

# CAFCASS PATHWAY FOR SECTION 31 PROCEEDINGS

## STAGE 1

### Allocation and Appointment

Upon request from the court, Cafcass will either:

- appoint a Children's Guardian
- notify a duty Guardian
- provide an immediate response to emergencies eg contested ICO with abridged notice.



Appoint a Law Society Children's Panel solicitor for the child.



Begin enquiries (including ensuring safeguarding checks are up to date and Cafcass Risk ID is completed for the child's new circumstances).

See page 20 of the Safeguarding Framework.



Give a specific focus to the pre-proceedings checklist. Highlight any information that remains outstanding.

## STAGE 2

### Developing Case Plan/Early Intervention Prior to the CMC

Carry out an initial analysis, with a specific focus on:

- early understanding of the child's views, needs, wishes and feelings
- any gaps still remaining in the pre-proceedings checklist
- the potential need for any expert assessments
- identification of family members who should be involved.



In partnership with the child's solicitor, ensure the child (subject to age and understanding) understands the process and their views, needs, wishes and feelings inform the court.



In partnership with the child's solicitor, ensure active involvement in court case management, eg timetabling issues, planning for adoption, appointment of experts, court level, need for other parties and decisions about publicity.



In consultation with the Service Manager/Contract Manager identify the level of service that can be provided following the Case Management Conference.



Produce a Cafcass Initial Analysis and Recommendation for the court which outlines the case plan for further Cafcass involvement.



Provide the Cafcass Initial Analysis and Recommendation to the court. The timing of submission is at the court's discretion, but it will usually be in time for the advocates' meeting before the Case Management Conference.

## STAGE 3

### Wider Assessment in Care Proceedings prior to the Issues Resolution Hearing (IRH)

The Children's Guardian will continually review the level of involvement in the case. When the court requests an update during this stage this will be through an Interim Analysis and Recommendation (updated from the Initial Analysis and Recommendation).

Child's needs, wishes and feelings remain central.

In partnership with the child's solicitor, ensure that the child's views, needs, wishes and feelings inform the court and that the child is able to contribute.

Consider facilitating a professionals' meeting to identify outstanding issues/actions and/or speed up progress.

Prepare for the IRH with child's solicitor. It may be necessary to submit the Final Analysis and Recommendation (in concurrent proceedings separate to the placement report) at this stage, although the exact timing is at the court's discretion.

## STAGE 4

### Final Case Hearing

Final interviews with the child, parents, significant others and professionals to clarify issues, particularly about the final care plan.

Submit the Final Analysis and Recommendation. The exact timing of the submission is at the court's discretion (in concurrent proceedings separate to the placement report). The report will focus on:

- the child's views, needs, wishes and feelings
- the analysis
- plans for the child
- plans for informing the child of the outcome of proceedings
- recommendations about documents to be retained by both the local authority and Cafcass in the interests of a child's later life needs.

Prepare for the final hearing with the solicitor. Consider how the child could contribute to the final hearing, eg attendance at the hearing, and make recommendations about documents to be retained by both the local authority and Cafcass in the interests of a child's later life needs.

## STAGE 5

### Court Decision/Case Conclusion

