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East Dunbartonshire  
Child Protection  
Committee

## Child Protection Investigation Information for Parents

# Child Protection Investigation

## Information for Parents

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# Child Protection Investigation

If you and your child have recently been involved in a child protection investigation you may be feeling worried or confused.

This leaflet is to help you understand what might happen next.

You might also find it useful to speak to someone such as a, social worker, teacher or health visitor, and if there is anything in the leaflet that you do not understand or have any questions about please ask them to explain.

## What happens next

If your child is safe there might be no need for any further action. However, where there are concerns that your child might have been abused or may be at risk of abuse then an Initial Child Protection Conference may be held.



# Initial Child Protection Conference

An initial Child Protection Conference is a meeting to which a range of people will be invited. A senior social work manager will chair the Child Protection Conference. All those attending this meeting will have knowledge of your child and family. This may include:

- Nursery staff
- Health Visitor
- General practitioner
- Housing
- Worker from voluntary organization
- Teacher
- Social Worker
- Police
- Youth Worker

You (and in some circumstances your child), will be invited to attend

You can bring someone to support you at this meeting, such as a family member, friend, or a legal representative.

Those invited to attend usually provide a written report of their knowledge and involvement with you and your family.

Your contribution is very important to this meeting and your views will be listened to. Your views can be also be written down and presented to the meeting. If you need help to prepare this report please speak to someone such as a worker, family member, friend or your legal representative.

At the meeting there will also be a full discussion about why there was a need for child protection investigation. Everyone will have the opportunity to contribute to the discussion and to ask any questions.

When everyone has had an opportunity to speak decisions will be made about what should happen next.

Your child's welfare will always be at the center of any decisions made.

The main priority is to make sure your child is safe and will be properly cared for. It is also important that if you need help to do this, then appropriate support is made available.

At the Initial Child Protection Conference, a decision will also be made whether or not your child's name should be placed on the Child Protection Register.

Please note you have the right to disagree or appeal against any decision made at the Initial Child Protection Conference regarding your child.

# Child Protection Register

Where there are concerns of possible future harm to your child, your child's name may be placed on the Child Protection Register.

The Child Protection Register is held by social work and is part of the social work computerised system. The Child Protection Register has no legal status, and is merely a way of identifying children for whom there are serious concerns.

Access to the Child Protection Register is strictly controlled. However, information will be shared with other agencies involved with you and your child, such as health, education, nursery etc. Information shared is strictly on a 'need to know' basis.

Your child's name may be placed on the Child Protection Register under one of the following categories:

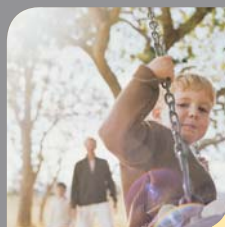
- Physical injury
- Physical neglect
- Sexual abuse
- Emotional abuse
- Non-organic failure to thrive

The category chosen does not necessarily mean your child has been abused in this way, but may indicate a concern that your child is at risk of this type of abuse in the future.

If your child's name is placed on the Child Protection Register then a Child Protection Plan will be agreed.

The Child Protection Plan sets out what needs to be done to reduce the risk of future harm and offers support to you and your child. A copy of the Plan will be given to you.

If your child's name is **NOT** placed on the Child Protection Register, but you need help or support in the care of your child, this can be arranged.



# Core Group

If your child's name is placed on the Child Protection Register, a Child Protection Plan is agreed and a Core Group will be identified.

The Core Group is made up of a small group of people, including you (and where appropriate your child) who meet on a regular basis, (usually every 4 –6 weeks,). A social work manager directly involved with you or your child usually chairs the Core Group. The purpose of the Core Group meeting is to look at the Child Protection Plan and consider the progress being made. Any difficulties in progressing this Plan will be identified and where necessary changes made to address this. Your contribution is important to ensure the successful progress of the Plan.

The progress of the Child Protection Plan will be reported to the Review Child Protection Conference.

If you have any concerns about the progress of this Plan these should be raised with the Chair of the Core Group meeting, or the Chair of the Review Child Protection Conference.



# The Review Child Protection Conference

A Review Child Protection Conference will be held no later than 3 months following the Initial Child Protection Conference.

At the Review Child Protection Conference the people who attended the Initial Child Protection Conference will again be invited. The Review will be similar to the Initial Child Protection Conference in that everyone will have the opportunity to express their view, and will be chaired by a senior social work manager.

The purpose of this meeting is review the progress of the Child Protection Plan and to decide if your child's name should remain or be removed from the Child Protection Register.

A report on the progress of the Child Protection Plan will be provided along with any other up to date reports from other agencies.

