



# Information for Parents

child protection - what happens next



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## Child Protection Investigation

If you and your child have recently been involved in a child protection investigation you may be feeling worried or confused.

This leaflet is to help you understand what might happen next.

You might also find it useful to speak to someone such as a social worker, teacher or health visitor and if there is anything in the leaflet that you do not understand or have any questions about please ask them to explain.

## What happens next

If your child is safe there might be no need for any further action. However, where there are concerns that your child might have been abused or may be at risk of abuse then an Initial Child Protection Conference may be held.



## Initial Child Protection Conference

An Initial Child Protection Conference is a meeting to which a range of people will be invited. A senior social work manager will chair the Child Protection Conference. All those attending this meeting will have knowledge of your child and family. This may include:

- nursery staff
- teacher
- health visitor
- social worker
- general practitioner
- police
- housing staff
- youth worker
- worker from a voluntary organisation

You (and in some circumstances your child) will be invited to attend.

You can bring someone to support you at this meeting, such as a family member, friend or a legal representative.

Those invited to attend usually provide a written report of their knowledge and involvement with you and your family.

Your contribution is very important to this meeting and your views will be listened to. Your views can also be written down



and presented to the meeting. If you need help to prepare this report please speak to someone such as a social worker, family member, friend or your legal representative.

At the meeting there will also be a full discussion about why there is a need for a child protection investigation. Everyone will have the opportunity to contribute to the discussion and to ask any questions.

When everyone has had an opportunity to speak, decisions will be made about what should happen next.

Your child's welfare will always be at the centre of any decisions made.

The main priority is to make sure your child is safe and will be properly cared for. It is also important that if you need help to do this, then appropriate support is made available.

At the Initial Child Protection Conference a decision will also be made about whether or not your child's name should be placed on the Child Protection Register.

Please note you have the right to disagree or appeal against any decision made at the Initial Child Protection Conference regarding your child.



## Child Protection Register

Where there are concerns of possible future harm to your child, your child's name may be placed on the Child Protection Register.

The Child Protection Register is held by Social Work Services and is part of the social work computerised system. The Child Protection Register has no legal status and is merely a way of identifying children for whom there are serious concerns.

Access to the Child Protection Register is strictly controlled. However, information will be shared with other agencies involved with you and your child, such as health, education, nursery. Information shared is strictly on a 'need to know' basis.

Your child's name may be placed on the Child Protection Register under one of the following categories:

- physical injury
- physical neglect
- sexual abuse
- emotional abuse
- non-organic failure to thrive

The category chosen does not necessarily mean your child has been abused in this way, but may indicate a concern that your child is at risk of this type of abuse in the future.



If your child's name is placed on the Child Protection Register then a Child Protection Plan will be agreed.

The Child Protection Plan sets out what needs to be done to reduce the risk of future harm and offers support to you and your child. A copy of the Plan will be given to you.

If your child's name is **not** placed on the Child Protection Register, but you need help or support in the care of your child, this can be arranged.



## Core Group

If your child's name is placed on the Child Protection Register, a Child Protection Plan is agreed and a Core Group will be identified.

The Core Group will be made up of a small group of people, including you (and where appropriate your child) who meet on a regular basis (usually every four to six weeks). A social work manager directly involved with you and your child usually chairs the Core Group. The purpose of the Core Group meeting is to look at the Child Protection Plan and consider the progress being made. Any difficulties in progressing this Plan will be identified and where necessary changes made to address this. **Your contribution is important to ensure the successful progress of the Plan.**

The progress of the Child Protection Plan will be reported to the Review Child Protection Conference.

If you have any concerns about the progress of this Plan these should be raised with the Chair of the Core Group meeting, or the Chair of the Review Child Protection Conference.



## The Review Child Protection Conference

A Review Child Protection Conference will be held no later than three months following the Initial Child Protection Conference.

At the Review Child Protection Conference, the people who attended the Initial Child Protection Conference will again be invited. The Review will be similar to the Initial Child Protection Conference in that everyone will have the opportunity to express their views and it will be chaired by a senior social work manager.

The purpose of this meeting is to review the progress of the Child Protection Plan and to decide if your child's name should remain or be removed from the Child Protection Register.

A report on the progress of the Child Protection Plan will be provided along with any other up to date reports from other agencies.

It is important you and your child's views are listened to and the Review Child Protection Conference hears whether or not supports offered have been helpful. Once again, your views (and where appropriate those of your child) can also be written down and presented to this meeting. If you need help to prepare this please speak to someone such as a social worker, family member, friend or your legal representative.



