

Advocacy for families when social workers make plans for their children

1. About this advice sheet

1.1 What information will I find in this advice sheet?

This advice sheet is written for parents and others caring for children. In this advice sheet you will find information about the law and guidance that social workers and other professionals should follow when involving families in making plans for their children and how families may be able to use an ‘advocate’ to support them with this.

1.2 Using this advice sheet

This advice sheet is divided up into sections to make it easier to understand. The references for the different legal and practice requirements mentioned throughout this advice sheet can be found in section 11 below. You may also want to ask a friend, your social worker, or your solicitor to explain anything in the advice sheet that you don’t understand.

Note: “Social services” are now known as “children’s services”. This is how they are referred to throughout this advice sheet.

1.3 Important terms in this advice sheet

The important terms used in this advice sheet include:

- *Child 'in need'*: is a child **in England** who is disabled, or who is assessed by children's services to be in need of extra support for their safety, health and/or development. If your child is assessed as a child in need, they may provide your family, or child, with extra help if their needs have a high enough priority according to local eligibility criteria. see FRG advice sheet on Family Support <http://www.frg.org.uk/need-help-or-advice/our-advice-service/advice-sheets>

Note that the child in need framework does not apply in Wales

- *In care* means that the child is under an interim or full care order or an emergency protection order and is looked after by children's services
- *Looked after* means that the child is in care under a court order or is provided with accommodation under a voluntary arrangement, by children's services with the agreement of the parents/someone with parental responsibility
- *Parental responsibility* means the legal right to make decisions about a child's care. Parental responsibility is sometimes referred to as PR. (For more information on who has parental responsibility see FRG advice sheet on Parental Responsibility: <http://www.frg.org.uk/need-help-or-advice/our-advice-service/advice-sheets>)
- *Voluntary arrangement* this means that there is an agreement between children services and the child's parent, or other person with parental responsibility, that the child should become looked after in the care system for a period of time. Sometimes this is known as 'voluntary accommodation' and is sometimes referred to as 'section 20 accommodation' in England (in Wales it may be referred to as section 76 voluntary arrangement. See Children looked after by children's services under a voluntary arrangement <http://www.frg.org.uk/need-help-or-advice/our-advice-service/advice-sheets>)

2. Why might I want an advocate (or supporter) to attend a meeting with me?

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You may find it difficult to take part in meetings held by social workers and other professionals, especially if you don't agree with the social worker's view of what is best for your child, or you don't understand the procedures for deciding. However, it is important that you do attend and you may find it easier if you are supported by an independent advocate or a supporter (for example a friend of the family who is not directly involved in the case) to help you say what you think in these meetings.¹

Research² shows that family advocates can really help families work in partnership with social workers. However, sometimes, social workers are reluctant to allow parents and other family members to bring advocates or supporters with them to meetings. We have set out below what advocates do and the relevant law and guidance on advocates/supporters, in case the social worker says you cannot bring an advocate or supporter with you.

3. Who is an advocate?

An advocate is usually someone independent who can help you have your voice heard when social workers are making plans about how your children will be cared for. Research³ suggests that advocates are most helpful to you if they are professionally trained and have detailed knowledge of child care law. It is good practice if they follow the [Protocol on advice and advocacy for parents \(child protection\)](#)⁴ and [Family Advocacy Standards](#)⁵ and [Code of Practice](#)⁶, set by Family Rights Group.

However, if you find an advocate or supporter who does not have this knowledge, don't worry, they can get more information about the relevant law and procedures that children's services must follow by contacting Family Rights Group Advice line – contact details at the end of this advice sheet.

4. How can an advocate help me?

Advocates (or supporters) can help you to:

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- Prepare for meetings with social workers
- Ask the social worker questions
- Speak up and get your point of view across
- Reach agreements/negotiate with social workers
- Challenge social workers or other professionals in a constructive way if you think they have made mistakes or if you don't agree with what they or other professionals are saying
- Remind you of what was said and agreed at the meeting so that you can plan what to do next.

5. Do I have the right to have an advocate/supporter?

Whether you have the right to have an advocate/supporter at a meeting with you will depend on your particular situation. Your rights in relation to three different kinds of meetings are explained below.

