



## Information Sheet: Care Proceedings

**Representation and advice in care proceedings is fully funded by the Legal Services Commission regardless of your financial means.**

Sometimes parents may face difficulties in being able to care for their children and social services may become involved.

If a local authority is concerned about the level of care provided to your children a Child Protection Conference may be set up to determine whether the children's names should be placed on a Child Protection Register under a certain category, e.g. neglect, risk of sexual abuse or emotional abuse etc. A child protection plan will be put in place to reduce the risks to the children.

### When can social services remove my children?

If Social Services have serious concerns or there are urgent circumstances, the local authority may take action by issuing care proceedings and make an application to Court for a Care or Supervision Order. This could lead to children being placed in foster care or even put up for adoption.

However, a court can only make a care or supervision order if it is satisfied that:

- The child is suffering or is likely to suffer significant harm;
- The actual harm or likelihood of harm is attributable to the care given to him (or likely to be given to him if an order were not made) which falls below a reasonable standard;
- The child is beyond parental control.

If you are worried about your child/ren or they have been placed on the Child Protection Register, please get in touch with us [\[link\]](#) for a free, confidential consultation.

### What is a Care Order?

If a care order is made this will provide the local authority with parental responsibility for your child/ren, which will enable them to decide where the child/ren will live, how often contact takes place and other important issues. The Care Order lasts until a child's 18th birthday but can be discharged earlier if circumstances change.

Even if a Care Order is made, this does not necessarily mean your child will be removed from your care. The local authority has a duty to consider whether it is in the best interest of the child to remain with you.



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The proceedings for a care order usually take between 20-50 weeks. During that time you will be allowed contact with your child although the child is likely to be placed with foster carers.

Contact is usually supervised and assessments will be undertaken by social services to assess your parenting skills. These assessments help the court to decide what is best for your child/ren, where they will live and any future plans.

A Guardian will be appointed to represent the interests of your child/ren and will act independently of social services. The Guardian will meet with your child/ren and other people involved and will prepare a report for the court giving recommendations as to where the child should live and any future plans.

### What is a Supervision Order?

If a supervision order is made then the local authority will not have parental responsibility. The proceedings relating to a supervision order are similar to that of an application for a care order.

The supervision order allows the child/ren to continue living with you, however, the arrangements relating to the child/ren will be under review by the Court. Social Services will be involved in the care of your child/ren.

It is important for you to cooperate with the Supervision Order as, if you do not cooperate, you risk the local authority making an application for a care order and your child/ren being removed.

If you are in this position and would like some advice then please get in touch [\[link\]](#) and our experienced team will be able to help you determine the right steps for the best possible future for your child/ren.

### What is a Placement Order?

If the Court makes a decision that you or your child/ren's carers cannot provide the required level of care which would be in the child/ren's best interest the local authority will make an application for a placement order for your child/ren to be placed with another carer or carers permanently.



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This, in effect, means that your child/ren is/are adopted and your parental responsibility for the child ends and is transferred to the new carers. Contact with your child will stop.

### CONTACT:

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If you need any further information about matters in this information sheet, please do not hesitate to contact us.