transition are all essential elements, but children will only achieve their potential through the ambition and high expectation of all those involved in their lives.'* (para 1.1, DfE, 2021).

The regulations also stress the importance of planning for a child's permanence and the key principles which underpin this:

*'Permanence is the long-term plan for the child's upbringing and provides an underpinning framework for all social work with children and their families from family support through to adoption. The objective of planning for permanence is therefore to ensure that children have a secure, stable and loving family to support them through childhood and beyond and to give them a sense of security, continuity, commitment, identity and belonging'* (para 2.3, DfE, 2021).

**Young People's Participation:** children and young people should be involved in decisions about their lives. Social workers should support them to share their wishes and feelings. The regulations stipulate that decision-making should be written in a way that is understood by the child and helps them understand why the decision has been made.

**Parent's role:** Parents should be given adequate information and help to consider what the alternatives for their child's care might be, in order that they might be helped to make an informed choice. Permanence plans should also consider the continuity of important relationships and attachments

**Identity:** Consideration should be given to the child's identity, their sense of confidence and self-worth. This includes recognising the impact of any changes to home, carer, school or social worker.

The key areas that should be set out within the care plan include:

- > information about the long-term plan for the child including timescales
- > arrangements to meet the child's needs
- > arrangements for contact/family time with parents, brothers and sisters and other family members
- > details of the placement plan and why the placement was chosen
- > the name of the Independent Reviewing Officer
- > the wishes and feelings of relevant people about arrangements for the child
- > the wishes and feelings of these people about any proposed changes to the care plan.
- > the local authority needs to provide a contingency plan, in the event that the proposed care plan is not fulfilled.

### Reflection point: Integrating care planning regulations

In considering a child and family for which you are developing a care plan for court:

- > What are the timescales for their children in care reviews alongside the court? How will the care plan you develop interact with the family proceedings?
- > How have you involved the child or young person in developing plans for their care? Do you have a different view to the child or young person? How will you address this?
- > How have you involved the parents in developing plans for their child's care? What role will they play in the life of their child now and in the longer term? What support will they need to do so?
- > Who will the child need to maintain relationships with in their family and kinship network? How will they do this? What support will everyone need?
- > How will the child's education and health be supported?

## Permanence context

Making decisions for children and young people also relies on social workers and their managers integrating understanding of the theory of 'permanence,' the research that demonstrates what helps achieve this and best practice to support it. This requires social workers and managers to shift their focus from risk of significant harm and safety, to considering the child's psychological permanence and how their relationships, identity and sense of belonging will be secured.

*'A meaningful definition of permanence must recognise the key qualities of family relationships for children and adults across generations – including a sense of belonging and mutual connectedness and of continuity between past, present and future'  
(Boddy, 2013 p 1).*

In order to meaningfully integrate understandings of permanence into decisions the key areas that social workers and their managers will need to consider are:

- > outcomes of different routes to permanence
- > role of parents and how they can be supported
- > relationships with brothers and sisters
- > significance of life-long links and their role in the life of the child
- > faith, culture and racial identity and their relevance for placement
- > contact or family time and how this can be supported
- > the importance of direct and life story work to provide explanations and support children and young people to understand decisions reached about their care.

## Outcomes of different routes to permanence

There are many routes to permanence for children which might include remaining or returning home to their families, kinship care, long-term foster care or adoption.

Which route to permanence, for which child, will depend on interacting factors which are likely to determine where the child should live and what role their family can play in the child's life now and in the longer term. These include:

- > the child's family and kinship network, the potential risks and protection they offer, their capacity for change and repair
- > the child, their age, developmental needs, impact of trauma and harm, their racial and cultural identity, and the quality of their relationships with their family including parents, brothers and sisters
- > The availability and capacity of the wider family and network.

In 2017, Wilkinson and Bowyer produced an evidence review that compared different placement options, the strengths and weaknesses of each option and impact on children. There is no evidence that one option is universally better than the other; the best arrangements will depend on the circumstances of an individual child and their family.

