

Supervision Order Policy

Applies to	AfC Wide (All operational areas)
Review Board	n/a
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Signed off by	Deborah Glassbrook - Director of Improvement
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1. Aim of the policy

The aim of this policy is to provide guidance to all practitioners working in Achieving for Children and is aimed at qualified social workers and their managers. The policy puts an onus on Achieving for Children and partner agencies actively involved with children and their families. The aim of the policy is to set clear guidance when working with children and their families when the court has made a supervision order (Section 35 of the Children Act 1989). The purpose is to ensure that where the making of the order is the final outcome of the proceedings, those social workers and their managers initially manage the case through child protection protocols.

This policy specifically deals with supervision orders whereby the order remains within the jurisdiction of the Achieving for Children (the Royal Borough of Kingston upon Thames, the London Borough of Richmond upon Thames or the Royal Borough of Windsor and Maidenhead) . When supervision orders are granted and the order is to be transferred to another local authority, it is for that designated local authority to determine how to discharge the order, however, how that designated local authority complies with their duties should be agreed with all parties in court. Furthermore, in cases where a supervision order is attached to a special guardianship order, careful consideration should be given on how the designated local authority, whether Achieving for Children or not, fulfils its duties. In all cases, it would be prudent to have early liaison with another designated local authority about the transfer and plan, including discussion with legal services.

2. The law

The court can make a supervision order to a local authority if it considers that the threshold criteria under Section 31(2) of the Children Act 1989 have been met, that it is in the child's best interests to do so and that it considers that it is necessary and proportionate to make such an order.

A supervision order places the child under the supervision of a designated local authority referred to as 'the supervisor'.

Under the order, the supervisor must advise, assist and befriend the child. The order may require the child to comply with any directions given by the supervisor which require them to do all or any of the following:

- live at a place specified in directions given by the supervisor
- take part in specified activities
- and report to particular places at particular times

A supervision order can be made for a period up to a year. This can be extended for any period not exceeding three years in total from the date of the first order. No supervision order or care order can be made for a child over the age of 17 years, or 16 years old if married.

The court can only make a care order or supervision order if it is satisfied:

- that the child concerned is suffering, or is likely to suffer, significant harm
- that the harm, or likelihood of harm, is attributable to:
 - the care given to the child, or likely to be given to them if the order were not made, not being what it would be reasonable to expect a parent to give to them
 - or the child being beyond parental control

In practice this means the court has found the children have or are likely to suffer significant harm.

The supervisor has three duties towards the child under the supervision order.

- To advise, assist and befriend the child and to take steps that are necessary to give the order full effect.
- If the order is not followed, or the supervisor feels that the order is no longer needed, the local authority should convene a meeting and must consider whether to vary the order, attach requirements to it, or even substitute it for a care order (for Achieving for Children this would be through the legal planning panel).

A supervision order can also have requirements attached to it. Without requirements the supervision order only requires the supervisor to advise, assist and befriend the child.

Under the supervision order, those with legal parental responsibility for the child become 'responsible persons' and the supervisor can ask the court to attach requirements to the supervision order to ensure the following:

- for the supervised child to comply with directions of the supervisor on certain matters such as living in a specified place, joining in on specific activities, and allowing the supervisor to visit them

- a requirement for the person with whom the child lives with to comply with the directions of the supervisor. (This requires the parent's consent, but if agreed upon the granting of the supervision order can be part of the supervision order plan)
- for the supervised child to have a medical or psychiatric examination
- for the supervised child to have specified treatment for their mental health

If the responsible person breaches the supervision order this does not automatically mean that the supervision order will become a care order. The law does not provide any specific remedy for breaches and the supervisor will have to think carefully about how that breach might be dealt with. Options that may be considered are returning the matter to court to vary the terms of the supervision order or to consider that the child can only be protected by a care order.