5.1 Do I have the right to an advocate or a supporter at a child protection conference?

Not exactly. As a parent or someone with parental responsibility for the child, you don't have a legal right to bring an advocate (or support) with you to a meeting with social workers. This should normally be allowed though. There are some special rules for parents with disabilities. See further at section 8 below.

Government guidance says that social workers and their managers should give information about advocacy services, and explain that the family may bring an advocate, friend or supporter to the child protection conference.⁷ So when you ask the social worker if you can bring an advocate or supporter with you, you may find it helpful to refer them to this guidance.

You could mention to them that research shows that independent specialist advice and advocacy can help parents to participate in local authority planning processes from an informed position. Specifically, it can help them to:

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- Understand their rights and options and how child protection planning and decision-making works
- Reflect on why social workers are worried about their child
- Make safe plans for their child (which may include alternative care within the family) within the child 's timescale and
- Have their voice heard by professionals⁸

5.2 Do I have a right to take a solicitor to a pre-proceedings meeting?

Normally, yes. If your parenting is not improving enough to protect your child from significant harm, the local authority's legal planning meeting may decide that there should be a further period of time for you to make changes with the aim of avoiding court proceedings. The local authority will then send you (i.e. the parents and others with parental responsibility) a letter before proceedings. This letter is the formal written notification that proceedings are likely. It should set out a summary of the local authority's concerns, what you need to do to overcome them, and within what timescale, so that your child is safe. The letter should give you information on how to obtain legal advice and advocacy.

If you receive this letter, it is really important that you see a solicitor specialising in childcare law as soon as possible to get advice about why children's services are thinking of going to court and the procedures involved. You should ask the solicitor to help you prepare what you want to say at the meeting and to come to the meeting with you.

If you give the solicitor this letter before proceedings you will be able to get free legal advice,⁹ help with negotiations and have the solicitor accompany you to the meeting.

5.3 Do I have the right to have an advocate/supporter when I discuss plans for my child when they are in the care system?

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Maybe. You do not have an absolute legal right to an advocate (or supporter) in this situation, but there is case law (that is law based on decisions that Judges have made in the courts in the past) that says:

- When children's services want to make important changes to the care plan (especially after a care order has been made) the decision-making procedures have to be fair to parents. If they are not fair, the decisions of those meetings may be over turned;¹⁰ and
- You should be allowed to attend or be represented at professionals' meetings if you want to (these meeting might include social workers, health visitors, psychiatrists, psychologists, medical consultants etc.). This is so you can answer any allegations made against you.¹¹

For more information, see FRG advice sheet: Duties toward children who are looked after in the care system: <http://www.frg.org.uk/need-help-or-advice/our-advice-service/advice-sheets>

Note: The more vulnerable a parent is, and the more serious the child protection measures, the stronger the argument will be that they should be allowed an advocate to avoid your or your child's human rights being breached.

6. What if the social worker doesn't agree that I should have an advocate or supporter?

Sometimes social workers are reluctant to let parents bring an advocate or supporter with them to meetings. If this happens, you should first check why.

- Is it because the social worker has concerns about the person you want to bring, for example, are they seen as a risk to your child or have they been aggressive to the social worker in the past?
- Is it because the social worker is following a policy that says advocates or supporters are not allowed at meetings?

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Once you understand the reason, you will be able to decide how to respond. You may be able to suggest an alternative person to support you. Or, if the social worker appears to be following a policy you can ask for a copy of that policy. If a policy is being followed, or if the social worker is simply not providing you with a reason, you may want to challenge the social worker's decision. You could point out that research shows that an advocate can help parents take part in local authority planning processes. For example, an advocate can help a parent:

- Understand their rights and options and how child protection planning and decision-making works
- Reflect on why social workers are worried about their child
- Make safe plans for their child (which may include alternative care within the family) within the child's timescale
- Have their voice heard by professionals
- Feel emotionally supported and more confident to participate.

You could also remind the social worker that:

- Government guidance (Working Together 2018) says social workers should give parents information about local advocacy services and says that social workers should 'explain that you may bring an advocate, friend or supporter' to a child protection conference
- The Human Rights Act 1998¹² says that children's services procedures for making decisions to keep children safe must be fair. You can argue that fairness includes bringing an advocate with you to meetings so that you can take part and be fully supported involved.

