



# Camden

## **Children's Safeguarding and Family Help**

Guidance on section 7 and section 37 court ordered reports

Camden's Children and Learning Directorate uses relational practice as the foundation for all our work. Our integrative relational practice framework is based on our values, and is designed to help achieve the Directorate's purpose: to work with children, families and communities to make a positive, lasting difference to their futures, so they have the best start in life.

We recognise the impact of structural inequalities on the lives of the children and families we work with and as a service we will embrace inclusive, anti-discriminatory and anti-racist practice based on our values and our mission to champion social justice.

Our practice framework centres on honest and compassionate relationships with those we serve and with each other. It is an expectation that all Directorate policies and procedures are implemented in line with our practice framework, and that any actions within policies and procedures reflect its ethics, values and practice expectations.

## S7/37 reports

### 1 Introduction and notification

- Children's Safeguarding and Family Help (CSFH) may be directed by a court to provide the following reports on a child who is the subject of private family proceeding and a section 8 order is being sought in relation to their care:
  - a report into the child's welfare under section 7 of the Children Act 1989 may be requested to help the court in any decision.
  - an investigation of the child's welfare under section 37 of the Children Act may be requested where the court feels this is required.
- Requests for reports are normally sent by the Court to Camden's Legal Services who will pass the request on to the MASH team to deal with. Where CSFH will provide a report, this must be written by a social worker with some knowledge of the family.
- However if Early Help workers or social workers are approached directly by parents or their solicitors requesting a report, these requests should be directed to Legal Services in the first instance. It is essential that ***no work is carried out or information shared*** as all requests must be overseen by Legal Services and the MASH to decide if it is appropriate for Camden to provide a report.

### 2 Section 7 reports

#### General guidance

- CSFH may be directed by a court to provide a report on a child who is the subject of private family proceedings in order to help the court make a decision. This will normally happen when the family has been or is currently known to CSFH and information is needed by the court from CSFH records.
- The purpose of the report is to guide the court in making an appropriate order and should be short and succinct and informed by any previous assessments carried out by CSFH.
- It is likely that the court will be seeking guidance relating to a specific matter, for example residency or contact. The role of the social worker is to give a professional opinion on the child's best interests using the welfare checklist with regard to possible orders and make a recommendation to the court on what order is most likely to safeguard and promote the child's welfare.

## S7/37 reports

### Procedures

- The MASH team will consider whether CSFH is best placed to provide the report based on what information is known about the child or whether the report should be provided by CAFCASS. When making this decision the MASH will take into account the ADCS policy. [ADCS-Cafcass-Section-7-policy-final-Nov-22.pdf](#)
- If the child is known to CSFH and the case is open, the request will be passed to the allocated social worker for action.
- If the child was known to CSFH but the case was closed within 12 weeks of the court order being made, the request will be passed to the previous social worker or the team that last held the case for action.
- If the child is not known the case will be allocated to a CIN team under the case allocations policy. [allocation-and-transfer-of-cases-policy.pdf](#)
- If it is thought that CAFCAS should be responsible for drafting the report the MASH will instruct Legal Services to write to the court.
- A child and family assessment should be carried out to inform the report but Information may be taken from the previous/current child and family assessment if this is considered to be up to date.
- The report should be recorded on the section 7 template available at: [section-7-report-template .docx](#)
- The case should be closed as soon as the report is completed and filed at court unless CSFH intends to provide a social work service.

## Section 37 reports

### General guidance

- A court may direct CSFH to carry out an investigation into the circumstances of a child who is the subject of private family proceedings where concerns about the child's welfare have arisen during the course of proceedings and the court believes a care or supervision order may be appropriate to safeguard and promote their welfare.

## S7/37 reports

- A section 37 report should enable the local authority to investigate possible child protection concerns and decide what action will be taken and services provided to protect the child and meet their needs, for example child protection procedures or care or supervision proceedings. This will form part of the recommendations to the court.
- Throughout the duration of the investigation, social workers should report progress to their manager or supervisor and discuss what action may be taken, for example whether Camden needs to make an application for any order on behalf of the child, and seek advice from Legal Services where necessary.
- Any planned intervention or package of support to be offered to the family must be detailed within the report. Equally, the reasons for any decision not to offer services or take any action must also be recorded and whether this decision will be reviewed at any time.

### Procedures

- All requests for a section 37 report will be passed to the MASH team for action in the first instance.
- If the child is already known to CSFH, the request will be passed to the allocated social worker for action.
- If the child was known to CSFH but the case was closed within 12 weeks of the court request being made, the request will be passed to the previous social worker or the team that last held the case for action.
- If the child is not known the case will be allocated to a CIN team under the case allocations policy. [allocation-and-transfer-of-cases-policy.pdf](#)
- A child and family assessment should be carried out to inform the report but Information may be taken from the previous/current child and family assessment if this is considered to be up to date.
- The report should be recorded on the section 37 template available at: [section-37.docx](#)
- The Service manager must approve all section 37 reports where care or supervision proceedings are a recommendation.

## S7/37 reports

- A legal planning meeting must be convened to agree the recommendations contained in the report and plan any further interventions such as care or supervision proceedings..
- The case should be closed as soon as the report is completed and filed at court unless CSFH will be taking further action or providing further support.

### **General guidance for all reports**

- When writing reports, social workers should:
  - carefully read any documents or statements provided by the court in connection with the case
  - review all CSFH files for involvement with the family
  - discuss the contents of the report with managers/supervisors.
- All reports should be checked and authorised by a manager before being passed to Legal Services for lodging with the Court.
- Legal Services will advise social workers on when the report needs to be ready, normally about 8 weeks from the date of the request. Social workers will also be notified of the date of the court application at which the report will need to be presented. If there will be any delay in completing reports, Legal Services must be notified in advance.
- The social worker may be ordered by the court to attend to present the report when the application is heard. As CSFH are not party to proceedings, social workers will not be legally represented unless the court directs otherwise. However, advice can be sought from Legal Services where necessary.