Managing individual cases: the Framework for the Assessment of Children in Need and their Families – DfE consultation

Date: 29 June 2012
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Summary
The DfE is consulting, until 4 September, on a significantly revised (and reduced) draft of the statutory guidance, the Framework for the Assessment of Children in Need and their Families. It is aimed primarily at social workers and other professionals involved in carrying out assessments. The new draft is no longer linked to specific forms, recording processes and performance indicators, and it proposes to replace nationally prescribed timescales with local frameworks; it takes account of work in eight trial local authorities using more flexible arrangements aimed at better meeting the needs of the child.

Overview
The DfE is consulting, until 4 September, on a significantly revised (and reduced) draft of the statutory guidance, the Framework for the Assessment of Children in Need and their Families. It is aimed primarily at social workers and other professionals involved in carrying out assessments.

It is also consulting on two related draft statutory guidance documents: Working Together to Safeguard Children and Statutory Guidance on Learning and Improvement (which proposes new arrangements for Serious Case Reviews, reviews of child deaths and other learning processes led by Local Safeguarding Children Boards). These are covered in separate CSN briefings (see ‘related briefings’).

Prof. Eileen Munro’s final report said of the current framework, “While the review endorses [the framework’s] excellent principles, it has become clear that they have become linked with specific theories, recording forms and processes. These have subsequently become the subject of performance targets so that, in combination, they are driving practice in dysfunctional ways and limiting professionals’ ability to take responsibility for determining how to implement the principles in their practice.” The new draft is no longer linked to specific forms, recording processes and performance indicators, and it proposes to replace nationally prescribed timescales and separate initial and core assessments with a single local framework. It takes account of work in eight trial local authorities which worked with the Munro review to test more flexible, locally driven arrangements aimed at better meeting the needs of the child (an independent evaluation of the
trials, as well as responses to this consultation, will inform the decision on whether to move to local frameworks).

**Briefing in full**

The Preface emphasises the importance of identifying problems early and taking rapid action to prevent them escalating, and the need for all agencies involved to identify concerns, share information and take prompt action if children and their families are to receive the right help. The guidance sets out a framework for managing individual cases that have been referred to local authority (LA) children’s social care – and it makes the point that an assessment should be a continuous process, with the needs of the child at its centre.

The purpose of assessment is to gather information and evidence about a child and their family to identify whether a child has unmet needs, in order to inform the delivery of effective services for children and families. It must be carried out by a qualified social worker, be based on sound knowledge of child development, and be seen in the context of the child’s family and their environment; it must also be informed by the child and their family members and by other professionals who know them.

‘No system can fully eliminate risk. Understanding risk involves judgment and balance. To manage risks, social workers and other professionals must make decisions with the best interests of the child in mind and within a timescale which has the child’s safety as its paramount concern.’

The guidance is issued under section 7 of the Local Authority Social Services Act 1970, and should be complied with by LAs unless exceptional circumstances arise. Professionals in organisations covered by the duty to safeguard and promote the welfare of children under section 11 of the Children Act 2004 should follow it in conjunction with the guidance on section 11 duties, and a range of professionals (teachers and others working in education institutions, early years providers, Children and Family Court Advisory and Support Services, and the UK Border Agency) have duties to safeguard and promote the welfare of children (arising from different pieces of legislation).

The guidance covers assessment, assessment checkpoints, and the process of managing individual cases.

**Statutory assessments under the Children Act 1989**

‘A good assessment will analyse not only the developmental needs of the child but also the nature and level of both the risks and protective factors in the child’s life.’ It must be proportionate to the needs and the nature of any harm faced by the child, and will inform decisions about whether a child is a child in need or is suffering, or likely to suffer, significant harm as defined in section 31 of the Children Act 1989. An assessment of a child in need (as defined in the Children Act 1989) is carried out under section 17 of the Children Act 1989; if the social worker believes the child is suffering or likely to suffer significant harm, then under section 47 of the Act the LA must make enquiries to decide what action must be taken, with partners, to safeguard and promote the welfare of the child (with the possibility of immediate protection whilst the assessment is carried out). There are additional requirements to assess a child’s needs and draw up a care plan.
following an application under section 31A (where the child is the subject of a care order) or where a child is accommodated under section 20. Where a child becomes looked after, an assessment by a social worker is required before the child returns home.

