

Your child on a child assessment order

What has happened?

Social Work Services has received and/or gathered information that has led to concerns that your child was being treated in a way that meant he or she was suffering, or was likely to suffer, significant harm.

‘Significant harm’ is the phrase that is used in law. It means harm that is serious and not minor or short-lived. It can refer to physical or emotional harm.

Social Work Services felt that an assessment of your child was necessary to find out if there was any reason that your child was being harmed. In addition, Social Work Services believed that a proper assessment could not be carried out unless it got a Child Assessment Order from a Sheriff.

Social Work Services has applied to the Sheriff for a Child Assessment Order in respect of your child and the Sheriff has granted this.

What you have to do

You must:

- allow the social worker, or anybody else who is going to be involved in the assessment to have contact with your child - you are not allowed to prevent people carrying out the assessment
- allow the social worker, or anybody else involved, to carry out the assessment in accordance with the order - if the order says that your child must visit a doctor in a hospital then you must allow that to happen
- comply with any other conditions that the Sheriff has put in the order - the Sheriff may have said that your child has to stay away from home during the assessment and will have decided what contact you can have with your child, if this is the case then you must not break those conditions

What does the order say?

The Child Assessment Order contains certain instructions that the Sheriff has given. The Sheriff has stated on the order the date the assessment should start. A Child Assessment Order can only last for a maximum of 7 days. If the Sheriff said that the order should last for less than 7 days then this is written on the order.

If the Sheriff decided that your child was to be taken somewhere so that the assessment could be done properly, then that is written on the order. It may be that the Sheriff has decided that your child should be seen by your family doctor or a doctor at a hospital.

The Sheriff may have decided that your child should stay somewhere else during some or all of the assessment. This decision will only have been made if the Sheriff believed that the assessment could not be carried out if your child stayed at home. If your child is to stay away from home during the assessment then the Sheriff will have decided whether to issue instructions about your child's contact with you or anybody else.

What happens now?

Social Work Services has been granted the Child Assessment Order. This does not mean that only social work staff can carry out the assessment. Other people such as doctors, health visitors, psychologists and teachers have to help Social Work Services do the assessment when Social Work Services asks for their help.

These people must carry out the assessment according to the instructions given by the Sheriff when the order was made. Social Work Services cannot change any of the Sheriff's instructions. The Sheriff's instructions have to be followed by everyone involved in the assessment. This includes you and your child.

Your social worker has now given you a copy of the order. The next task is for you, your child (if he/she is old enough to be involved in the discussion), your social worker and anyone else involved at this stage to discuss how the assessment is going to be carried out. You may find it difficult to agree with what is being planned. That is not surprising and no-one will think any less of you for feeling like that. What is important though is that everyone involved is able to put the best interests of your child first and to co-operate in getting the assessment done.

What happens after the assessment is finished?

The reason for the assessment is because Social Work Services is concerned that your child might be being treated in a way that is causing, or could cause, significant harm. The purpose of this assessment is to find out whether that is happening or not.

At the end of the assessment there are several different things that could happen:

- the people involved in the assessment believe very strongly that your child is being treated in such a way that he or she is suffering, or is likely to suffer, significant harm unless something is done immediately to protect him/her. This means that Social Work Services will apply to a Sheriff for a legal order that will provide the protection required. This could be a Child Protection Order or an Exclusion Order. If a Sheriff is not available then a Justice of the Peace could be asked to authorise emergency protection measures. If the people involved in the assessment feel that your child needs the sort of action taken, this will probably happen before the Child Assessment Order runs out. If this was to happen then your social worker will give you information about these other types of order.
- the people involved in the assessment believe that there are concerns about the health or development of your child, or about the way that he/she is being cared for. These concerns are important enough to mean that Social Work Services feel that your child may be in need of compulsory measures of supervision. A referral will be made to the Children's Reporter. This means that the information gathered during the assessment will be given to the Children's Reporter. This could lead to a Children's Hearing being arranged. This process can take a few weeks. In the meantime the social worker will offer to work with your family on a voluntary basis. In other words, with your agreement. You can accept or refuse this offer.
- the view of those doing the assessment is that there are some things about the health or development of your child, or how your child is looked after, with which they would wish to offer you support. It is felt that at this stage your child is not in need of compulsory measures of supervision, so no referral to the Reporter will be made. However, you will be offered social work support. You can accept or refuse this.

- the people doing the assessment believe that your child is not being treated in a way that is causing, or could cause, significant harm. Social Work Services doesn't think it needs to be involved with your family and you don't think that your family needs social work support. In this case social work contact will end at the end of the assessment.

If you have any questions about the Child Assessment Order that the social worker has not been able to answer to your satisfaction or you wish to get independent advice, please contact a solicitor immediately.

In addition to this if you would like to make a suggestion, comment or complaint about any part of the service you have received from Social Work Services please speak to a member of staff at your local office. You could also pick up a leaflet called 'Suggestions, comments or complaints about Social Work' at your local office, which explains how to comment in writing or by phone.

If we are unable to resolve your complaint to your satisfaction, you will then have the right to refer the matter to the Scottish Public Services Ombudsman by writing to 4 Melville Street, Edinburgh, EH3 7NS or telephoning 0870 011 5378. You must do this within 12 months of first being notified of the matters you are complaining about.

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Phone: 0141 287 8897 Ref: SWCP06/October2001

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