



Glossary of Terms within Child Protection Processes

January 2021

Version Control

Title	Glossary of Terms- Child Protection
Version	DSP1 (Oct 18 V 1)
Date	July 2019
Author	Safeguarding Partnership Business Unit

Update and Approval Process			
Version	Group/Person	Date	Comments
DSP1	Business Unit	July 2019	Rebranded under new Safeguarding arrangements to reflect Statutory Guidance.
DSP 2	Business Unit. Nicola White/Joanne Stoddard	January 21	Amended by Nicola White/Joanne Stoddard and Business Unit.

Issue Date	
Review Date	
Reviewing Officer	

Glossary of Terms

Following discussions at Darlington Safeguarding Partnership Learning and Review sub-group a request was made to provide a guide on the definition of terms for various child protection processes/legal processes to support multi-agency practitioners. Further information and guidance is available on the Darlington Safeguarding Partnership [Website](#).

The following glossary of terms has been devised to provide basic awareness of the following subjects:

Adoption Order	Parental Responsibility
Care Order and Interim Care Order	Placement Order
Care Proceedings (Public Law Proceedings)	Powers of Police Protection
Child Arrangements Order	Private Law Proceedings
Child In Need	Public Law Outline
Child Protection Plan	Section 20 Accommodation
Children and Family (Single) Assessment	Special Guardianship Order
Early Help Assessment	Supervision Order and Interim Supervision Order
Education, Health and Care Plan	
Emergency Protection Order	

Adoption Order

This establishes a permanent relationship between the adopters and the child. They are legally recognised as the parents of the child as though they were the birth parents. The child has the same rights as a birth child of that family. It removes Parental Responsibility from birth parents, and anyone else, including the Local Authority. It is a permanent order, lasting for the child's lifetime and cannot be changed once it has been made (unless a future order is made by court such as Public Law Proceedings)

[Adoption and Children Act 2002](#)

Care Order

A care order is made in care proceedings, determining that the child should be placed or remain in the care of the Local Authority. This includes a variety of placements such as residential care, placement with parents or with family members and foster care. It can only be made if the court is satisfied that the following Threshold Criteria are met

- That the child must be suffering, or likely to suffer, significant harm
- And that the harm or likelihood of harm must be attributable to one of the following:

- The care given to the child, or likely to be given if the order were not made, not being what it would be reasonable to expect a parent to give; or
- The child being beyond parental control

The court will also apply a welfare test and only make the order if it is better for the child than not making it. The 'welfare check list' requires the court to have regard to the wishes and feelings of the child, in light of his/her age and understanding amongst other considerations ([Section 1.3 Children Act 1989](#))

It gives the Local Authority Parental Responsibility and the ability to implement a care plan for the child. A Care Order lasts until the child turns 18 unless discharged by the court at an earlier date.

Interim Care Order - is a temporary version of the above designed to place the child in the care of the Local Authority during the course of care proceedings, before the court has made a final determination as to the child's long term placement ([Section 38 Children Act 1989](#)).

[Children Act 1989](#)

Care Proceedings (Public Law Proceedings)

This is the name for the court process when the Local Authority goes to court because they are concerned that a child is not safe. The Local Authority can ask the court to make an order to protect the child, examples of this include an Emergency Protection Order, an Interim Care Order or a Care Order.

If an Emergency Protection Order, Care Order or Interim Care Order are made the Local Authority shares parental responsibility for the child with the parents and anyone else who may have parental responsibility. The Local Authority must find out the wishes of those with parental responsibility about any decision concerning the child, but the Local Authority will have the final say and may in certain circumstances make plans for the child even if the parents don't agree with them.

The child will be independently represented by their Children's Guardian appointed from CAF/CASS (Children and Family Court Advisory and Support Service). The Children's Guardian is there to represent the child's interests on matters such as what order to make and the suitability of the Local Authority's care plan for the child. The Children's Guardian is legally represented within the care proceedings and such proceedings should not take longer than 26 weeks but may be extended in exceptional circumstances.

[Children Act 1989](#)

Child Arrangements Order

This is a private law order and is usually made within Private Law proceedings but can be also be made in Care Proceedings. Such Orders determine the arrangements relating to whom the child is to live, spend time or otherwise have contact with. Where an order stipulating whom the child is to live with that individual will obtain parental responsibility should they not already have it. These Orders replace Residence and Contact Orders.

[Children Act 1989](#) amended by the [Children and Families Act 2014](#)

Child In Need

A child will be considered in need if they are under 18 and

- they are unlikely to achieve or maintain or to have the opportunity to achieve or maintain a reasonable standard of health or development without provision of services from the Local Authority
- their health or development is likely to be significantly impaired, or further impaired, without the provision of services from the Local Authority
- they have a disability.

