

CHAPTER 21

Case Conferences

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The legislation, procedures, and terminology in this chapter reflect practice in England and Wales. Readers who work elsewhere will recognise the importance, philosophy, and principles of working together with other agencies when they are concerned about child abuse. They should be familiar with equivalent legislation procedures and terminology used in their country of practice

Case conferences are central to assessment, interagency cooperation, and decision making in child protection. Social services departments (and sometimes the NSPCC) convene them when an initial investigation has confirmed, or suspected, abuse or neglect. Their decisions must take account of all the available information, including a detailed individual and family history with relevant events and an evidence based, knowledge informed appraisal of the family's ability to protect the child and willingness to cooperate with professionals.

Except for registration and the appointment of a key worker, case conferences make recommendations to participant agencies, which should follow locally agreed procedures for confirming their intention to implement them. Key workers and local authority or NSPCC social workers may not be those most in contact with the family but will ensure that child protection plans are developed and implemented. They are central to interagency work: coordinating agency contributions to assessment, intervention, and review; engaging the child and parents in the child protection plan; and facilitating communication between agencies (Boxes 21.1–21.7).

Confidentiality

Effective intervention and case management depend on consideration of all available information. Child protection inquiries commonly pinpoint the failure to disclose or ask for information as crucial in distorting assessment and decision making. Consequently, the Children Act 2004 created provision for shared databases to support information exchange between agencies about children in need and children experiencing or likely to experience severe harm. All those involved with children's wellbeing must ensure that they take account of the need to safeguard and promote the welfare of children – for example, by early sharing of information.

The Data Protection Act 1998 allows disclosure of information without an individual's consent to prevent or assist with the detec-

Box 21.1 Tasks of case conferences

- To share and coordinate information and concerns about the child and family, to assess the severity of abuse and neglect, to assess the likelihood of severe harm in the future, to evaluate the degree of risk, and to decide what action is necessary to safeguard and promote the child's welfare
- To fulfil statutory obligations for the protection of children
- To formulate an agreed, recommended plan of management and intervention that addresses the abuse or neglect, risks, and needs with the child's welfare and safety the paramount aim. This must include consideration of what legal action is necessary to protect the abused or neglected child and other children in the family and what services should be provided on the basis of assessed needs
- To analyse information about the child's developmental needs and the capacity of the parents.
- To decide whether to place the child's name on the child protection register and to nominate a key worker
- To agree if and when a child protection review is required – no more than six months from the case conference at which the child's name was placed on the register
- To make judgements based on evidence

tion of crime. Case law recognises that children will be safeguarded only if professionals exchange information. The right to privacy (Article 8, European Convention of Human Rights) is qualified and gives way to the higher order principle of safeguarding and promoting the welfare of the child.

Codes of confidentiality issued by the General Medical Council, the British Association of Social Workers, and the Nursing and Midwifery Council allow disclosure and confirm the duty to share information when there is reason to believe a person is being abused or that serious danger exists. The protection of the child is paramount.

Composition of case conferences

Participants in case conferences include those with specific responsibilities for child protection and those with a contribution to make to the specific case.

- *The chairperson* is a senior member of the children's services department with detailed knowledge and understanding of child protection and without current or past line management respon-

Box 21.2 Reasons for family involvement

- Parental understanding of concerns, expectations, and recommendations has positive results
- Partnership increases parents' confidence and cooperation, promotes parental responsibility, and enhances the family's commitment to the child protection plan, thereby improving the chances of child protection
- Involvement reduces conflict and improves relationships between professionals and families
- Family members can provide or correct information, resulting in more informed recommendations

sibility for the case. When possible the same person should chair all case conferences concerning particular children and families. The chairperson ensures the conference puts the child's interests first, clarifies the meeting's purpose and the roles of people present, and enables each person to contribute verbally and by reports. The chairperson should meet the child and family beforehand to ensure their understanding of the conference's purpose and procedures (Box 21.2).

- *NSPCC* – Some staff attend as observers or consultants when they are not directly involved in the case. They may provide comprehensive assessments to inform decision making or resources such as family centres and family therapy.
- *Social workers and team leaders* report on the initial investigation and assessment. They provide information on important events, concerns about the child's safety and the ability of the parents, past and present child development, and the expressed views of children and their parents. They are responsible for ensuring that everyone with a relevant contribution to make has been invited; and they collate and record all available information.
- *Education welfare officers* are sometimes concerned directly in an investigation or can provide information about the family, or both, especially regarding school attendance and performance.