For example, in a judicial review case, the judge declared that a children's services' policy, which said that solicitors could only attend a child protection conference on behalf of parents to read out a prepared statement, was unlawful. He added that while formal legal representation in case conferences was not appropriate: "*in general solicitors ought to be allowed to attend **and participate** [emphasis added] unless and until it is felt that they will undermine the purpose of the conference by making it unnecessarily confrontational*".¹

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If your child's social worker is still not agreeing to let you have an advocate or supporter come to the meeting with you, you should ask for them to put their reasons for refusing this in writing to you.

7. Can I complain if the social worker refuses to let me bring an advocate to a meeting?

If you have explained to a social worker that you want to bring an advocate or supporter and the social worker is still refusing to agree, then you could consider making a formal complaint.

For information about how to make a complaint see FRG advice sheet on Challenging decisions and making complaints at <http://www.frg.org.uk/need-help-or-advice/our-advice-service/advice-sheets>

8. Do I have a right to an advocate if I am disabled?

Yes, but only if your disability stops you from taking part fully in meetings on your own.

Under equality laws all public bodies, including children's services, must make 'reasonable adjustments' to ensure that disabled people are not put at substantial disadvantage when providing services to them.¹³

So, if you are a parent with a disability (including a learning disability or mental health vulnerability) that impacts on you participating in meetings, you can argue that you need an advocate as part of this 'reasonable adjustment.'

If children's services don't offer you an advocate in these circumstances, they may be breaching the law under the Equality Act 2010 as well as the Human Rights Act 1998. This applies to all children's services procedures not just child protection, but it may be particularly important in child protection.

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There is also important good practice guidance that says parents with learning disabilities should always have access to an independent advocate when there are child protection procedures or care proceedings taking place.¹⁴ If children's services don't offer you an advocate in these circumstances, they may be breaching the law under section 20 of the Equality Act 2010 as well as the Human Rights Act 1998. You can find out more about human rights on the website of the Equality and Human Rights Commission - <https://www.equalityhumanrights.com/en>

9. Will children's services pay for me to have an advocate?

Not necessarily. Children's services don't generally have to pay for you to have an advocate. The more vulnerable you are as a parent and the more serious the child protection concerns, then the stronger the argument that they ought to pay in order to avoid breaching your, or your child's, human rights. For example:

- If you are a parent with a learning disability or mental health difficulties, you can argue that the Human Rights Act and Equality Act require children's services to pay for you to have an advocate. (You could also look into using any direct payments you might receive for this purpose.)
- In some other situations children's services may agree to pay for an advocate as a matter of
- Good practice, for example where the relationship between you (the parent) and the social worker has broken down. But they don't have to.

10. How can I find an advocate to come with me to meetings with social workers?

Unfortunately, there is no national system providing advocates to families who are involved with social workers about the care of their children. So whether or not you can find an advocate will depend on the area in which you live.

There are also some national organisations which sometimes provide advocacy for specific groups of parents. For example: Women's Aid, Mind and Mencap (full contact details for these organisations are in part 3 of this advice sheet).

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You can also ask an adviser at Family Rights Group to help you see if there are any particular advocacy projects in your area. Contact details for Family Rights Group's free advice line can be found in Part 3 of this advice sheet, 'Where to go for further information and advice'.

You need to be aware that:

- Each organisation has their own criteria about the types of advocacy cases they can help with, so you will need to ask them about this
- Not all advocacy services will be free, so you will also need to ask them about their funding arrangements. If they need to be paid, it is worth trying to persuade the social worker to pay for an advocate to support you, using the arguments set out in section 6.

12. What can I do if I cannot find an advocate to go with me to a meeting with social workers?

If you cannot find a professional advocate but you still want some help at the meeting with the social worker or at the child protection conference, think about whether there is someone else you know, for example, a work colleague or a religious or community leader. They can help you:

- Understand children's services procedures – see FRG advice sheets for further information about this <http://www.frg.org.uk/need-help-or-advice/our-advice-service/advice-sheets>
- Think about realistic solutions for your child, taking into account what the social worker is saying about their needs
- Prepare what you want to say at the meeting
- Remind you of anything you have forgotten during the meeting
- Keep calm and focussed on what is being discussed and
- Help you remember what was said after the meeting has finished.

