

Standard Operating Procedure	
Title: Preparing Reports for Children's Court Proceedings SOP	
Prepared by: Kevin Pointer / Jane Wilkinson	
Presented to: Care and Clinical Policies Group	Date: 18 February 2015
Ratified by: Care and Clinical Policies Group	Date: 18 February 2015
Review: Date: February 2017	
Links to policies: Requests for Information Procedure Safeguarding Adults Policy Child Protection Policy Data Protection Policy	

Amendment History

Issue	Status	Date	Reason for Change	Authorised
0.1	Draft	January 2015	Creation of Document	Kevin Pointer
0.2	Draft	February 2015	Review of documents based upon feedback from Care and Clinical Group	Kevin Pointer

Contents

1. Purpose of Document.....	2
2. Roles and Responsibilities	2
3. Writing Reports.....	3
4. Providing Records	4
5. Attending a Court Hearing.....	5
6. Advice and Guidance	5
7. Appendices.....	6
7.1. Appendix 1- Court Report Health Proforma Template.....	7
7.2. Appendix 2 - Flow Chart for Receiving a Request.....	11

1. Purpose of Document

The purpose of this procedure is to highlight the process that should be followed for the creation of Court Reports and witness statements and the provision of records in relation to Child Protection and Safeguarding issues in accordance with Court proceedings.

2. Roles and Responsibilities

2.1. Named Nurse Safeguarding Children

The Named Nurse for Safeguarding Children is responsible for:

- ensuring Court Orders are responded to within the allocated timescale.
- allocating the completion of a Court Report or the provision of appropriate records to the correct individual.
- proof reading documents to ensure the content addresses all concerns where the content is particularly sensitive or complex.

2.2. Torbay and Southern Devon Health and Care Trust Child Protection Team

The Child Protection Team is responsible for:

- co-ordinating the completion of Court Reports or the provision of records
- Providing advice and guidance for staff when completing documentation for submission to the Court.

2.3. Line Manager

Line managers are responsible for:

- Providing staff with dedicated time to complete any reports or prepare requested records.
- Provide advice and guidance for the completion of reports and the collation of records.
- proof reading documents to ensure the content addresses all concerns.

2.4. Staff Member

Staff members are responsible for:

- Ensuring Line manager and relevant staff are aware of a request for information being received and ensure timescales for responding have been clearly identified.
- Completing witness statements in a timely manner
- Ensuring any reports created are factually correct and are a true representation of events.
- Liaising with appropriate professionals to ensure the report has been reviewed and is approved by a relevant Lead.

2.5. Information Governance Team

The Information Governance Team is responsible for:

- Acting as a point of contact for Court requests
- Liaising with the Named Nurse for Safeguarding Children to ensure all requests are allocated appropriately
- ensuring reports and records are provided in a safe and secure manner

- proof reading documents to ensure the content addresses all concerns as appropriate.

3. Writing Reports

3.1. Purpose

The purpose of a Court report is to provide an accurate summary of events to ensure decisions can be made to safeguard and protect individuals.

A report is not a reflection of the ability of the staff member and is not a critique of them as an individual.

Reports should be factual and relevant to the service user. A Court report should not be used as a forum to raise internal disputes or a critique of corporate bodies, other agencies or organisations.

3.2. Audience

It is important to consider who will be reading the report and the circumstances where it will be presented. Generally the report will not be being read by a medical professional so the terminology and language used should be in plain English. Where terms are used, a glossary should be provided to give clear explanations of the context.

The report will potentially be shared with both parties involved in a Court Hearing and therefore consideration should be applied to the content to ensure it is not subjective but provides a clear factual statement of events.

Where the author of the report is giving their opinion, this should be clearly highlighted as such.

3.3. Structure

When completing a report to be provided for Court Proceedings, the template provided in Appendix 1 should be completed as appropriate.

The structure of the report should be written in accordance with the Report writing guidance. Best practice recommends all reports are clear, intelligible and accurate (CIA).

It is important to adhere with the following:

- All reports should be written in Arial font size 12.
- Paragraphs should be numbered sequentially.
- Avoid the use of terminology, or ensure terms used are defined as appropriate.
- Keep responses factual; where opinion is being stated clearly identify the section as such.
- Avoid the use of sweeping statements or generalisations.
- Highlight any limitations that influence your report, such as information not being available at the time of completion.

3.4. Proof reading

Before the report is submitted to the requester, it is strongly advised to get the document proof read by the Named Nurse for Safeguarding Children or the Child Protection Team to ensure the document addresses all the issues highlighted.

3.5. Allocation of time to complete

It is important that the Line Manager is notified in the first instance when a Court Report is received to ensure time is appropriately allocated to the staff member for its completion.

3.6. Record of Court requests received

A record of received Court Reports should be kept locally to ensure responses are sent within appropriate timescales.

4. Providing Records

It is the responsibility of the staff member to review the information requested and highlight the entries that have the potential to cause harm or distress.

In this instance it will be at the discretion of the Court or the requesting authority to assess the risks associated with disclosure.

The staff member will need to highlight the sections that they have concerns over and clearly document their reasons why such concerns exist.

4.1. Third party information

Third Party information has to be disclosed under a Court Order that requests all records held by the local authority. It may be applicable to alert the third party that their information is to be disclosed under a Court Report where it is safe and appropriate to do so. If you have any queries or concerns regarding the release of third party information please liaise with your Line Manager or the Information Governance Team.

4.2. Provision of Records

Where records are being requested, these should be printed or photocopied by the staff member and provided within appropriate timescales.

It is important to ensure that all copies made are clear and are complete.

All records sent should be done so by a secure method.

