



## **Summary findings on the impact of the Public Law Outline on Family Group Conference services in England & Wales**

Family Rights Group, with funding from the Family Justice Council, undertook a survey in 2009 of FGC projects about any child welfare FGCs they have undertaken since the Public Law Outline was implemented.

Family Rights Group sent an e-mail questionnaire to all FGC network members in England and Wales. The survey covered the period from 1<sup>st</sup> April- 31<sup>st</sup> December 2008 with the opportunity for the respondents to provide qualitative information to illustrate their responses. It addressed:

- Training on the PLO for FGC practitioners;
- Whether the FGC service has provided awareness training for the judiciary, legal and social care professionals on FGCs;
- Referrals to the FGC service including whether numbers had increased, and whether there had been shift in the nature of referrals;
- The number of FGCs held and when an FGC had taken place e.g. before or after a letter before proceedings had been sent or after proceedings was issued;
- Family plans, including whether these were accepted by the social worker and whether they had averted the need for proceedings; and
- Other observations about the process.

In total, 26 completed surveys were returned. Some of the data however, was incomplete. It was felt that the low response rate was due:

- Ø To the length of the survey and detail requested, which had deterred some respondents given their already pressing workloads
- Ø To many FGC projects not having information systems in place that could enable FGC managers to elicit the relevant detailed data.

This information was supplemented by:

- A telephone survey of 24 English FGC projects including 20 who hadn't responded to the detailed written survey. This included questions about overall numbers of referrals, FGCs and reviews as well as impressions on the impact of the PLO (the telephone survey covered the period until end March 2009);

- A short e-questionnaire of 6 organisations (who run in total 12 child welfare FGC projects) only one of which had responded to the written survey and none of whom had been interviewed by phone);
- An audit of the state of English FGC services undertaken as part of work being carried out by Family Rights Group for the Departments for Children, Schools and Families to encourage the setting up FGC projects;
- Information from three expert seminars run by our academic adviser, Kate Morris (in conjunction with Professor Judith Masson and Professor Peter March and Jonathan Dickens) with local authority lawyers, social workers and FGC managers on the impact of the PLO.

The statistical data provided by 26 authorities in response to the written survey was interrogated using SPSS. Statistical data gleaned through supplementary methods was tabulated on excel worksheets and interrogated.

## Key findings

### ***1) There has been a significant increase both in the number of referrals to FGC services, and the number and size of FGC projects over the last few years and particularly the last 12 months, in part as a result of the Public Law Outline:***

- In England 69% of local authorities now have some form of FGC project (in house or commissioned) or are in the process of setting one up (FRG audit, 2009<sup>1</sup>). In Wales 18 out of 22 authorities have an FGC service. This compares favourably with the results of research conducted by Louise Brown who found that in 2002 38% of localities in the UK had some form of FGC service (Brown, 2002<sup>2</sup>). Within England there is significant regional variation from 100% in the East of England to 50% in the North East.
- 22 FGC projects provided data specifically on child welfare referrals made in 2007/8 and 2008/9. ***This reveals a 33% rise in child welfare FGCs referrals over the last year.***
- The size of FGC services is growing, with 60% of projects in England in 2008/9 carrying out 50 or more FGCs a year, compared to 30% four years ago (Family Rights Group, 2005 survey<sup>3</sup>).

### ***2) FGC projects felt that the PLO has had an impact upon their service***

In total 45 FGC projects responded to this question. 12 said it had no impact, whilst 33 said that the PLO has had an impact, including 16 who thought the impact had been significant. Reasons varied, highlighting the lack of uniformity

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<sup>1</sup> Family Rights Group (October 2009) Audit of FGC Services (Unpublished data)

<sup>2</sup> Brown L (2002) A Survey of Family Group Conference Use across the UK (University of Bath)

<sup>3</sup> Family Rights Group (2005) Survey of FGC Services (Unpublished)

across the country, with 4 projects having been set up as a response to the PLO, but equally 2 projects closing due to funding pressures.

The impact of the PLO has been

- in terms of an increase in referrals of children on the edge of/in proceedings
- a shift in the nature of referrals
- an impact upon families' engagement in the FGC process, with some families being offered an FGC who previously wouldn't have, but also some families feeling coerced into the process, thus potentially compromising its voluntary nature.
- Children's guardians and other professionals being more routinely included as information givers at FGCs, if they added information and the family wants them to attend. However, this highlighted some differences in perceptions and a lack of awareness of the FGC model amongst some guardians.

### **3) Outcomes**

FGCs result in plans being made families and agreed by the local authority in over 90% of cases.

15 FGC projects provided some data about numbers of cases where care proceedings was avoided due to an FGC being held. Norfolk, for example stated that 20 family plans had avoided children being taken into care. Clearly this has potentially significant cost saving implications, in addition to clear benefits of an appropriate plan being made for the child.

Unfortunately however, most local authorities/FGC projects do not have in place information systems for recording when FGCs are being held during the pre proceedings process nor for tracking outcomes of FGCs, including whether care had been avoided. This is being raised at the regional FGC seminars being organized by FRG/OPM on behalf of the DCSF for senior local authority managers and FGC project managers and is an item for discussion at the national FGC Network.

### **4) The optimum time for referral to an FGC process**

FGC projects who responded to this question consistently stated that it should be offered to families as early as possible, but that there needed to be opportunities for families to be offered an FGC along the continuum of child welfare because it depends upon individual families as to when they are ready to face up to the seriousness of the concerns.

## **5) Scrutiny of FGC services**

The PLO process is placing local authorities under greater scrutiny. Whilst there are printed standards for setting up and sustaining FGC services, there is currently no nationally accredited quality mark that must be complied with in order for a service to be called a family group conference service. This raises questions as to whether some form of accredited quality standard needs to be introduced and whether it would be effective, and what would be the draw backs.

## **6) Practice concerns**

A number of concerns were raised by FGC managers:

- a) There is inconsistency in social worker practice in making referrals, for example not awaiting the family plan before initiating proceedings. One project manager stated that to address inconsistent practice by social workers, there needed to be a clear practice protocol and mandate with all relevant managers.
- b) Some letters before proceedings are being sent out not using a standard template, and without any idea of goals or targets that families need to achieve.
- c) Local authority's legal departments were often not clear that the FGC is a voluntary process, cannot be ordered, and needs appropriate time allowed for preparation.
- d) There was unrealistic expectations amongst some social workers re timescales for convening an FGC and in some cases it was treated as a tick box exercise.
- e) The change in the nature of referrals had led to a higher number of referrals not converting into FGCs.
- f) The social worker/legal department not the FGC service are informing families initially about the option of an FGC. Whilst this may be inevitable, it may also deter some families from participating. One suggestion to address this was for information about FGC services to be sent to the family with the letter before proceedings
- g) There is considerable variation in practice between and within local authorities as to how legal planning, safeguarding processes and FGC preparation timetables fit.
- h) There is lack of consistent follow up support for family and friends care placements.

## **7) Training and awareness of the PLO and FGCs**

23 out of 27 FGC managers who responded had received some form of training about the PLO. However, nearly half of projects who responded had not trained all of their employed FGC co-ordinators and nearly 60% of projects hadn't trained all sessional FGC co-ordinators.

18 out of 27 projects who responded had provided some training to judicial, legal or social worker professionals to raise awareness about the FGC model. However, in the main this was with social workers, and it appeared that it was still only a minority of legal teams who had been training/briefed. There were however, illustrations of excellent practice, including presentations to the local Family Justice Council and attendance at the local authority's solicitors' team meeting. There is considerable scope for further work in this arena.

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November 2009