If you can find someone suitable then you can ask the social worker if that person can come to the meeting with you as your supporter. You can also suggest to your

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support person that they read any FRG advice sheets that are relevant to your situation so they understand children's services procedures and how best to approach supporting you. <http://www.frg.org.uk/need-help-or-advice/our-advice-service/advice-sheets>

They can also call FRG advice line – contact details in Part 3 of this advice sheet.

13. Can my child have an advocate?

Whether or not your child can have an advocate will depend on the situation. Information about six situations and whether your child will have a right to an advocate is explained below:

13.1 Child protection conferences

Children wanting to attend their child protection conference have no legal right to an advocate BUT:

- Government guidance¹⁵ says that children should be given information about advocacy agencies and advised that they may bring an advocate or supporter to the conference (in the same way as parents)
- Government guidance also says that they should be helped by their social worker to prepare for the meeting if they are attending or making representations through another person, such as an advocate.
- This all implies that they should be allowed an advocate in a child protection conference.

13.2 Making complaints

'Looked after children' (children in care under a voluntary arrangement or under a court order), 'care leavers' and 'children in need' have a right by law to an advocate for support in making a complaint or a representation of some kind about the children's services they are receiving.¹⁶

13.3 Statutory reviews (often referred to as "LAC Reviews" or "Looked After Children Reviews")

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- Looked after children don't have a right to an advocate to support them at their statutory reviews, but government guidance strongly encourages this.¹⁷
- Government guidance also says that children's services should have a system to let children know they can ask for an advocate and to let children know how to do this; ¹⁸
- Independent Reviewing Officers should check they know this before their reviews.¹⁹

13.4 Leaving care

- Children leaving care²⁰ do not have a legal right to an advocate, except to support them with a complaint as above. But government guidance says that advocacy may be particularly important when children's services are deciding whether a young person is ready to move from their care placement²¹
- It also says that young people *may frequently require* independent support to enable them to put their view across and express their wishes and feelings about the future help they think they will need so they can reach their potential.

13.5 Children who lack capacity

- A child who is 16 or 17 year and who lack capacity or is sectioned under mental health law, has a legal right to an advocate.²²

13.6 Youth Justice

- Children sentenced in secure training centres have a legal right to an advocate under youth justice rules.²³

14. Who can be an advocate for my child?

Children's advocates are independent of the social worker even though they are organised and paid for by children's services. Some children's services departments have a Children's Rights Officer, who is responsible for providing advocacy for

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children, independently from the social work team making the decisions. Other's have contracts with independent organisations like National Youth Advocacy Service, Voice of the Child in Care or Barnardo's and Coram Voice.

15. What do children's advocates do?

Children's advocates work with the child or young person to help them understand what is happening and ensure that their wishes and feeling are heard. They can also help them make complaints.

16. Can I help my child to find an advocate?

You can ask their social worker or Independent Reviewing Officer or the Children's Rights Officer in children's services.

Children's services must have advocacy services in their area; they usually contract with voluntary organisations to provide this on their behalf. Otherwise there are several national organisations which provide advocacy for children and young people that you can contact:

- National Youth Advocacy Service
- Voice of the child in care (for children who are in the care system);
- Barnardo's Youth Advocacy service

Contact details for these organisations are in Part 3 of this advice sheet.

17. Where can I get further help and information?

A. Finding an advocates for parents/carers

- Specialist national projects that can sometimes offer advocates to parents that fit their criteria include:
 - **Women's Aid** – For women and children affected by domestic violence
 - Website: <http://www.womensaid.org.uk/>
 - 24 hour telephone helpline: 0808 2000247

 - **MIND** – For better mental health
 - Website: <http://www.mind.org.uk/>
 - Telephone information line: 0300 123 3393

 - **Mencap** – Voice for people with learning disabilities
 - Website: <http://www.mencap.org.uk/>
 - Telephone Mencap Direct (0808 808 1111, from 9am to 5pm, Monday to Friday) or email help@mencap.org.uk

Resource for advocates working with parents with learning disabilities <http://www.bh-impetus.org/wp-content/uploads/2017/11/Resource-for-Independent-Advocates-working-with-PLD-A-Roadmap-for-a-Complex-Journey.pdf>

B. Finding an advocate for a child or young person who is in care/a care leaver

- **Coram Voice**
 - Website: <https://coramvoice.org.uk/young-peoples-zone/always-heard>
 - Telephone line: 0808 800 5792

- **National Youth Advocacy Service**
 - Website: <http://www.nyas.net/>
 - Telephone line: 0300 330 3131

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- **Barnardo's Children's Advocacy Services**

Website:

http://www.barnardos.org.uk/what_we_do/our_projects/advocacy.htm

Links to the children's advocacy services run by Barnardo's in different parts of the UK are available at that website page.