- > **Resource - Comparing placement options to meet children and young people's current and future needs: Strategic Briefing (2017)**

## Role of parents

Whatever the recommendations are regarding who is best placed to care for the child, a key element of the long-term permanence plan should be the role that the parents will play. This will support children's sense of identity and understanding their role and belonging in their biological family. In the longer term, many children will return home to their parents, who will often be key adults throughout their lives (Bullock et al., 2001). As a result, it can be helpful to consider how the long-term care plan will support parents to be the best they can be for their children. This support plan will also be key if the parent goes on to have more children. This applies equally to fathers who can often be marginalised through the court process.

Where the decision is made that their children should not return to their care, parents have to manage painful, diverse and contradictory feelings that arise from their sense of loss (Schofield et al., 2011). The same authors identified that parents were progressively marginalised through the court process where a narrative of the parent as 'risk' is dominant, and that parents struggled to maintain their identity as a parent if their child was not with them. Many identify feelings of stigma and blame at having their children removed and a sense of moral judgment and public humiliation.

Schofield et al. (2011) also highlighted that social workers had their own feelings of sadness and guilt at decisions they needed to reach, and that there was a lack of clarity from social workers of the role of parents for children in long-term foster care. The study urged social workers to convey respect and empathy for parents' losses but also recognise parents as parents and to appreciate positive change. Social workers should aim to keep parents present in their minds and to be empathic communicators about and between parents and their children.

## Relationships with brothers and sisters

Care planning decisions will also involve complex and difficult decisions regarding relationships with brothers and sisters. Children may have a number of full, half and step-brothers and sisters, spanning different ages and needs, and parents may go on to have further children after care proceedings have concluded.

Social workers need to assess the quality of relationships between brothers and sisters; how their family history impacts on how they feel about and behave towards one another; their needs and what it will mean for them to be cared for together; and what different permanence options are likely to mean for the relationship between brothers and sisters now and in the longer term.

Decisions regarding brothers and sisters take place within a wider external context. This may involve a lack of alternative homes where brothers and sisters can be cared for together or geographical distance between their homes. Decisions will depend on the extent of support for sustaining previous relationships and on the possibility of building reparative relationships between brothers and sisters where necessary.

The [Assessment of brothers and sisters in public law: Frontline Briefing \(2020\)](#) provides a framework for analysing assessments of relationships between brothers and sisters and what this means for care plans for children and young people.

In making decisions regarding care plans, social workers will need to consider the impact of their recommendation on relationships between brothers and sisters. Children and young people generally want to see siblings they may be separated from, they may worry about them, or have taken on a significant role in their sibling's life prior to proceedings that will be important to sustain. They may serve as important sources of comfort and provide important links with birth family and life story. The impact of relationships on a sense of permanence, life story and identity is addressed in the Research in Practice resource on [Contact after adoption](#).



Beckett (2018) identifies what a 'sibling-friendly' service might look like from the perspective of children by developing a charter of practical steps that can help brothers and sisters effectively maintain their relationships either living together or separately. For children in permanent placements this included children and young people

- > knowing why they may not be living with their brothers and sisters
- > having information and photographs about them
- > knowing when they will see them and that they can talk about and ask questions about them
- > ensuring that they receive news about them and that their respective families have met one another (Beckett, 2018).

Children and young people who contribute to the Family Justice Young People's Board (FJYPB) have also devised [Top Tips](#) for practitioners to consider in working with brothers and sisters. These principles provide a useful checklist for social workers to think about the extent to which they have been integrated within the proposed care plan.

## Top tips for professionals when working with brothers and sisters

A sibling or 'brother and/or sister' relationship is likely to last longer than any other relationship in our lives. This does not matter if the relationship is between full brother and/or sister, half brother and/or sister, step brother and/or sister, or foster brother and/or sister. When this relationship is disrupted, or not maintained, the impact on brother and/or sister groups can be considerable.

The FJYPB have developed some top tips for professionals when working with brothers and/or sister groups.