Box 21.3 Factors necessary for effective child protection meetings

- Shared values and purposes
- Theoretical agreement about child protection issues
- Cooperation based on agreed roles, acceptance, and understanding of differences (work focus) and agency structures (decision making) and negotiating overlap of areas of skill
- Recognising and working with, not avoiding, conflict or differences
- Adequate preparation, consistent membership or attendance, and no key absences. Clarity of responsibility for decision making
- Chairperson who focuses the meeting on the task and, when appropriate, enables the meeting to consider issues of group dynamics
- Absence of jargon and professional mystique, recognition of anxiety and stress in child protection work, explicit discussion of degrees of risk when appropriate, and willingness to reappraise professional (status and power) and sex stereotypes
- Careful timing of meetings to facilitate attendance
- Adequate recording of discussion, facts, decisions, recommendations, tasks, and interagency plans



Figure 21.1 Teachers may be the first to whom a child discloses abuse. With permission from Martin Riedl/Science Photo Library. Posed by models.

- *Teachers, nursery and playgroup workers, and childminders* often observe symptoms of abuse or neglect; they may be the first to whom a child discloses abuse (Fig. 21.1).
- *The police* will provide information on any suspected individual discussed at the conference and, when officers have worked with social workers in the initial investigation, will report on their assessment after interviews with the child, parents, or other people concerned. Serious assault or abuse or neglect should be reported so that officers can investigate and consider prosecution.
- *General practitioner* – Whether or not concerned directly in the initial investigation, the general practitioner may have important knowledge of the child and family.
- *Paediatricians*, working in a hospital or the community, are sometimes the first to suspect or identify abuse or neglect. They will advise on diagnosis and on whether the signs and symptoms are attributable to the parents or carers.
- *Health visitors, school nurses, hospital nurses, and nurse managers* contribute knowledge of the child and family. They may contribute to the child protection plan, especially when this entails monitoring a child's health and development.
- *Probation officers* may work with family members or can provide information about previous or possible involvement with the family (for example, work with offenders or marital work).
- *Voluntary organisations* may be involved when they provide or could offer services to children and families.
- *Armed services* may also be involved.

The circumstances of the case may indicate the involvement of current or former foster parents or residential social workers, and other agencies or professionals: the local authority housing department, especially in cases of rent arrears, overcrowding, or questions of homelessness; the Department of Social Security, where financial difficulties are relevant; and psychiatrists and practitioners working with learning disabled people.

Specialist advice must be available to case conferences, such as lawyers from the local authority's legal section and interpreters and specialists working with disabled people and people from minority ethnic groups. Their role is to contribute to informed decision making – for example, about legal options and the cultural components of a case. Once a court has granted an emergency protection or interim care order and appointed a children's guardian, this officer of the court, who advises the court on issues of case management,

Box 21.4 Working with children in need and children requiring protection should be characterised by

- Assessment, planning, intervention, and reviewing
- Engaging with parents as early as possible to prevent problems
- Listening to and consulting with children and young people, ascertaining their wishes and feelings
- Competent professional judgements based on sound assessment of need
- Working co-operatively with parents where possible
- Sharing information
- Recording clearly concerns, discussions, agreements, and decisions to ensure that children are protected; and meeting obligations under Human Rights Act 1998, especially relating to privacy and family life and to the right to a fair hearing

represents the interests of the child, and provides courts with an independent social work perspective, may attend as an observer.

Parental attendance

Parents and children must be invited to attend case conferences unless the chairperson decides that their exclusion is justified – for children because of their age and understanding; for parents when attendance would preclude proper consideration of the child's interests. This includes the likelihood of the conference being disrupted, violence towards professionals or the child, or undue influence being exerted by parents on a child. It does not include the possibility of prosecution. The reasons for exclusion should be recorded in the child's file.

When the interests of parents and children conflict, the child's interests have priority. If parents and children are not present the conference must receive or ask for a report of their views (a written report, statement, or audio tape) and ensure that they receive details of discussions and recommendations.

Local child protection procedures, agreed by local safeguarding childrens boards, will detail how parental and child attendance,

Box 21.5 Conference outcomes

- Decision on whether a child is at continuing risk of considerable harm
- Where a child is at risk of considerable harm, agreement on an interagency child protection plan and on whether the child's name should be placed on the register (physical, sexual, emotional abuse, and/or neglect)
- Recommendations concerning how agencies and family members work to safeguard a child from harm – clear expectations
- Appointment of a key worker
- Identification of membership of a core group of professionals and family members, and others in direct contact with the child, to develop and implement the child protection plan
- Agreement on how the child, parents, and family members will be involved in implementation of the plan
- Agreement on the timetable for core group meetings
- Agreement on what further assessments and outcomes are required to safeguard the child

ideally for the entire conference (though separate attendance may be necessary) should be facilitated. Including parents and children exemplifies the Children Act's commitment to partnership and requires professionals to address envisaged problems, such as sharing confidential information, through training and procedural preparations. The following can encourage meaningful family participation:

- Partnership underpinning all work with the family – openness, consultation, and consideration of wishes and views expressed
- Leaflets on the nature and purpose of case conferences
- Training for professionals
- Preparatory work with children and parents on their contribution to case conferences
- Assistance to facilitate attendance – for example, timing, venue, fares, and creche facilities
- Enabling parents and children to bring an advocate to support and advise them
- Written reports from professionals that distinguish facts and observations from opinions
- Active chairing – introducing the participants, clarifying purposes, and ensuring language is “client friendly”
- Open discussion about the nature and degree of risks and the resources required, including those from the family, to implement the recommended plan
- Provision of minutes and written notification of decisions and recommendations, with follow-up to clarify any outstanding issues. Minutes should contain details of the unresolved issues of child protection, the interagency work necessary to deal with these, and how the child protection plan is related to the identified needs and risks.