C. Sources of Further advice

Citizens Advice is an independent organisation providing free, confidential and impartial advice. Their goal is to help everyone find a way forward, whatever problem they face. This may be money, benefits, housing or employment problems. You may be facing a crisis, or just considering your options. Online advice is available on the Citizens Advice website. They also have a national phone service called Adviceline. This is available in Wales for people who live or work there and is being rolled out in England:

- For England telephone: 03444 111 444
- For Wales telephone: 03444 77 2020
- TextRelay users should telephone: 03444 111 445
- Website: citizensadvice.org.uk

Civil Legal Advice A free and confidential advice service run on behalf of the government. It provides information directly to the public on a range of common legal issues; helps people find out if they are eligible for free legal advice from a solicitor; and helps them find a solicitor. It can also help you find legal advisors and find out if you are eligible for publicly funded free legal help. Check to see if you're eligible for advice on www.gov.uk/check-legal-aid or apply online:

- Telephone: 0345 345 4345 Mondays to Friday, 9am to 8pm and Saturday 9am to 12.30pm
- Minicom: 0345 609 6677
- Text 'legalaid' and your name to 80010 to ask CLA to call you back. This costs the same as a normal text message.
- Website: gov.uk/civil-legal-advice

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Coram Children's Legal Centre provides independent legal advice to children, parents, carers and professionals. Its Child Law Advice Service provides legal advice and information on areas of child, family and education law. To access this advice and information please visit www.childrenslegalcentre.com and follow the link to the Child Law Advice Service where you will be able to view a range of factsheets and 'how to' guides. Should you have clarifying questions following your visit to their website, their helpline number is available at the end of each factsheet. The helpline is available Monday to Friday 8am to 6pm.

Family Rights Group is an organisation which provides free telephone and email advice to family members who are involved with Children's Services about the care and protection of their children.

- Contact FRG's advice line for specific advice about your case on 0808 801 0366. It is open Monday-Friday 9.30am-3pm.
- You can also visit http://www.frg.org.uk/advice_sheets.html where you can download other relevant advice sheets.
- Join the FRG parents' or family and friends carers' discussion boards.

Fostering Network is an organisation which provides advice to foster carers who are approved by Children's Services. They produce detailed pamphlets on benefits and tax as it affects foster carers:

- Telephone information line: 0207 261 1884
- Website: www.fostering.net.

Specialist child welfare solicitor:

To find a solicitor who specialises in childcare law, you can contact:

1. Solicitors Regulation Authority, Ipsley Court, Redditch, Worcestershire B98 0TD
Telephone: 0870 606 2555 <http://www.sra.org.uk/consumers/find-use-instruct-solicitor.page>;

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2. The Law Society of England and Wales, 113 Chancery Lane, London WC2A 1PL Tel: 020 7242 1222 Minicom: 0870 600 1560 Fax: 020 7831 0344
E-mail: info.services@lawsociety.org.uk www.lawsociety.org.uk
You can search their website for details of local solicitors who are members of the Children Panel:
<http://www.lawsociety.org.uk/choosingandusing/findasolicitor.law>
3. Civil Legal Advice (CLA) See details above.
4. Citizens Advice may be able to recommend a local solicitor specialising in child care law. Citizens Advice is an independent organisation providing free, confidential and impartial advice on all subjects to anyone. The address and telephone number of your local CAB can be found in the telephone directory. There is also advice on line on their website.
Website www.citizensadvice.org.uk
Advice on line Website www.adviceguide.org.uk

References

CPPCRR	Care Planning, Placement and Case Review Regulations 2010 http://www.legislation.gov.uk/ukxi/2010/959/contents/made
CA	Children Act 1989 http://www.legislation.gov.uk/ukpga/1989/41/contents
ECHR	European Convention on Human Rights and Fundamental Freedoms http://conventions.coe.int/Treaty/en/Treaties/Html/005.htm
HRA	Human Rights Act 1998 http://www.legislation.gov.uk/ukpga/1998/42/contents
G & R 1	DFE, 2014, Children Act 1989, Guidance and Regulations Court Orders and pre-proceedings (Volume 1) https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/281452/Statutory_Guidance_on_court_orders_and_pre-proceedings_18.2.pdf
G&R 2	Children Act 1989, Guidance and Regulations, 2015, Department of Education , Volume 2: Care Planning, Placement and Case Review https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/441643/Children_Act_Guidance_2015.pdf