1	Stop using the word 'sibling'. Use brother, sister or the word that the child is familiar with.
2	Ask the child or young person whom they consider their brother(s) and/or sister(s) to be.
3	Listen to the voice of each child individually. Children within the same family may have a different view.
4	Make your decision based on what you think would be best for each individual child.
5	Professionals need to see brother and/or sister relationships as being as important as a parent or grandparent relationship, whether it be full brother and/or sister, half-brother and/or sister, step brother and/or sister or foster brother and/or sister.
6	Give children in the same family the choice to speak to you separately.
7	Not all brothers and sisters may want to be seen at the same place. If you have to see them all in one session find a place that is acceptable and comfortable for all.
8	If appropriate, it is important to keep brothers and/or sisters together or to maintain a good level of contact during family breakdown.
9	Encourage parents to give consideration to the brother and/or sister relationship when completing the Parenting Plan and encourage them to make provision for siblings to share contact.
10	Professionals should give consideration to the brother and/or sister relationship when preparing reports.
11	Remember that a child or young person may not always have a healthy or safe relationship with their brother or sister. Consider both individual and combined needs.
12	Consider the relationships for children and young people with brother(s) and/or sister(s) who are not involved in the court proceedings and the potential impact upon these relationships of the decisions made by the court.
13	Explain what the impact of the decision made will have not only on the children who are subject to the proceedings, but on all of their brothers and sisters too – what will happen going forward?

## Role of connected people and Life Long Links

Children's sense of identity and belonging will also be supported through sustaining meaningful connections with people who are important to them in their friendship and kinship network. The network might also be important support to parents at what is likely to be a distressing time.

### > [Video - Lifelong Links \(Family Rights Group\)](#)

Life-Long Links is where a trained, independent co-ordinator works with a child to find out who is important to them, who they would like to get back in touch with and who they would like to know. An evaluation (Holmes et al., 2020) demonstrated that the intervention positively impacted children in care, building their agency, life story narratives, safe relationships and sense of identity.. Professional anxiety about the intervention unsettling children proved unfounded and there was a statistically significant difference in placement stability between those who received the intervention compared to those who did not (Holmes et al., 2020). In a more recent evaluation of the extension of the project, findings included that placement stability continued in the years following the commencement of Life-Long Links and that emotional health and wellbeing appeared to improve for children and young people (Holmes et al., 2022).

Often when care planning in legal proceedings, the role of kinship and connected people can focus on their ability provide full-time care for the child or not. The emphasis on ruling these people 'in' or 'out' according to a 'positive' or 'negative' assessment is arguably a contributory factor in the long-term loss of these relationships for children through care. The findings from the Life-Long Links intervention should encourage social workers to consider who the child's connected people are and what role they might play now and in the longer term, even if they are unable to provide care to the child.

Completing cultural genograms which explore the family members and quality of relationships is important to do throughout all involvement with children and families, and can support in identifying these important links (Scott, 2021).

The [Using genograms in practice: Practice Tool](#) (2021) provides guidance to practitioners in completing genograms with family members.

## Family time and keeping in touch

Supporting time with parents and the wider family can help children cope with loss and separation; understand their identity and make sense of their past; as well as help build relationships which will sustain through adulthood.

During proceedings, the time children spend with their parents may have comprised an 'assessment' component, observing parent's capacity to provide safe, long-term care and make and sustain changes through the duration of the proceedings. Regular, frequent time with parents may be prioritised over time with other connected people as social workers seek a balance between their assessments and interventions, alongside the child settling and building relationships with their current carers.

Making proposals for family time after the conclusion of care proceedings provides an important opportunity to reframe the function of this away from assessment and observation to much

more around helping children and key family members maintain important relationships and what support will enable them to do so. This will require individualised planning for children's specific contexts (Featherstone, 2018).

It may be helpful for social workers to widen their conceptualisation of what family time is. Often, it will have become routinised in social worker's minds as 'contact', taking place at regular intervals through the year, sometimes within local authority-run 'contact' centres with supervisors present. For children who are adopted this may be understood as standardised annual 'letter box' contact. However, children and young people have stated that 'contact means staying in touch with the people that you care about'. They state they would prefer contact to be referred to as 'meeting with friends and family' (TACT, 2019). This understanding should enable social workers to consider time that children and young people spend in more flexible ways including visits, sharing family events, sending cards and use of technology to promote relationships. The role of grandparents who have not directly harmed the child needs to be fully considered.