**Framework for Assessment – local determination**

LA s and their partners must develop and publish their own local frameworks for assessment. These must include clear, transparent arrangements for how cases will be managed once a child is referred to children’s social care which all organisations and agencies have a responsibility to understand. How quickly an assessment is carried out will be determined by the needs of the child and the level of harm being suffered, which will require judgements by the social worker in discussion with their manager; some cases will require longer to complete, but social workers should not wait until the assessment is concluded before providing support to the child and their family. Frameworks should include indicative checkpoints, and the guidance emphasises the need to avoid delay. The social worker must discuss the case with other professionals, and make clear to children and families how the assessment will be carried and when they can expect a decision on next steps.

The local framework must:

- ensure that assessments are timely, proportionate to the needs of individual children and families, and transparent
- take a systematic approach, drawing on the most up to date research, to support professionals
- use a conceptual framework to gather and analyse information, and understand the child’s developmental needs, parents’ or carers’ capacity to respond to these needs, and the impact/influence of wider family, community and environmental circumstances
- provide clarity on the contributions of all agencies and professionals that will be undertaking assessments and providing services
- be informed by other specialist assessments, and ensure that they are coordinated
- regard assessment as an on-going process to inform future plans
- seek to ensure that each child and family understand the type of help offered and their own responsibilities
- require decisions to be recorded in accordance with locally agreed procedures.

The detail of a local framework must be developed by reference to the following principles underpinning work with children and families, which should:

- be child-centred, with decisions made in the child’s best interests
- be rooted in child development
- be focused on outcomes for children
- be holistic in approach
- ensure equality of opportunity
- involve children and families
- build on strengths as well as identifying difficulties
- be integrated in approach
Managing individual cases

This section sets out the process for assessment and decision making:

- the responsibilities that different professionals have
- the requirement for local areas to determine a framework for managing cases, based around key checkpoints
- the key procedures to be followed by professionals.

Anyone with concerns about a child’s welfare (including the child themselves) can make a referral to LA children’s social care. When a professional does so, they must include any information they have on the child’s developmental needs and the capacity of their parents to meet these. The referrer must always have the opportunity to discuss their concerns with a social worker. Within one working day of a referral being received, a social worker must make a decision about the action to be taken.

The guidance has a series of detailed flow charts and descriptors setting out the precise steps that professionals should take when working together to assess and provide services for children who may be in need, including those suffering from harm. These cover:

- the referral process
- the process for determining next steps for a child assessed as being ‘in need’
- the processes for a child where there are concerns about harm
- the eight essential processes for children where there is reasonable cause to suspect that a child is suffering, or likely to suffer, significant harm (including immediate protection for children at serious risk of harm).

It ends with a glossary of definitions and descriptions, including ‘assessment framework dimensions’ (which are the terms used to describe a child’s development needs, parenting capacity, and family and environmental factors).

Comment

This draft guidance takes a very different approach, in line with the recommendations of the Munro review, from the guidance it replaces; and, at 30 pages, it far less detailed and prescriptive than the current 80 pages of statutory guidance and 120 pages of practice guidance. It also, of course, provides a lot less information, and it will clearly be necessary for somebody to put together a lot of information upon which professionals can draw in future. Whilst the new drafts of statutory
guidance now subject to consultation reflect wide-ranging reform of the child protection system – aimed at achieving a more highly skilled and better led and managed workforce which is less risk-averse and more focused on outcomes than procedures – it is important to recognise the danger of throwing out the ‘baby’ of useful information and practice guidance with the ‘bathwater’ of overlong and over-prescriptive guidance (which includes much material of value).

The explicit acknowledgement that ‘No system can fully eliminate risk’ is a sign of the welcome change in approach strongly advocated by Prof. Munro, and the testing of more flexible, locally driven arrangements in eight trial LAs appears to be producing encouraging evidence (subject to an independent evaluation to be considered alongside the response to this consultation) upon which others will be able to draw if the proposed changes are introduced.

Although much of the present reform programme is very welcome (and has been welcomed), it is – like assessment – a continuing process, not an event; and it will take some time, and effort and commitment, before it reaches a conclusion.

**External links**

Consultation on Revised Safeguarding Statutory Guidance

**Related briefings**

Learning and Improvement – DfE consultation on statutory guidance for LSCBs etc

Working together to safeguard children – DfE consultation on revised guidance

For further information, please visit [www.lgiu.org.uk](http://www.lgiu.org.uk) or email [john.fowler@lgiu.org.uk](mailto:john.fowler@lgiu.org.uk)