It is important that you and your child's views are listened to, and the Review Conference hears whether or not supports offered have been helpful. Once again, your views (and where appropriate that of your child) can also be written down and presented to this meeting. If you need help to prepare this please speak to someone such as a worker, family member, friend or your legal representative

Once a full and frank discussion has taken place about the progress of the Child Protection Plan, then decisions will be taken about what should happen next.

If there are still concerns about your child, or little progress has been made, then your child's name will remain on the Child Protection Register for a further period of time and, where necessary, adjustments made to the Child Protection Plan.

Where progress has been made and the risks to your child have been reduced, consideration will be given to removing your child's name from the Child Protection Register. Support to you and your child will still continue if required.

Everyone who attends these meetings will be provided with a minute, which is a record of the discussion and the decisions taken. All meetings concerning your child are confidential and information shared between agencies will be restricted to those who need to know to secure the protection and welfare of your child.

Please note you have the right to disagree or appeal against any decision made at the Review Child Protection Conference regarding your child.



## Appeals

If you or your child do not agree with the decision to:

- Register your child's name on the Child Protection Register;
- For their name remain on the Register;
- Not to register their name at all,

You (and your child) have a right to appeal against this to the Head of Social Work Service. The appeal should be made, in writing; within 5 working days where necessary, your social worker, or legal representative can advise and support you with this.

The Head of Social Work Service should respond fully, in writing, to the person making the appeal within 28 days.

### Disagree with any other decision

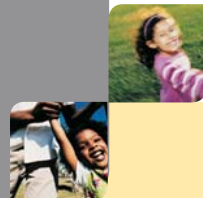
If you (or your child) disagree with any other decision made at either the Initial Child Protection Conference or Review Child Protection Conference you can state this and your disagreement will be recorded within the minute of the meeting.

### Complaints

If you (or your child) have a complaint about the service offered to you during this time, please bring this to the notice of a worker who will advise you of your rights and give you information on the Complaints procedure.



# Child Protection Order



If it is believed that your child may be in immediate danger then an application may be made for a Child Protection Order.

Under S57 (1) Children (Scotland) Act 1995, anyone can apply for a Child Protection Order if they have reason to believe a child may be at risk of significant harm.

Under S57 (2) Children (Scotland) Act 1995, the local authority can apply for a Child Protection Order if they have reason to suspect a child to be at risk. Social Work usually applies for the Child Protection Order on behalf of the local authority. Application is made to the Sheriff.

If an application is successful, the Sheriff can order that your child be removed from their home to a safe place, or prevent the removal of your child, for example from a hospital or from their grandparent's home etc. The Sheriff can attach conditions to the Order to ensure the protection of your child for example a condition that they have no contact with a particular named person or that your child must have a medical examination etc.

A Child Protection Order lasts up to 8 days.

If a Child Protection Order has been granted, you have the right to apply to the Sheriff for the Order to be recalled or varied. This can be done prior to the Initial Children's Hearing on the 2<sup>nd</sup> day.

The Reporter to the Children's Hearing can also recall this Order during this time, if it is believed the Order is no longer required.

If no application for recall is made, the Order will proceed to a full Children's Hearing on the 8<sup>th</sup> day, at which point, if necessary, the Children's Panel can make any necessary arrangements to protect your child through other legal measures.

**If a Child Protection Order is sought for your child you should seek legal advice at the start of this process. Legal aid may be available.**

# Assessment Order

Under S 55(1) of the Children (Scotland) Act 1995 the local authority can apply for a Child Assessment Order if they have reason to suspect that your child has suffered or is likely to suffer 'significant harm' and that an assessment is necessary and this assessment is being denied.

A Child Assessment Order allows for your child to be seen and where necessary allows for an assessment of your child's health and development to be undertaken.

A Child Assessment Order lasts no more than 7 days.

The Sheriff can attach conditions to the Order to ensure the safety and welfare of the child and to make sure the Order is carried out, for example the Sheriff may attach conditions that your child lives at a particular place while the assessment is being carried out.

On application to the Sheriff for a Child Assessment Order, if the Sheriff believes that the conditions for making a Child Protection Order exist, he/she will issue a Child Protection Order instead.

**If a Child Assessment Order is sought for your child you should seek legal advice at the start of this process. Legal aid may be available.**

Under the Age of Legal Capacity (Scotland) Act 1991 depending on their age and understanding, your child has the right to agree or refuse to have a medical examination, assessment or treatment and their consent will be sought before any medical assessment will be carried out.

# Exclusion Order

Only a local authority can apply for an Exclusion Order under S76 (1). Children (Scotland) Act 1995.