Social workers may want to reframe the role of contact 'supervisors' to 'family time supporters' who can get alongside the family and ensure that their time spent together is as enjoyable as it can be and reduces feelings of anxiety for all involved. Where safe and possible, social workers may want to liaise with carers to think about what role they might play in supporting time with family and other connected people to promote the child's understanding of people who care about them being able to work and communicate together.

Social workers will inevitably need to understand the perspectives of children's carers with regard to contact/family time and the extent to which it places pressure on them and their life with the child. Social workers will need to consider practicalities to support children's time with their families including venues, how the children will meet their parent, activities and how each person involved will respond to the needs of the children.

> [Assessing and supporting family and friends care: Practice tool \(2020\)](#)

There is a renewed emphasis on reviewing family time for children who are adopted. The work of the [Nuffield Family Justice Observatory](#) on modernising post-adoption contact identifies the challenges of sustaining letterbox contact over time, and the limitations of this method of building and establishing connections between children and their birth families. It also recognises that the context of letterbox contact has been unchanged for the last 20 years and the need for substantial change to fit the modern world and the needs of children (Barnett-Jones and Manning, 2021).

Overall, plans for children should be child-centred, bespoke, well-supported and reviewed over time. Sustaining relationships over time takes commitment, creativity and tenacity from social workers to ensure these relationships can be sustained.

## Supporting understanding of race, culture, faith and ethnicity

It is crucial that social workers continuously consider and evidence how the child or young person's racial, cultural, and religious identity will be promoted and how future carers will be supported with this.

The recent report [The Black Care Experience \(2021\)](#) identified the issues that can arise when Black children are placed with a carer who is not Black themselves. The report highlighted that these placements were often unable to promote Black children's culture and identity, which had an impact on how black children perceived themselves and how their hair and skin is cared for. These placements were identified as unable to prepare children and young people to return and be part of their community, and in turn, impacted on how children and young people see their community. The report also highlighted concerns regarding the extent to which placements failed to prepare children and young people for the racism and discrimination they may face in the world and could not be seen as a safe space where their culture and identity could be understood.

The report recognised that with regard to 'matching', a cultural match is the best option. Where this is not possible, carers must receive ongoing training and support to gain the knowledge and practical skills to understand the culture and identity of the child and receive holistic care. This should include how carers will access help and support from people of the same ethnicity as the child in their care. Practice in this area will be complemented by ongoing relationships with parents, family, friends and other connected people of their faith and ethnicity prioritised over time.

In respect to faith and religion, Sariya Cheruvallil-Contractor and Dr Alison Halford introduce the idea of 'lived religion' as a way of exploring faith and its significance. This means being curious about the many ways in which religious practice and ideas are embodied in everyday life and the social and cultural practices embedded around children and young people. This concept is helpful in thinking about how language, faith and culture will be honoured and embedded in the day-to-day lives of children and young people .

> [Muslim-heritage children, lived religion and curiosity: Blog \(2021\)](#)

Overall, social workers need to consider how the child's identity needs will be embedded within their day-to-day lived experience and care and the support that their proposed carers will require to do so.

### Further resources

> [An introduction to cultural competence in social care: Online learning package](#)

> [Confident practice with cultural diversity: Frontline Briefing \(2017\)](#)

## Direct work to support explanations and understanding

The process of how and why decisions are made for children's long-term care can make a significant contribution to their understanding of their life story. Making sense of the past and current family relationships enables children to begin to trust in new reparative carers or parents and enables a positive and healthy self-identity. Understanding life story is also linked to placement stability with children and young people who received an explanation experienced fewer placement moves (Staines and Selwyn, 2020). Within care proceedings it is likely that children and young people will need different explanations at different stages and explanations regarding their care plan and outcome of the court, along with working with the child's emotional responses and supporting them with any likely transitions key.

Corrigan (1990) identifies that direct work with children should help them answer:

- > Who am I?
- > Where do I belong?
- > Who and what have I lost?
- > Why am I here?
- > Where am I going?