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G&R 3	Children Act 1989: transitions to adulthood for care leavers. Volume 3: statutory guidance for local authorities on helping care leavers aged 16 and 17 prepare for adulthood https://www.gov.uk/government/publications/children-act-1989-transition-to-adulthood-for-care-leavers
Practice Guide	Good Practice Guidance on working with parents with a learning disability DH 2006 <u>Good practice guidance on working with parents with a learning disability : Department of Health - Publications</u>
WT 2018	Working Together 2018 <u>https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/729914/Working Together to Safeguard Children-2018.pdf</u>

Last updated 21 August 2018

¹ Hunt, J & McLeod, A, 1999, The Last resort: Child Protection, the Courts and the Children Act, HMSO, London at pp149-152; P. Freeman, & J Hunt, Parental Perspectives in Care Proceedings, 1998;

² Lindley B, Richards M & Freeman P, 'Advice and advocacy for parents in child protection cases – what's happening in current practice? [2001] Child and Family Law Quarterly 167

³ Protocol for advice and advocacy for parents (child protection), Lindley, B and Richards, M. Centre for Family Research, University of Cambridge, DoH, December 2002:

http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_4127568

And (b) Professional Advocacy Services – Principles and Standards, Family Rights Group, 2009 :

<http://www.frg.org.uk/images/PDFS/advocacy-standards.pdf>

⁴ <http://www.frg.org.uk/images/PDFS/advocacy-protocol.pdf>

⁵ <http://www.frg.org.uk/images/PDFS/advocacy-standards.pdf>

⁶ <http://www.frg.org.uk/images/PDFS/advocacy-code.pdf>

⁷ Working Together 2018, page 46

⁸ The Protocol of Advice and Advocacy for Parents in Child Protection Cases and the Code of Practice for Professional Advocacy sets out a framework for such specialist advice and advocacy.

<http://www.frg.org.uk/images/PDFS/advocacy-code.pdf>

⁹ Family Help Lower (Legal Aid Agency)

¹⁰ G v N County Council [2009] 1 FLR 774

¹¹ Re L (Care: Assessment: Fair Trial) [2002] EWHC1379 (Fam); [2002] 2 FLR 730; Re: C [2007] EWCA Civ 2

¹² Article 6, Human Rights Act 1998

¹³ Section 20 Equality Act 2010

¹⁴ Department of Health, 2006, Good Practice Guidance on working with parents with a learning disability, Para 1.5.3 In 2016, this was updated by the Working Together With Parents Network and the updated version is available at: <http://www.bristol.ac.uk/media-library/sites/sps/documents/wtpn/2016%20WTPN%20UPDATE%20OF%20THE%20GPG%20-%20finalised%20with%20cover.pdf>

¹⁵ Page 46 Working Together to Safeguard Children 2018

¹⁶ s.26A Children Act 1989 as inserted by s.119 Adoption and Children Act 2002;

¹⁷ Department for Education (2015). The Children Act 1989 Guidance and Regulations, Volume 2; Care Planning, Placement and Case Review; *The IRO Handbook*: Statutory guidance for Independent Reviewing Officers and local authorities on their functions in relation to case management and review for looked after children, p.15

¹⁸ P 15, IRO Handbook

¹⁹ P15 IRO Handbook

²⁰ There are a number of different types of care leaver, depending on age and legal status. A table setting out the different categories can be found at chapter 2 of the Vol 3 Children Act guidance <https://www.gov.uk/government/publications/children-act-1989-transition-to-adulthood-for-care-leavers>

²¹ Department for Education (2015). The Children Act 1989 Guidance and Regulations, Volume 3: Planning Transition to Adulthood for Care Leavers, paras 2.14 – 2.15.

²² The Mental Capacity Act 2005; and s.130A Mental Health Act 1983, inserted by the Mental Health Act 2007

²³ Secure Training Centre Rules (1998)

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