Contained within the application there must be a person identified who is capable for taking responsibility for the child and who will, or is, living in the family home

Where a Sheriff is satisfied that the conditions for making an Exclusion Order exist, he/she can order that a 'named person' be ejected or excluded from your child's family home to ensure your child's protection.

An Exclusion Order can last up to 6 months and the Sheriff can attach conditions to the Order to ensure your child's protection. For example the police can be issued with powers of arrest without warrant, which allows them to arrest the 'named person' if they believe them to be in danger of breaching the Exclusion Order or one of the conditions attached. The Sheriff can also attach a condition that the 'named person' must not go within the vicinity of the child's home or school or have any contact with the child etc.

The 'named person' has the right to appear in front of the Sheriff prior to an Exclusion Order being granted to state their case. The Sheriff will take their views into account before any decision to grant an Order is made.

Where a Sheriff believes grounds exist for making a Child Protection Order the Sheriff may grant a Child Protection Order instead of an Exclusion Order, and the child may be removed from their home to a place of safety, rather than the ejection or exclusion of a 'named person' from the child's home.



# Emergency police powers.



In an emergency situation, where a police constable has reasonable cause to believe that the conditions for making a Child Protection Order are satisfied and it is not practical in the circumstances to make such an application to the Sheriff, then the constable may remove the child to a 'place of safety' (S 61 (5) Children (Scotland) Act 1995).

The power to remove the child only lasts 24 hours thereafter the police (or another person) need to apply to the Sheriff for a Child Protection Order to secure the child's place of safety.

Before applying for any Court Order or taking emergency action agencies will try to work with families to ensure the child is protected. Court Orders or emergency action will only be taken where it appears that a child may be at risk of significant harm and an Order or emergency action is necessary to protect the child.

## Additional Information

It is acknowledged that being involved in the child protection system can be a stressful time for families. It is important that:

- Everything that is happening is explained to you
- You and your child (ren's) views are listened to
- You are advised on the best way you can support your child during this time (e.g. reassuring your child)
- If at any time you are unsure of what is happening, or need support or advice speak to someone
- Wherever possible you will be kept fully informed of what is going on and where necessary helped to support your child

If you feel you or your child have not been treated fairly during this time, you have the right to make a complaint. The social worker or another professional can advise you on whom to contact for further advice.

If at any time if you feel that you need legal advice on what you or your child's rights are you can contact:

- A solicitor (Legal Aid may be available)
- Scottish Children's Reporter's Administration
- Scottish Child Law Centre

All agencies working with families recognize that bringing up children can be demanding and stressful. If you would like further help or advice then please speak to someone such as:

- Health visitor
- Nursery teacher
- Social worker
- Teacher
- GP
- Family member or friend, or any other person who can access help for you

# We are here to help

If you need to speak to someone or need advice or support please contact:

Name:

Agency:

Contact details:

If this person is not available please speak to the following manager:

Name:

Agency:

Contact details:



# List of useful local contact numbers

## Local Social Work Departments

Advice & Response team (Cowgate Office) 0141 775 1311  
Out of hours - West of Scotland Standby Service 0800 811 505

## Local Police - at any police office

Kirkintilloch office 0141 532 4400  
Bishopbriggs office 0141 207 5800  
Milngavie office 0141 532 4000  
Saracen office 0141 532 3900  
or at the family protection unit 0141 532 3967

## Scottish Children's Reporter Administration

0141 567 7900

Your local health visitor who can be found through  
your local surgery or health centre

**ParentLine Scotland**  
**ChildLine Scotland**

0808 800 2222  
0800 1111

本文件可按要求翻譯成中文，如有此需要，請電 0141 578 8152。

Gabhaidh an sgrìobhainn seo cur gu Gàidhlig ma tha sin a dhìth oirbh. Cuiribh fòn gu 0141 578 8152

अनुरोध करने पर यह दस्तावेज हिन्दी में भाषांतरित किया जा सकता है। कृपया 0141 578 8152 पर फ़ोन कीजिए।

ਇਸ ਦਸਤਾਵੇਜ਼ ਦਾ ਮੰਗ ਕਰਨ ਤੇ ਪੰਜਾਬੀ ਵਿੱਚ ਅਨੁਵਾਦ ਕੀਤਾ ਜਾ ਸਕਦਾ ਹੈ। ਕਿਰਪਾ ਕਰਕੇ 0141 578 8152 ਫੋਨ ਕਰੋ।

اس دستاویز کا درخواست کرنے پر (اردو) زبان میں ترجمہ کیا جاسکتا ہے۔ براہ مہربانی فون نمبر 0141 578 8152 پر رابطہ کریں۔

This leaflet has been  
prepared by:



East Dunbartonshire  
Child Protection  
Committee



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