The narrative model devised by Coman et al.(2016) when children are first placed in foster care can be built on through the care-planning process and decisions of the court. This identifies the stages of this approach as follows:

### **1. Caregiver network**

Meeting with carers, social worker, parents if possible, meeting that focuses on what the child needs to know right now, in order to help them adjust to being in care.

### **2. Use of narratives**

A narrative is like a story or script that the caregiving network develop about the child's experiences. It acknowledges the reality of the child's situation but does so in an age-appropriate way. A narrative gives the child and adults a common language for talking about entry to care. It is best if the narrative is written down and the child has a copy.

### **3. Delivery of the narrative**

This needs to be well planned in advance and the social worker needs to take time to share the narrative with the child. It is best if this can be done in the placement and, if possible, the carer can be present.

### **4. Responding to the child's emotions**

This can be a powerful experience for the child and they may have different feelings. The most helpful thing for adults to do in the moment is to accept the child's emotional response, allow space for them to express it and give lots of empathy.

### **5. Responding to the child's questions**

Adults should praise the child for any curiosity about their narrative or other aspects of their life story. Carers can join the child in their curiosity by becoming a co-investigator and capturing questions in a book or box. As questions arise, these are shared with the social worker so that children can gain answers to their questions in a timely manner.



## 6. Broadcasting the narrative to significant others

The social worker and child agree on the other people the narrative should also be shared with – for example, others in the household or a school teacher. At the next family time with the birth parent(s) the social worker attends, and either they or the parent(s) will share the narrative again with the child. Sharing the narrative between the child and important people in their life will ensure the child knows that everyone has the same understanding.

## 7. Building on the narrative

Attend to how the child responds to the narrative as this indicates what they need help with next:

- > Help talking indirectly or directly with their parents about their pre-care experiences • Stories (real or fictional) of other children in care to help them adjust
- > Another narrative about a particular aspect of their lives
- > Life story work to help fill some of the gaps in their knowledge base
- > Therapeutic support adjusting to the experiences they have had (Coman et al., 2016).

If social workers have provided initial explanations and undertaken direct work on an ongoing basis, supporting children to understand their proposed care plan, the role of the court and eventual outcome reached should comprise the 'Building on the Narrative' stage.

In undertaking this work it may also be helpful for social workers and children to develop a 'child friendly care plan' together which children can keep and refer to on an ongoing basis. This might include:

- > a photograph of the child, their likes, interests and where they live now.
- > an explanation of why they live with alternative carers
- > where their mum, dad, brothers and sisters are
- > connected people who are important to them
- > details of when they see their family and the things they enjoy doing together
- > key professionals and their role, including the role of the Guardian ad Litem and judge
- > what the plans are for where the child will live in the short term, e.g. you will still be here on your next birthday/school holiday
- > plans for the child's long-term care when decisions are reached
- > space for the child to write their own views, thoughts and feelings.

- > [Ensuring children's life stories are at the centre of direct work: Podcast \(2022\)](#)

## Child-centered recording

The record of how decisions were reached will also have an important function if children decide to access their files as adults, helping them understand who was involved and how the decision was reached regarding their long-term care. It should provide an opportunity for care-experienced adults to witness the commitment and motivation to make a decision in their best interests and that everyone involved had their needs, wishes, feelings and key relationships at the forefront of their minds.

- > [Good practice in recording and access to records: Strategic Briefing \(2022\)](#)

The briefing identifies top principles developed by the British Association of Social Workers to underpin child-centered recording such as

- > Include the child throughout the recording.
- > Write records as if writing to the child or family member.
- > Make records purposeful and analytical.
- > Chart the child's journey.
- > Make sure records reflect the whole of the child's story and why decisions were made.

Professional discussions regarding proposed care plans for children will be significant to record with these principles in mind. A tool for capturing these discussions and what was considered in reaching decisions is included in the next section.

### Reflection Point: Integrating Permanence Research

- > How do you integrate research regarding routes to permanence in decision-making for children and young people?
- > How do you consider what role parents might play in the life of their child on an ongoing basis?
- > How does your local authority support children to spend flexible, creative ways to stay in touch and spend time with their family?
- > In what ways do you explore the child or young person's significant connected people and creatively consider how these relationships can be sustained following the final hearing?
- > How do you evidence the options that you have considered in exploring the child's care plan and make this accessible to them?