The Local Authority decides if a child is *in need* by assessing their needs. If they decide the child is *in need* they will normally draw up a plan setting out what extra help they will provide to the child and their family. This is called a child in need plan. The plan should also say when and how the plan will be reviewed.

[Children Act 1989](#)

Child Protection Plan

A Child Protection Plan (CPP) is drawn up at the Initial Child Protection Conference and reviewed under that process and at subsequent Child Protection Conferences. The plan says what support and monitoring will be put in place when a child is considered to be at risk of significant harm because they have suffered, or are likely to suffer physical abuse, emotional abuse, sexual abuse and/or neglected.

When there is a Child Protection Plan, the child will be allocated a Social Worker who will meet regularly with the child and the parents to discuss the child's progress. The child's situation and the plan will be reviewed at further Child Protection conferences within the first three months and thereafter no later than every six months.

See [DSP Child Protection Procedures](#) for further information and guidance.

Children and Family (Single) Assessment

A Children and Family (single) Assessment is usually carried out as part of Child Protection enquiries or before a Child in Need plan is drawn up. The focus is to

draw on the professional judgement to analyse and reflect on information gathered regarding the child or young person and focus on the specific needs identified. An assessment is a fluid process that considers emerging needs and sustainability of any change for the family.

The timeliness of an assessment is a critical element of the quality of the assessment and it should be done in time to meet the child's needs and always within 45 working days of the referral.

[Children Act 1989](#)

Early Help Assessment

This is the name for the detailed assessment of the child and their family's circumstances, to see if they need any help. It is prepared by a Social Worker. It looks at the child's needs, the parents' ability to meet those needs and the family's general situation.

[Children Act 1989](#)

Education, Health and Care Plan

Education, Health and Care Plans (EHCP) were introduced for young people aged 0-25 who have Special Education Needs and Disabilities (SEND). These are prepared by the Local Authority and are intended to ensure there is co-ordination between the agencies meeting children's different education, health and social care needs.

EHCP's replace Statements of Special Education Needs (Statement of SEN) which were previously used to assess and plan additional support for children with SEND.

EHCP's are not the same as Child In Need plans – they can both exist at the same time, although the agencies involved should each need to know what each plan says.

[GOV.UK](#)

Emergency Protection Order

When a Local Authority believes a child is in urgent need of Protection, it can ask the court to make an Emergency Protection Order. The order lasts for up to eight days and can be extended by the court once for up to a further seven days ([Section 45 Children Act 1989](#)).

An Emergency Protection Order gives the Local Authority parental responsibility for the child and the power to:

- remove a child from home and take them into care
- prevent a child from returning to the parent's care, for example to stop a child being taken home from hospital

The Court may also include with the EPO an exclusion requirement requiring someone else from the child's home to be excluded from it for the purposes of the child remaining in the home (if the parent who lives there agrees) ([Section 44A Children Act 1989](#)).

The Court may make directions which it considers appropriate such as a medical or psychiatric examination of the child.

[Children Act 1989](#)

Parental Responsibility

The legal rights and duties of a parent. Mothers always have it. Fathers have it if they are married to the mother, are named on the birth certificate (of a birth registered after 01/12/2003), have a parental responsibility order or a parental responsibility agreement. Others may acquire it by order of the court or a formal parental responsibility agreement. Adoptive parents obtain PR and PR for birth parents is severed.

[Children Act 1989](#)

Placement Order

Usually made at the conclusions of care proceedings or as a separate placement proceedings, where the care plan is adoption. It allows the Local Authority to place the child with prospective adopters. It allows the Local Authority to completely restrict the birth parents' ability to exercise their Parental Responsibility. It gives Parental Responsibility to prospective adopters before an adoption order is made once the child is placed with them for adoption. Until an adoption order is made the Local Authority will share parental responsibility with the birth parents and prospective adopters but will have overriding parental responsibility.

[Adoption and Children Act 2002](#)

Powers of Police Protection

It is not a court order, but rather an inherent power of the police to protect children from harm by removing them to suitable accommodation. It should only be used in exceptional circumstances where there is insufficient time to apply for a court order. It lasts for a maximum of 72 hours.

If a child is removed by the police, they will ask the Local Authority to 'look after' the child during that time. If the Local Authority does not think it is safe for the child to return home after 72 hours, they can continue to keep the child away from home if the court makes a suitable order such as an Emergency Protection Order

or Interim Care Order or those with parental responsibility consent to the child being accommodated under Section 20 of the Children Act 1989.