Once a full and frank discussion has taken place about the progress of the Child Protection Plan, then decisions will be taken about what should happen next.

If there are still concerns about your child, or little progress has been made, then your child's name will remain on the Child Protection Register for a further period of time and, where necessary, adjustments made to the Child Protection Plan.

Where progress has been made and the risks to your child have been reduced, consideration will be given to removing your child's name from the Child Protection Register. Support to you and your child will still continue if required.

Everyone who attends these meetings will be provided with a Minute, which is a record of the discussion and the decisions taken. All meetings concerning your child are confidential and information shared between agencies will be restricted to those who need to know to secure the protection and welfare of your child.

Please note you have the right to disagree or appeal against any decision made at the Review Child Protection Conference regarding your child.



## Appeals

If you or your child do not agree with the decision to:

- register your child's name on the Child Protection Register
- have their name remain on the Register
- not register their name at all

you (and your child) have a right to appeal to the Head of Children's Services. The appeal should be made in writing within five working days. Where necessary, your social worker or legal representative can advise and support you with this.

The Head of Children's Services should respond fully, in writing, to the person making the appeal within 28 days.



## If you disagree with any other decision

If you (or your child) disagree with any other decision made at either the Initial Child Protection Conference or Review Child Protection Conference you can state this and your disagreement will be recorded within the Minute of the meeting.

## Complaints

If you (or your child) have a complaint about the service offered to you during this time, please bring this to the notice of a social worker who will advise you of your rights and give you information on the Complaints procedure.



## Emergency Child Protection Orders

Before applying for any Court Order or taking emergency action, agencies will try to work with families to ensure the child is protected. Court Orders or emergency action will only be taken where it appears that a child may be at risk of 'significant harm' and a Court Order or emergency action is necessary to protect the child.

### Child Protection Order

If it is believed that your child may be in immediate danger then an application may be made for a Child Protection Order.

Under S57 (1) Children (Scotland) Act 1995, anyone can apply for a Child Protection Order if they have reason to believe a child may be at risk of 'significant harm'.

Under S57 (2) Children (Scotland) Act 1995, the local authority can apply for a Child Protection Order if they have reason to suspect a child to be at risk. Social Work Services usually applies for the Child Protection Order on behalf of the local authority. Application is made to a Sheriff.

If an application is successful, the Sheriff can order that your child be removed from their home to a safe place, or prevent the removal of your child, for example, from a hospital or from their grandparents' home. The Sheriff can attach conditions



to the Order to ensure the protection of your child, for example, a condition that they have no contact with a particular 'named person' or that your child must have a medical examination. A Child Protection Order lasts up to eight days.

If a Child Protection Order has been granted, you have the right to apply to the Sheriff for the Order to be recalled or varied. This can be done prior to the initial Children's Hearing on the second day.

The Reporter to the Children's Hearing can also recall this Order during this time, if it is believed the Order is no longer required.

If no application for recall is made, the Order will proceed to a full Children's Hearing on the eighth day, at which point the Children's Hearing can make any necessary arrangements to protect your child through other legal measures.

**If a Child Protection Order is sought for your child you should seek legal advice at the start of this process. Legal aid may be available.**



## Child Assessment Order

Under S 55(1) of the Children (Scotland) Act 1995 the local authority can apply for a Child Assessment Order if they have reason to suspect that your child has suffered or is likely to suffer 'significant harm', that an assessment is necessary and this assessment is being denied.

A Child Assessment Order allows for your child to be seen and where necessary allows for an assessment of your child's health and development to be undertaken.

A Child Assessment Order lasts no more than seven days.

The Sheriff can attach conditions to the Order to ensure the safety and welfare of the child and to make sure the Order is carried out. For example, the Sheriff may attach a condition that your child lives at a particular place while the assessment is being carried out.

On application to the Sheriff for a Child Assessment Order, if the Sheriff believes that the conditions for making a Child Protection Order exist, he/she will issue a Child Protection Order instead.

**If a Child Assessment Order is sought for your child you should seek legal advice at the start of this process. Legal aid may be available.**



Under the Age of Legal Capacity (Scotland) Act 1991, depending on their age and understanding, your child has the right to agree or refuse to have a medical examination, assessment or treatment and their consent will be sought before any medical assessment will be carried out.

## Exclusion Order

Only a local authority can apply for an Exclusion Order under S76 (1) Children (Scotland) Act 1995.