## How to support care planning decisions

Given the significance and complexity of decisions for children in legal proceedings, the impact of these decisions on the child, and the inevitable feelings evoked for the child, family, social worker and wider network, it is important that time and space are made for these issues to be fully explored. This should also promote defensible, evidence-based decisions to be made to the court.

For some social workers and managers these discussions might take place within individual supervision or integrated into review legal planning meetings. However, a structured, formalised space bringing key people together to explore care planning decisions for children may be helpful.

The provision of a distinct 'care planning' space might help refocus away from evidence-gathering and risk assessment of key adults at a point in time, to fully consider the child's needs across their life including their key relationships, identity and life story, what these needs are and how they will be met now and in the longer term.

### The aim of care planning discussions or meetings would be to:

- > Ensure that decisions regarding where a child should live, who they will live with and how they will be cared for both now and into the future are evidence based and demonstrate defensible decision-making.
- > Identify a range of options for the child; consider the potential impact of each option on the child, their brothers and sisters and wider family now and in the longer term; and to outline why the decision chosen was believed to be the right one for the child.
- > Integrate current research regarding outcomes of different placement options for children and the key factors which promote stability and psychological belonging for children.
- > Demonstrate that plans proposed for the child's long-term care are given the best possible chance to succeed and to avoid unnecessary disruption to the child's care (permanence).
- > Evidence that due time and weight is given to exploring care planning for the child in a planned and structured way. This will enable the social worker to feel supported with responsibility and accountability for decisions shared. Promoting reflection and decisions-making in this way should save time by avoiding separate conversations with the network involved in the child's life. The record of the meeting or discussions could be utilised in a range of contexts including statements for court.
- > Provide a record for the child of when, by whom and why important decisions were made about them by creating a record of key decisions that are easy to find and will make sense to children who may access their files when they are older.

## What should be considered during care planning discussions?

- > The child, their relationships with their parents, extended family, brothers and sisters, and what changes to their home and carers will mean to them and these relationships. Their racial, religious and cultural identity, health and education needs should also be explored and how this will be supported through any changes.
- > The adults including parents, kinship carers and current foster carers, their capacity to care for the child and any support that might enable them to do so, now and in the longer term.
- > Any legal considerations which relate to decision-making including questions regarding threshold and potential legal orders which might be sought.
- > What contact, or family time might best support the child and their relationships now and in the longer term and what support will be offered to promote this.
- > The views of the child and young person, their parents, and significant others and how these will be represented. This might be in writing, drawing, audio or video recording or verbally presented by someone else on their behalf.
- > How direct work will be undertaken with the child or young person to provide explanations and enable them to understand decisions reached. Also, how any decision made can be challenged by the child or young person.
- > Support for parents and family members if it is decided the child is not able to return to their care, how they will be helped to understand this decision and what interventions might be offered to support their relationship with the child through time together and staying in touch.

## What questions might be helpful to consider?

In order to guide social workers and the network through these issues and discussions, it may be helpful to consider the questions below. Working through them as if talking or writing directly to the child may support practitioners to remain child focused and connected to the impact of these decisions.

It may be helpful to consider this meeting in two stages: the first to plan key assessments of parents and other significant adults, the risks and resilience factors and issues of threshold criteria; the second stage might include careful consideration of the child's long-term identity and relationship needs and what role significant people might be able to play in the long-term life of their child.