[The Children Act 1989](#)

Private Law Proceedings

Legal proceedings in the family court. Typically, a dispute between parents about which of them the child should live with, contact issues, parental responsibility, Special Guardianship Order, specific issues or prohibited steps. The Local Authority is not the applicant and often not involved at all. The Local Authority or CAFCASS (Children and Family Court Advisory and Support Service) may be asked to provide reports to the court about the child's welfare, and advise the court on what orders to make, these are known as section 7 reports. The child is not usually a party, although this can happen in exceptional circumstances. In such circumstances a Children's Guardian would then be appointed. If the court believes the child may be suffering significant harm, they may request that the Local Authority provide a report advising whether Care Proceedings should be commenced this is known as a section 37 report. The following orders are available under [S 8 Children Act 1989](#)

- Child Arrangement Orders
 - Residence Order – sets out whom the child will live with. In the past this was known as 'custody'.
 - Contact Order – indicates the person or person(s) the child can visit or have other contact with. If it is in the child's interest, contact may be supervised.
- Prohibited Steps Order – To prevent someone – not necessarily a parent from carrying out a particular action without the court's agreement. For example, removing a child from the jurisdiction, having contact with a named individual, changing a child's surname. Save for exceptional circumstances these orders can only be made in relation to a child under 16.
- Specific Issue Order – Usually relating to education questions, medical decisions and holidays these resolve a single issue that has or may arise in respect of a child's upbringing.

[The Children Act 1989 – Section 7](#)

[The Children Act 1989 – Section 8](#)

[The Children Act 1989 – Section 37](#)

Public Law Outline

Government guidance on conducting care proceedings. The Public Law Outline (PLO) sets out the duties Local Authorities have when thinking about taking a case to court to ask for a Care Order to take a child into care or for a Supervision Order to be made. This is often described as initiating public law care

proceedings. The PLO covers the whole process from start to finish but is mostly referred to when discussing the pre-proceedings phase. This is where the Local Authority engage with parents before initiating any proceedings to assess whether the child can continue to be cared for by their parent(s). This may involve commissioning specialist assessments. It will involve meeting with the parents and their legal representatives to explain the concerns, and what the parents need to do to avoid going to court. Good practice suggests this phase should not last longer than 16 weeks but there is no maximum statutory timescale. This process should only be started if the Local Authority intends to apply for a care or supervision order if there is no improvement in that time. It should not be used to add weight to the Child Protection Plan, or to manage risk long term.

Section 20 Accommodation (Children Act 1989)

An arrangement where the Local Authority accommodates a child when there is no-one with parental responsibility for them or they have been lost or abandoned or the person normally caring for them is unable to provide them with suitable accommodation or care.

However, the Local Authority may not provide accommodation for a child if someone with parental responsibility objects and can provide accommodation themselves or arrange for someone else to provide accommodation. A person with parental responsibility can remove a child from accommodation at any time (there are exceptions to this). It is essential legal advice is taken before doing this.

A care plan must be drawn up for the child and should get the agreement of those with parental responsibility or from the young person themselves if they are aged 16 or 17. The plan should set out how the accommodation arrangement can be ended and what the contact arrangements are whilst the child is away from home.

Accommodation provided under S20 is voluntary. All those with parental responsibility need to give valid consent to the accommodation. There is no court order when a child is accommodated, and the Local Authority does not have parental responsibility for them. If a child is 'accommodated' it means he or she is being 'looked after'.

[The Children Act 1989](#)

Special Guardianship Order

Special Guardianship is an order made by the Family Court that places a child or young person to live with someone other than their parent(s) on a long-term basis. The person(s) with whom a child is placed will become the child's Special Guardian. The [Adoption and Children Act 2002](#) introduced Special Guardianship and Special Guardianship Orders. The effect of a Special Guardianship Order is to:

- secure the child's or young person's long-term placement;
- grant Parental Responsibility to the Special Guardian(s);
- maintain links with the child's or young person's birth parent(s); and
- enable the special guardian to have day-to-day control and to exercise their Parental Responsibility to the exclusion of all others with Parental Responsibility except another Special Guardian

It is now widely used following care proceedings to support placements with relatives.

[The Children Act 1989](#)

Supervision Order

A Supervision Order imposes a duty on the Local Authority to 'advise, assist and befriend' the child. It may require a child to live in a specified place, do certain activities and report to a particular place at a set time. A supervision order can last for one year and may be extended yearly to a total of three years. A social worker will advise, assist and befriend the child. In practice, this will mean they give help and support to the family as a whole. Conditions can be attached to a supervision order, requiring actions from parents, which may include informing the social worker if they are planning on changing address and they may have to allow the social worker to visit the child at home.

A supervision order doesn't give the Local Authority parental responsibility and doesn't allow them any special right to remove the child from their parent. The parents keep parental responsibility but mustn't act in any way against the supervision order.

Interim supervision order - temporary version of above used during care proceedings before the court makes a final decision about the child's future.

[The Children Act 1989](#)