Contained within the application there must be a person identified who is capable of taking responsibility for the child and who will live, or is living in the family home.

Where a Sheriff is satisfied that the conditions for making an Exclusion Order exist, he/she can order that a 'named person' be ejected or excluded from your child's family home to ensure your child's protection.

An Exclusion Order can last up to six months and the Sheriff can attach conditions to the Order to ensure your child's protection. For example, the police can be issued with powers of arrest without warrant, which allows them to arrest the 'named person' if they believe them to be in danger of breaching the Exclusion Order or one of the conditions attached. The Sheriff can also attach a condition that the 'named person' must not go within the vicinity of



the child's home or school or have any contact with the child.

The 'named person' has the right to appear in front of the Sheriff prior to an Exclusion Order being granted to state their case. The Sheriff will take their views into account before any decision to grant an Order is made.

Where a Sheriff believes grounds exist for making a Child Protection Order the Sheriff may grant a Child Protection Order instead of an Exclusion Order and the child may be removed from their home to a place of safety, rather than the ejection or exclusion of a 'named person' from the child's home.

## Emergency Police powers

In an emergency situation, where a police officer has reasonable cause to believe that the conditions for making a Child Protection Order are satisfied and it is not practical in the circumstances to make such an application to the Sheriff, then the officer may remove the child to a place of safety (S 61 (5) Children (Scotland) Act 1995).

The power to remove the child only lasts 24 hours, thereafter the police (or another person) need to apply to the Sheriff for a Child Protection Order to secure the child's place of safety.



## Additional Information

It is acknowledged that being involved in the child protection system can be a stressful time for families. It is important that:

- everything that is happening is explained to you
- you and your child's views are listened to
- you are advised on the best way you can support your child during this time (for example, reassuring your child)

Wherever possible you will be kept fully informed of what is going on and, where necessary, helped to support your child.

If you feel you or your child have not been treated fairly during this time, you have the right to make a complaint. The social worker or another professional can advise you on who to contact for further advice.

If at any time you feel that you need legal advice on what you or your child's rights are you can contact:

- a solicitor (Legal Aid may be available)
- Scottish Children's Reporters Administration
- Scottish Child Law Centre



All agencies working with families recognise that bringing up children can be demanding and stressful. If you would like further help or advice then please speak to someone such as:

- health visitor
- nursery teacher
- social worker
- teacher
- GP
- family member or friend, or any other person who can access help for you



## We are here to help

If you need to speak to someone or need advice or support please contact:

Name .....

Agency.....

Contact details .....

If this person is not available please speak to the following manager

Name .....

Agency.....

Contact details .....



## List of useful local contact numbers

**Social Work Services**.....0141 287 8700

**Police Family Protection Unit** .....0141 532 3000

**Scottish Children's Reporters Administration** .....0141 567 7900

Your health visitor can be found through your GP surgery or health centre.



## Out of office hours

If you need to speak to someone urgently please phone SocialWork Services Standby on **0800 811 505** and ask for the Duty Worker.

The Glasgow Child Protection Committee has prepared this leaflet.

The Child Protection Committee is made up of senior representatives from across the range of local agencies in your area concerned with child welfare. The Child Protection Committee meets on a regular basis to discuss issues of local and national interest concerning the protection of children. The Child Protection Committee also promotes inter-agency working and training in the field of child protection and ensures that local policies and procedures are in place for responding to child protection concerns.



## Glossary of Terms

### Assessment of Need

Evaluation of the child and family identifying areas of need, which may require additional support.

### Assessment of Risk

Evaluation of possibility of child abuse occurring in the future.

### Case Discussion (general concerns)

A case discussion is an inter-agency meeting to share information and identify needs of the child (and family) and agree a plan of action to meet these needs.

### Child

For the purpose of child protection procedures a child is defined as a young person under the age of 16 years or between 16-18 if he/she is the subject of a supervision requirement imposed by a Children's Panel. Young people over 16 who are vulnerable and have a Record of Needs should also be considered under these procedures.



### Child Abuse

Child Abuse is defined as where a child's basic needs are not being met in a manner appropriate to his/her stage of development and he/she will be at risk of avoidable acts of omission or commission on the part of his/her parents, sibling(s), other relative(s) or a carer. To define an act of omission as abusive and/or presenting future risk a number of elements can be taken into account. These include demonstrable or predictable harm to the child that must have been avoidable because of action or inaction by the parent or other carers.