### Potential Questions to Support Care Planning Decisions for Children

**What decision does my social worker need to make for me today?** (*Aim of the meeting?*)

**Why does this decision need to be made now?** (*Current context*)

**Who helped decide?** (*Who attended? Who did not attend and why?*)

**What information helped make this decision?** (*Details of meeting, to include understanding of key people including the child, parents and network, evidence and outcomes of assessments*)

**What options did people consider, what were the risks and strengths of each option and what each option would mean for me now and in the longer term?** (*Options considered, strengths and risks of each option and what they will mean for the child*)

**What option did my social worker and their manager decide was the best one for me?** (*What is the proposed care plan?*)

**How were my wishes and feelings taken into account in making this decision?** (*Wishes and feelings of the child and what will they feel about the decision*)

**What will change in my life as a result of this decision?** (*e.g. where I live and who I live with, school, friends, community, location*)

**What will this decision mean for my relationships with my immediate and extended family, carers? What role will they play in my life now and in the longer term? How will they be supported to do so?** (*Outline of best hopes for the role parents, carers and family members will play in the child's life through family time or contact*)

**How will my relationships with my brothers and sisters be supported?** (*Outline the best hopes for relationships between brothers and sisters across different families and network*)

**What will this decision mean for my racial, religious and cultural identity, health and education? How will my identity be supported?** (*Outline of how the child's identity will be maintained and supported – include school, community, friends, religion, language etc.*)

**What will I, my family and carers think and feel about this decision?** *(Impact of decision on the child, their family and carers)*

**What support will I need to help me understand this decision?** *(What direct work will be undertaken with the child)*

**What support will my carers need to care for me now and in the longer term?** *(What will the support plan for carers comprise?)*

**Do I need to have a contingency plan if this plan doesn't work out?** *(What contingency plans will be considered if the proposed care plan cannot be fulfilled and the timescales for this?)*

**What does everyone need to do now to make this happen for me?** *(Next steps)*

### Reflection point: Care planning contexts

- > How are social workers supported to explore and collectively decide care planning options for children in your organisation?
- > When do you give most focus to thinking about and writing a care plan? What do you find most challenging in this?
- > Would social workers benefit from separate meetings focused on thinking these options through? What would the potential benefits and challenges be?
- > What would your local authority need to achieve this?



## Conclusion

Making recommendations to the court regarding where a child should live and how they should be cared for is a complex process. Social workers need to integrate knowledge about the family; apply this to key legislation and policy regulations; and embed this into research that identifies what supports children's sense of belonging, stability and identity best. Social workers need time and space within the context of proceedings to fully explore a range of options and the likely impact of these on children and young people's key relationships and day-to-day lived experience.

Overall, social workers should ensure that they:

- > Demonstrate how they have considered the views of children, their parents and extended family in the decisions reached.
- > Think about the decision and the child's welfare not only in relation to current, immediate risk, but the long-term impact of the decision on their permanence, identity and family relationships.
- > Fully consider what support might enable the child to return home or live with another member of their family.
- > Evidence how the threshold criteria is met if they are proposing the child is unable to return home.
- > Show how they have considered all the permanence options for the child, the pros and cons and evidence for each related to the specific context for the child.
- > If adoption is the proposed care plan, ensure that it is clearly evidenced that no support could be realistically offered that would enable the child to be cared for within their family.
- > Show how relationships with brothers and sisters have been taken into account in decisions reached.
- > Think about how the child will be supported to understand their care plan in ongoing direct work.

- > Record decisions in a way that will be understood by the child.
- > Consider what role the child's parents will play in the life of their child and the support they will need to do so.
- > Think about how the child can spend time with their family in creative ways.
- > Ensure the roles of extended family and other connected people are fully integrated into care planning decisions.
- > Work to provide structured thinking time to ensure adequate time is spent considering decisions and their impact.

