

RESEARCH BRIEFING

EVALUATION AND FOLLOW-UP OF THE TRI-BOROUGH CARE PROCEEDINGS PILOT 2012-2013



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PROJECT TEAM Professor Jonathan Dickens, Dr Chris Beckett and Sue Bailey

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WHY ARE THESE STUDIES IMPORTANT?

The Tri-borough Care Proceedings Pilot was an initiative by three London boroughs (Hammersmith & Fulham, Westminster, and Royal Borough of Kensington & Chelsea), together with the court service and Cafcass (the independent social work service for the courts). The pilot aimed to reduce duration of care proceedings to 26 weeks, ahead of national reforms to achieve this goal. It ran from April 2012 to March 2013. The pilot and the wider reforms were intended to address concerns about unnecessary delays in care proceedings, and the potential consequences that delay and uncertainty have for children's welfare. The 26 week time limit is now law, for all but 'exceptional cases', in the Children and Families Act 2014. The pilot aimed to introduce a range of practice changes in the local authorities and the courts to complete proceedings in this time frame. A key feature of the pilot was the appointment of a 'case manager' to have an overview of the cases being considered for and brought to court, to advise and support social workers through the process, liaise with the courts, and 'trouble shoot' if cases did appear to be losing momentum. The intention was that the principles and lessons of the pilot could be rolled out to other areas. The study evaluated the pilot and published a report in September 2013, with an update in May 2014 to include cases finishing after the pilot. The research team was later commissioned to undertake a follow-up study to track and evaluate longer-term outcomes for children. The report on that stage was published in October 2016.

AIMS OF THE STUDIES

The aims of the original evaluation were to assess the impact of the pilot on the duration of care proceedings in the Tri-borough authorities. The research questions were:

1. Were delays reduced as a result of the pilot and was the target of 26 weeks achieved?
2. Did the changes impact on the quality of decision-making, fairness for parents or outcomes for children?
3. How did the changes affect the work of social workers and lawyers?

4. Can the benefits of the pilot be sustained and how could this be achieved?

The primary aim of the follow-up study was to investigate what had happened to the children in the two years after their proceedings ended. This included where the children were living, whether their plan for permanence had evolved as intended, the degree of placement stability they experienced, the extent to which concerns or problems with their care had arisen, the subsequent need for services from children's social care, and their wellbeing at that two year point. It was also an opportunity to assess the sustainability of the changes introduced by the pilot.

HOW WERE THE STUDIES DONE?

Both phases combined quantitative and qualitative elements. In the first study, quantitative analysis was undertaken of a database provided by the Tri-borough, of all 90 cases in the pilot period (125 children) and all the cases in the preceding year. Coincidentally, there had also been 90 cases (131 children) during the pre-pilot year. The study compared key data about all cases in both periods to discover what had changed and the extent of any changes. The researchers assessed data such as the ages of the children, the start and end dates of proceedings, assessments undertaken, orders made, plans, and placements. In addition, semi-structured interviews and a focus group were conducted with a total of 24 professionals across all three boroughs, and opinions on key themes were analysed. Those taking part were the case manager, 4 team managers, 5 social workers, 4 local authority solicitors, 3 Cafcass guardians, 3 private family solicitors, 2 district judges and 2 court legal advisers. There was also a focus group with young people from Hammersmith and Fulham care council.

The follow-up study used a schedule to capture quantitative data on the history of each child after the court case ended, to extend and complement the data already held for each child about the pre-court period and the court process itself. The qualitative aspect included a questionnaire for parents/carers to discover their view of the child's current wellbeing and the support they had received, and interviews with 9 social work practitioners and managers in the Tri-borough to get their views whether and how post-court processes and practice had changed since the introduction of the 26-week target.

KEY FINDINGS

Original evaluation of the pilot

- The median duration of care proceedings was 27 weeks in the pilot period compared to 49 weeks in the preceding year, a reduction of 45%. Although half the cases were still taking longer than 26 weeks, some case-by-case flexibility is needed in the interests of child welfare and justice. The pilot demonstrated that this can coexist with meaningful efforts to minimise delay. While many professionals were concerned about the potential for justice to be compromised by a rigid 26 week target, no one suggested this had actually happened.
- The evaluation also found a quickening of the pre-proceedings stage, and earlier intervention in pre-birth cases, suggesting more proactive decision-making and planning at this stage. There was no evidence that the reduction in the length of care proceedings was achieved at the expense of more delay in the pre-court period.
- The pattern of orders made in the pilot year was similar to that of the pre-pilot year, except for a slightly higher number of Special Guardianship Orders (SGOs), and a slightly lower number of care orders without a concurrent placement order. There was a modest decrease in the percentage whose plan was for adoption by non-kin, and an increase in the percentage whose final plan involved living with one or both parents.
- It is not possible to say that these changes are a specific result of the shorter duration, as they were not statistically significant; there may have been other changes in the approach to care proceedings at the same time. However, it is notable that the Tri-borough changes occurred before the Re B and Re B-S judgments in 2013, which are considered to have had a great impact nationally in changing the balance between family placements and adoption.
- In the pilot year there was a reduced number of placement moves during the course of proceedings (71% of children remaining in the same placement) compared to the pre-pilot year (42% in the same placement). The speedier resolution of cases is likely to benefit the child in this respect.