If the responsible person refuses to allow the supervisor access to the child then the supervisor can apply to the court for a warrant to do so. However, in these circumstances the supervisor may wish to consider whether a care order might be needed.

If the supervisor wants the child to undergo any medical or psychiatric examination, this must be specifically ordered by the court. If the child is of sufficient age or understanding he or she can refuse to undergo the examination.

3. The process

Where the care plan for the child is for a supervision order or if this is the outcome of the court proceedings Achieving for Children should draft a supervision order plan.

The draft plan should:

- describe the identified developmental needs of the child, and any services required
- include specific, achievable, child focused outcomes intended to safeguard and promote the welfare of the child/ren
- include specific, achievable and measurable outcomes for parents/carers to undertake any recommended interventions to maintain change and support the reduction of risk of significant harm

- include a contingency plan to be followed if circumstances change significantly and/or require prompt action
- clearly identify the roles and responsibilities of family members and other professionals, including the nature and frequency of involvement
- clearly set out how the plan will be reviewed and the means by which it will be judged. This will include the frequency of visits and how the plan will be reviewed

4. Implementing the order

Upon the court granting a supervision order the social worker should transfer the supervision order plan to the child's electronic record within the child in need plan form. A copy of the supervision order must be uploaded onto the child's electronic file.

It is essential to note this does not mean the children are no longer deemed to have suffered, or are less likely to suffer significant harm. All agencies involved in working with the children should always consider risk factors, including repeated patterns in parental behaviour, allegations or disclosures of abuse.

The social worker needs to coordinate a network meeting within ten working days of the order being made to include the main carers and relevant professionals involved in working with the children or the carers.

The supervision order plan should be taken to the first meeting to consider whether any additional outcomes should be added, with specific, achievable and measurable actions.

Children subject to supervision orders should be seen by the social worker every ten working days for the first twelve weeks of the order and then frequency must be reviewed by the multi-agency network, where consideration should be given to a reduction or continuation of the visiting frequency. Additional visits by professionals or joint visiting should also be considered and included in the plan.

Multi-agency network meetings to review the supervision order plan should be held a minimum of every four weeks for the first three months. At which point there should be a discussion and decision taken about the frequency of meeting and a record of the rationale

given for any change. Any professional within the multi-agency network can request an urgent meeting.

The record of the multi agency network meeting should be recorded on the children's electronic record in the child in need review update domain. It should reflect on whether the outcomes are being achieved or whether likely risk of significant harm is still present. The record should be shared with the parents, carers and professional members within three weeks of the meeting.

The duration of a supervision order is usually 12 months. Eight months into the order, the professionals should give a view about the supervision order lapsing or continuing.

The social worker should book a discussion at the legal planning panel nine months from the granting of the order. The multi-agency views can be considered by the panel who will then make a decision about allowing the order to lapse or whether other actions, such as, returning to court for an extension of the supervision order or an application for a care order are required.

The legal planning panel decision and rationale is to be recorded on the child's electronic record.

Any alleged or actual harm to a child should always follow safeguarding processes such as multi agency strategy meetings, Section 47 investigations or seeking immediate protection.

It is rare and only in exceptional circumstances that a child subject to a supervision order will require a child protection plan. At any stage throughout the duration of the order, if concerns are escalated then child protection processes must be followed and legal advice sought.

5. Interim supervision orders

If a child subject to a child protection plan is made subject to an interim supervision order, the social work manager and conference chair will discuss what benefit and additional safety continuing the child protection plan brings to the child. Please refer to the legal planning panel terms of reference for further information.

6. Overview of intervention

- **Multi-agency network meeting:** 10 days from the making of a supervision order and four weekly thereafter.
- **Visiting by social worker:** minimum every 10 working days and then reviewed at three months.
- **Case review:** three months and consideration given as to whether to continue with Child Protection protocol or step down to Child in Need protocol.
- **Legal planning panel:** nine months from the granting of the order to consider lapse of supervision order or extension.