## Reference list

- Barnett-Jones, B., & Manning, C. (2021). *Modernising post-adoption contact: findings from a recent consultation*. Nuffield Family Justice Observatory. <https://www.nuffieldfjo.org.uk/resource/adoption-connections>
- Beckett, S. (2018). *Beyond Together or Apart – Planning for, assessing and placing sibling groups*. London: CoramBAAF.
- Boddy, J. (2013). *Understanding Permanence for Looked After Children: A review of research for the Care Inquiry*. *The Care Inquiry*. <http://sro.sussex.ac.uk/id/eprint/44711/>
- Bullock, R., Axford, N., Little, M., & Morpeth, L. (2003). Predicting the likelihood of family reunification in the foster care system. *Diskurs*, 2, 2633.
- Coman, W., Dickson, S., McGill, L. & Rainey, M. (2016). Why am I in Care? A model for communicating with children about entry to care that promotes psychological safety and adjustment. *Adoption and Fostering*, 40(1), 49-59. <https://journals.sagepub.com/doi/abs/10.1177/0308575915626379>
- Corrigan, W. (1990). A Framework for Direct Work with Children in Care. *Adoption & Fostering*, 14(3), 28-32. <https://journals.sagepub.com/doi/abs/10.1177/030857599001400309?journalCode=aafa>
- Department for Education. (2015). *The Children Act 1989 guidance and regulations. Volume 2: Care planning, placement and case review*. Department for Education. <https://www.gov.uk/government/publications/children-act-1989-care-planning-placement-and-case-review>
- Featherstone, B., & Gupta, A. (2018). *The Role of the Social Worker in Adoption – Ethics and human rights: An Enquiry*. BASW. <https://www.basw.co.uk/resources/role-social-worker-adoption-ethics-and-human-rights-enquiry>
- Holmes, L., Neagu, M., Sanders-Ellis D & Harrison, Dr. (2020). *Life-Long Links Evaluation Report*. Department of Education. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/955953/Lifelong\\_Links\\_evaluation\\_report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/955953/Lifelong_Links_evaluation_report.pdf)
- Holmes, L., Lewis, S., Wrigley, M., Sanders-Ellis, D., & Harrison, N. (2022). *Life Long Links: Embedding Practice*. Family Rights Group. <https://frg.org.uk/wp-content/uploads/2022/04/Lifelong-Links-Embedding-Practice.pdf>
- Re. B-S [2013] EWCA Civ 1146.
- Schofield, G., Moldestad, B., Hojer, I., Ward, E., Skilbred, D., Young, J., & Havik, T. (2011). Managing Loss and a Threatened Identity: Experiences of Parents of Children Growing Up in Foster Care, the Perspectives of their Social Workers and Implications for Practice. *The British Journal of Social Work*, 41(1) (January 2011), 74-92.

Scott, H. (2021). *Using Genograms in Practice: Practice Tool*. Research in Practice. <https://www.researchinpractice.org.uk/children/publications/2021/february/using-genograms-in-practice-practice-tool-2021/>

Staines, J., and Selwyn, J. (2020). I wish someone would explain to me why I am in care: The impact of children and young people's lack of understanding of why they are in out-of-home care on their well-being and felt security. *Child and Family Social Work*, 25(S1), 97-106. <https://onlinelibrary.wiley.com/doi/abs/10.1111/cfs.12721>

TACT Fostering and Adoption. (2019). *Language that cares: Changing the way professionals talk about Children in Care*. [https://www.tactcare.org.uk/content/uploads/2019/03/TACT-Language-that-cares-2019\\_online.pdf](https://www.tactcare.org.uk/content/uploads/2019/03/TACT-Language-that-cares-2019_online.pdf)

The Black Care Experience. (2021). *The Black Care Experience: March 2021 report*. <https://static1.squarespace.com/static/624ecfb1746ba23d95da9888/t/62500e47d8d67536e75c1f3b/1649413713648/The+Black+Care+Experience+2021+Report+Updated.pdf>

Thomas, N. (2011). Care Planning and Review for Looked After Children: Fifteen Years of Slow Progress. *British Journal of Social Work*, 41(2), 387-398.

Wilkinson, J., & Bowyer, S. (2017). The Impacts of Abuse and Neglect on Children; and comparison of different placement options. Department for Education. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/602148/Childhood\\_neglect\\_and\\_abuse\\_comparing\\_placement\\_options.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/602148/Childhood_neglect_and_abuse_comparing_placement_options.pdf)

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**Cover photo:** Harmit Kambo

**With grateful thanks to:**  
Laura Moore and colleagues at  
Telford & Wrekin Council;  
Hannah Scott and Emily Smith

Research in Practice is a programme of  
The Dartington Hall Trust which is a company  
limited by guarantee and a registered charity.  
Company No. 1485560 Charity No. 279756 VAT No.  
402196875

Registered Office:  
The Elmhirst Centre, Dartington Hall, Totnes TQ9 6EL

ISBN 978-1-911638-87-2

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