Follow-up study

- Reducing the duration of care proceedings did not mean that more children were left waiting for a permanent placement at the end of the proceedings. On the contrary, a slightly higher proportion of children in the pilot year were already in their planned permanent placement at the end of the proceedings (65% compared to 60% the year before).
- The reduction in the length of care proceedings did not result in delay being moved to the post-court period. In fact, there was a substantial reduction in delay here also. For children not already in final placements, the time from final hearing to permanent placement had been reduced on average from almost 30 weeks to just over 14 weeks, a fall of over 50%.
- For children not already in their planned permanent placement by the end of proceedings, the average duration of the whole process, from legal planning meeting to permanent placement, fell from 96 weeks in the pre-pilot year, to 52 weeks in the pilot year.
- The incidence of 'serious problem indicators' (e.g. breakdowns in permanent placements, renewed child protection concerns) declined for children from the pilot cohort compared to the pre-pilot cohort. This is encouraging as a higher incidence of problems might be expected as a result of faster care proceedings if inferior decisions were being made about plans and placements. But this finding suggests that quicker decision-making processes do not necessarily lead to less stable placements. Rather, the focus on good decision-making can lead to more secure outcomes.
- Shorter care proceedings did not result in more children living away from their families. The most frequent type of final placement for children in both cohorts was with their parent(s), followed by placements with 'connected persons'.
- The questionnaires showed the importance of effective support for carers (parents, connected persons, foster carers and adopters). This should include social work support, specialist services and financial assistance for those who are eligible, as required.

- The interviews with social work practitioners and managers showed high levels of commitment to the new way of working. There were some concerns, notably about the timescales for assessment of prospective special guardians, especially if they did not have a pre-existing relationship with the child. Another area of concern was about the workload pressures. But no-one wanted to go back to the old ways of working.

KEY RECOMMENDATIONS FOR POLICY AND PRACTICE

- The duration of care proceedings can be reduced by having better prepared cases, quicker and more focused assessments within proceedings, and timelier and proportionate working by children's guardians. The case manager role was vital to the success of the pilot and can help to achieve these recommendations.
- Stronger judicial case management is also needed. This can be achieved by making sure all parties in assessments comply with court directions and that tasks directed by the court are completed to a more effective timetable.
- Commitment and leadership in all agencies (local authorities, Cafcass, and the courts) was needed to achieve this sort of far-reaching change. Further, a collaborative approach between the agencies, whilst retaining a proper sense of their own roles and responsibilities, was crucial to the success of the pilot.
- Working in new ways does not necessarily take more time but it does require more energy and focus. Active leadership, support for staff and carers, and monitoring of workloads and outcomes are essential.
- The drive to reduce the duration of care proceedings need not be at the cost of thoroughness and fairness, but it is important to retain some flexibil-

ity. It should not be an end in itself, but a means to the end of better decision-making and better outcomes for children.

STRENGTHS AND LIMITATIONS OF THE STUDIES

Strengths

All care proceedings initiated by the three boroughs were part of the pilot, including cases conducted through the Family Drug and Alcohol Court, which might have been expected to take longer. There was therefore no inherent bias towards reporting speedier conclusions by excluding complex cases.

Limitations

The Tri-borough authorities are well-organised and relatively prosperous authorities, and some professionals expressed concern that the boroughs benefitted from special treatment during the pilot year. The challenge is sustaining achievement of the 26 week target and this will require ongoing monitoring.



FIND OUT MORE

FULL REPORT [HTTPS://GOO.GL/SYW556](https://goo.gl/SYW556)

Professor Jonathan Dickens | j.dickens@uea.ac.uk

CENTRE FOR RESEARCH ON CHILDREN AND FAMILIES

School of Social Work, Faculty of Social Sciences, Elizabeth Fry Building,
University of East Anglia, Norwich Research Park, Norwich NR4 7TJ

DIRECTOR Professor Marian Brandon