Core group meetings and child protection reviews

Initial case conferences agree outline child protection plans.

Core group meetings, which must initially start within 10 working days of the case conference, develop, finalise, and implement the child protection plan based on the comprehensive assessment. Core group meetings will change the plan when necessary, by considering current risks and needs in the family and whether the plan continues to protect the child. The frequency of meetings will be determined by the complexity of the case. Membership will comprise those with essential contributions to the child's welfare.

Child protection reviews evaluate interagency cooperation and consider if registration should be continued or terminated. The

Box 21.6 “Looked after” children

- The term covers all children in local authority care. It includes those in foster or residential homes, and those still with their own parents but subject to a care order
- Most “looked after” children return to their parents within six months
- Abuse and neglect are the reasons for nearly two thirds of “looked after” children. Family dysfunction, stress, disability, and illness are other reasons

Box 21.7 Government policy guidance requires that work in child protection is:

- Child centred
- Rooted in child development
- Focused on outcomes for the child
- Evidence based
- Based on assessment as a continuous process not an event
- Focused on, and able to build upon, the child's and the family's strengths
- Multi-agency

usual interval between these reviews will be six months, but anyone may request a review at any time. The first review will be three months after the case conference. The same requirements concerning parental and child attendance apply.

Statutory reviews

When children are being looked after by the local authority *statutory reviews* are required after the first four weeks, three months, and every six months thereafter. They may be combined with child protection reviews. Parents and children are invited to attend, separately when this is indicated, with an officer of the social services department (not the social worker or team leader) responsible for coordinating the review and reports, including annual health reports. The local authority is required to consult and consider the views of the child, parents, and other people relevant to the case, including healthcare professionals. The child's views about the attendance of professionals at these reviews must be considered. Each review must reappraise the plan for the child, including case objectives, any variations to the child's placement, legal status, contact with family, and education and health needs. A formal record is made and the results sent to those concerned in the case.

Local safeguarding childrens boards

The role of local safeguarding childrens boards, outlined by the Children Act 2004 and building on the work of area child protection committees may be described as follows:

Box 21.8 Children and Family Court Advisory and Support Service (CAFCASS)

- CAFCASS provides independent representation for children in specific proceedings relating to:
 - Children Act 1989
 - Adoption and Children Act 2002
 - Human Fertilisation and Embryology Act 1990
 - Crime and Disorder Act 1998
- CAFCASS works only in the family courts, and commonly represents the child, as "children's guardian" in supervision or care order proceedings

- To determine and evaluate arrangements for working together – developing clear policies on roles and responsibilities in prevention, assessment, investigation, and treatment of child abuse and neglect; and publishing these procedures, including the principle of including parents and children at all conferences
- To agree objectives and performance indicators for child protection
- To develop and review joint training – covering assessment, investigation, and treatment; issues of race and sex; children with disabilities; how feelings about abuse affect practice; and professional stereotypes
- To encourage and review interagency cooperation, including the development of protocols on child protection investigations, on resolving disagreements between agencies, and child and parental attendance at conferences and decision making meetings
- To evaluate working together in the light of local and national evidence of best practice
- To develop and review arrangements for expert advice
- To review and when necessary inquire into cases when a child has died or been seriously harmed
- To monitor case conferences and the implementation of legal procedures
- To publish an annual report and to raise community awareness of the need to safeguard children.

The core membership comprises senior officers or professionals, with delegated decision making powers, from the social services and education departments, NSPCC, police, probation service, health services, and representatives from armed services (when appropriate); and CAFCASS (Box 21.8), drug and alcohol services and youth offending teams. Other agencies that may be involved include voluntary organisations, housing departments, the Department of Social Security, and those with particular skill, for instance in religious, ethnic, and cultural matters.

CAFCASS – the Children and Family Court Advisory and Support Service (www.cafcass.gov.uk)
NSPCC – the National Society for the Prevention of Cruelty to Children (www.nspcc.org.uk)

The representatives pass reports and recommendations to their own agencies and inform the local safeguarding childrens board of their agency's work in child protection.

Further reading

- Department of Health. *Framework for the assessment of children in need and their families*. London: Stationery Office, 2000.
- HM Government. *Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children*, 2006: www.everychildmatters.gov.uk/resources-and-practice/IG00060/
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