4.3. Glossary

All reports should be written in plain English, and should refrain from excessive use of acronyms and jargon.

Where appropriate it may be necessary for the staff member to provide a glossary explaining the terminology referred to in their report or to clarify the records being provided.

5. Attending a Court Hearing

When attending a Court Hearing it is important to consider what the purpose of the hearing is and what facts are trying to be established.

The Child Protection Team is able to give staff a briefing before attending a Court Hearing so that they are familiar with the structure.

A hearing will either be before a Judge or before the Magistrates. The staff member will be asked to give evidence from the witness box and should dress appropriately, preferably wearing a suit or smart clothing. The staff member will be asked questions by the solicitor or barrister representing each party. In the case of care proceedings this will be the Local Authority, Parents and Child/ren. Each representative will take their turn asking questions. In some cases parents or family members may not have legal representation and will therefore be representing themselves. The staff member is also likely to be asked questions by the Judge at any stage during the giving of evidence.

5.1 What questions are you likely to face

Generally the Court will ask for further information regarding the submitted Court Report and to provide clarity and perspective regarding the issues raised. The staff member may be asked for their professional opinion and what they believe are the best interests of the service user.

It is perfectly acceptable for the staff member to confirm that they are not able to answer specific questions if they are not in a position to do so, or by being asked questions that may be considered as conjecture. This could be for example that they are not familiar with specific events that have taken place prior to their involvement with the service user or that the subject matter falls outside of their area of expertise.

Conjecture means to form an opinion or supposition about an event on the basis of incomplete or assumed information.

Torbay and Southern Devon Health and Care Trust Safeguarding Children Team, the line manager and the legal team will support members of staff who need to attend court.

6. Advice and Guidance

Sources of further information include:

- Named Nurse for Safeguarding Children
- Information Governance Team (t-sd.infogov@nhs.net)
- Professional bodies
- iCare pages
 - o [Information Governance](#)
 - o [Children Protection](#)
 - o [School Nursing and Health Visiting](#)

7. Appendices

[Appendix 1 – Court Report Health Proforma Template](#)

[Appendix 2 – Flow Chart for Receiving a Request](#)

7.1. Appendix 1- Court Report Health Proforma Template

Court Report Health Proforma

RE: [Child name] [Date of birth]

Signed.....

Job Title.....

Dated.....

This statement is confidential and must not be disclosed without the consent of the
Court

This report has been prepared by:
[Insert name of practitioner]
[Job Title]

This section details the clinicians' qualifications and experience.

1. Description of Employment Experience

1.1. Insert description of current employment experience i.e. with whom, how long and in what role and previous relevant employment.

2. Qualifications of Practitioner

2.1. Insert description of qualifications pertinent to current employment role.

This section details the clinicians' involvement with the case

3. Summary of Case Allocation

3.1. Provide a summary of how long you have been professionally allocated to the family in question or detail their involvement with the service previously (current and historic).

4. Family Composition

Set out names and dates of birth for relevant family members

Name of Family Member(s)	Date of Birth	Relationship to Client	Comments

5. Significant Others

Any individuals mentioned to the practitioner relevant to the case or other family members and/or friends with whom practitioner has had contact.

Name of Significant Other(s)	Date of Birth	Relationship to Client	Comments

6. Historic Involvement

6.1. Provide chronology of records before the author of the statement became involved or if a case with a long history i.e. more than 2 years. The more outdated information should be detailed here and move on to recent events in the next section.

7. Current Involvement

Detail what involvement health services have had with the family to date.

- 7.1. The first point of contact with the family;
- 7.2. If author of the statement was not involved from the beginning set that out here detailing what involvement the previous practitioner had and any concerns arising and any action taken in terms of referrals etc.;
- 7.3. Comment throughout on the level of engagement by the family, their ability to take on advice and to implement it (if appropriate);
- 7.4. Comment on the presentation of the parents and the children and anybody else relevant – if home visits have been undertaken please detail anything relevant about the home environment i.e. evidence of alcohol use, drug paraphernalia observed, cluttered/unhygienic or perhaps noted to be fine.
- 7.5. Set out any specific details given to the Author in relation to the family either by professionals or by the family which led to any subsequent referrals or concerns.
- 7.6. Detail any specific health concerns in relation to each individual child.
- 7.7. Detail any referrals made and any known outcome/any further information awaited.
- 7.8. Detail any strengths and positives in relation to the family in terms of any matters in terms of health/welfare they have progressed.
- 7.9. Concerns held by health services in relation to the health/welfare in respect of each child and ensure you clearly set out the reasons for the concerns held.
- 7.10. Detail what, if anything, needs to happen (in terms of health/welfare) as a result of any concerns held in relation to the child/children in terms of accessing further health services.
- 7.11. Detail your opinion as to the need for any further health investigations which should be undertaken.
- 7.12. Detail any limitations to accessing such services i.e. current failure by the parents to engage with health or to act upon advice etc.
- 7.13. Detail any consultation you have had with other services i.e. Children's Services, school, paediatricians, physiotherapists etc.]

8. Points of Consideration

8.1. Areas of Improvement

Based upon engagements, what actions or observations indicate a positive family relationship.

8.2. Areas of Concern

Based upon engagements, actions or observations indicate any concerns that presently remain.

8.3. Summary of Observations

Do you believe that in your professional opinion the family environment is safe and steps are being taken to improve the wellbeing of the child?

Disclaimer

- *This report has been created to share with the Court for the purposes of safeguarding children.*
- *This report is classed as NHS confidential and should not be shared unless specifically ordered to do so at the Courts discretion.*
- *A copy of this report will be retained by the document author and included within the child record.*

Signed: -

Date

7.2. Appendix 2 - Flow Chart for Receiving a Request