### Child Assessment Order

A Child Assessment Order allows for a child to undergo a medical examination or assessment where this has been deemed necessary. This does not supersede the child's rights under the Age of Legal Capacity (Scotland) Act 1991. At all times the child's welfare is paramount.

### Child Protection Case Discussion

Child Protection Case Discussion is an inter-agency meeting to share information where there are child protection concerns which need further clarification. Strengths within the family and the family's capacity to co-operate with agencies should be discussed. Any support required should also be identified and a plan of intervention should be agreed which could include organising an Initial Child Protection Conference.



### Child Protection Order

A Child Protection Order may be granted on application to a Sheriff if conditions for making such an order exist. A Child Protection Order can allow for the removal of a child to a place of safety or prevent removal of a child from their home or any other place in order to secure the safety and well being of the child. A Child Protection Order can last up to eight days.

### Child Protection Plan

Agreed inter-agency plan outlining in detail the arrangements for attempting to ensure the protection of the child and supports to the family.

### Child Protection Register

A formal list of names of children where there are concerns about the possibility of future abuse and where a child protection plan has been agreed.

### Core Group Meeting

Meeting of small group of inter-agency staff with key involvement with the child and family who meet (with child and family) to review progress and make arrangements for implementing the child protection plan.

### Emergency Police Powers

Police have the power to remove a child to a place of safety for up to 24 hours where the conditions for making an application for a Child Protection Order exist.



### Emotional Abuse

Failure to provide for the child's basic emotional needs such as to have a severe affect on the behaviour and development of the child.

### Exclusion Order

An Exclusion Order allows for a named person to be ejected or prevented from entering the child's home. Conditions can also be attached to secure the child's safety and well being.

### Initial Child Protection Conference

An inter-agency meeting to consider the safety and welfare of children who have been the subject of a child protection investigation. Consideration will be given to the appropriateness of registration and the formulation of a child protection plan. The parents and sometimes the child will also attend this meeting.

### Joint Investigative Interview

A Joint Investigative Interview is a formal planned interview with a child, carried out by staff trained and competent to conduct it, for the purposes of gaining the child's account of events (if any) which require investigation.



### Non-organic Failure to Thrive

Children who significantly fail to reach normal growth and development milestones (physical growth, weight, motor, social and intellectual development) where physical and genetic reasons have been medically eliminated and a diagnosis of non-organic failure to thrive has been established.

### Physical Injury

Actual or attempted physical injury to a child, including the administration of toxic substances, where there is knowledge, or reasonable suspicion, that the injury was inflicted or knowingly not prevented.

### Physical Neglect

This occurs when a child's essential needs are not met and this is likely to cause impairment to physical health and development. Such needs include food, clothing, cleanliness, shelter and warmth. A lack of appropriate care, including deprivation of access to health care, may result in persistent or severe exposure, through negligence, to circumstances that endanger the child.

### Planning Meeting

A Planning Meeting (usually between Social Work Services and Police) is usually held to plan a joint investigation – who does what, when and where is agreed.



### **Pre-Birth Child Protection Conference**

An inter-agency meeting which considers the risk of harm to an unborn child and future risk upon the child's birth.

### **Review Child Protection Conference**

An inter-agency meeting which reviews the circumstances of a child whose name is on the Child Protection Register.

### **Sexual Abuse**

Any child may be deemed to have been sexually abused when any person(s), by design or neglect exploits the child, directly or indirectly, with any activity intended to lead to the sexual arousal or other form of gratification of that person or any other person(s) including organised networks. This definition holds whether or not there has been genital contact and whether or not the child is said to have initiated or consented to the behaviour.

### **Significant Harm**

Physical or mental injury or neglect which seriously affects the welfare or development of the child.

### **Transfer Child Protection Conference**

An inter-agency meeting which considers arrangements to transfer cases of a child whose name is on the Child Protection Register where the family moves to another area.

This leaflet has been produced by the Glasgow Child Protection Committee. The Child Protection Committee is made up of representatives from across the main statutory and voluntary organisations in your area. The purpose of the Child Protection Committee is to ensure local agencies work together to protect children. Working together with the community we can be assured that all our children are given the best possible chance in life.

[www.glasgowchildprotection.org.uk](http://www.glasgowchildprotection.org.uk)

This leaflet can be made available in Braille, large print, on disc and tape. For further information contact Social Work Services Public Information on 0141 287 8897. If you require this information in other languages, please contact the Glasgow Translation and Interpreting Service on 0141 341 0019, who will give advice.