

Organisational Guidance on Working with Children through COVID-19

A guide to direct contact with children and families, working in the office, and attendance at court.

This updated guidance is issued with the express intention of enabling all Cafcass social workers to act in the best interests of the children and families we serve, during the most unprecedented of circumstances associated with the COVID-19 Pandemic.

At the time of its issue, we are attempting to manage the highest ever volumes of open active casework in Cafcass history, throughput in the family courts that is significantly compromised, whilst at the same time trying to protect, promote and prioritise the wellbeing of all our staff. What this means is that we have to find a defensible balance between doing the right thing for all children against what it is realistically possible for our staff to achieve and the reality that some children will be in greater need than others. Difficult decisions are having to be made about when to see children, how to see them, how often to see them and how much time can be dedicated to seeing them when there are many more allocated in our system to be seen.

The transparency and reasonableness of professional judgements made in these circumstances is especially important as is the message from leaders that the autonomy to make those decisions remains with the social worker allocated to the case, with oversight from their managers.

Direct contact with children and families

The decision whether to meet with a child in person or remotely will depend on their particular circumstances, those of their family and on their expressed preference. It is very likely that seeing children in person will be the best option in order to complete the necessary assessment work in public law and private law work after the first hearing though this will need to be balanced against how much time you have in the context of your caseload, your travelling capacity and the needs of all children you are needing to assess. Another important consideration will be the availability of and access to technology for the children with whom you are working. This should be fully assessed before the decision about how to see them is made. A combination of both professional judgement, and negotiation with children and their families will inform the decision about how children are seen and as a result, how best to understand their experiences, needs, wishes and feelings in a timeframe which is in their best interests. The clarity of reasoning about how and when to see a child and their family is critically important and must always be clearly expressed and recorded on the case file contemporaneously.

As an organisation, we seek to support your professional judgement to ensure your work is proportionate, focused, purposeful and undertaken in accordance with our statutory responsibilities. This requires us to reflect and consider the best way to see children and to set out our rationale clearly for the recommendation we make. It is not possible to provide prescriptive guidance for every situation in respect of every child. We are confident that our social workers are able to use their professional judgement, to weigh and balance the information they have, and to record their rationale and conclusions. It is especially important during the COVID-19 crisis, that our decisions about in person work are clear, understandable, reasonable, address any known risks to children's safety and welfare as well as taking full account of your own wellbeing and safety.

There has been strong and understandable support expressed by colleagues for the necessary return to visiting children and families in-person in a manner that is safe for the practitioner, the children and the families.

To assist in your direct contact with children and families, the following information is useful:

- An overarching flowchart detailing the process for you to follow.
- An individual assessment which has been designed for you and your manager to complete to understand and assess a vulnerability that may prevent you from visiting children or being able to work away from home. This is only to be completed if you fall within any of the vulnerability categories that make you more at risk of contracting COVID-19 including if you have a condition(s) which makes you extremely clinically vulnerable ([Definition of Clinically Extremely Vulnerable Groups \(5 November 2020\)](#)), clinically vulnerable ([Definition of Clinically Vulnerable Groups \(5 November 2020\)](#)) or over 60. Given the increased risk of complications arising from COVID-19 for our Black, Asian and Minority Ethnic colleagues, we would advise that if you are worried, you undertake the risk assessment set out in this section of the guidance.
- An online checklist to enable you to assess if there are any potential known risks prior to visiting children or undertaking work away from home (unless you are meeting in an office or visiting a court). This will allow you to consider the safest way to conduct your meetings whilst still maintaining the effective relationships with the children and family involved.

If you have concerns regarding your individual circumstances, then you should contact your line manager in the usual way. When the particular circumstances of the children and their families mean that in-person contact is not possible then the continuation of effective remote working practices that have been in place both before and since the start of the pandemic should continue, supported by a clearly recorded rationale on the case file. A blended approach using both in-person and remote work has also been effective in many circumstances and should be considered and described as the case plan is established.

The Cafcass Assess NET incident reporting system is available and should be used to record any risks and issues that arise when working away from home including possible exposure to the virus.

Supporting you to work safely with children and families

We remain an essential public service employing staff who are undertaking important assessments about children's needs, experiences, wishes and feelings and which in most cases significantly affect their lives in the present and the future. Our responsibility is to enable the conditions under which you undertake this work to be as safe as possible for you.

We want all colleagues to be confident about their safety whilst undertaking our important work. In order to enhance this, there are links at the end of this guidance providing information on important issues such as safe practice, the use of face coverings, direct work resources, government guidance and useful wellbeing resources. These links will be reviewed and updated in accordance with any change in government guidance and you will be kept informed of any changes to this guidance and information.

Office based work

We are re-opening all our offices and touchdown locations by the end of November 2020 to provide COVID-secure places to work and to meet children and families while keeping safe. We continue to review our guidance and measures in accordance with government and public health guidance.

The feedback from colleagues who have seen children and families in offices and completed other work there is consistently positive.

Anyone employed by Cafcass may use any of our offices during the crisis for the purpose of work, provided the booking system is used and there is a desk available.

Attending Court

All open courts are COVID-secure and have risk assessments completed by HMCTS that staff can access. The Family Procedure Rules require the children's guardian to attend final hearings and the authors of section 7 reports should attend if directed to do so. The court can direct that attendance may be by telephone or video link including the use of the Cloud Video Platform (or any other remote facility). The decision whether to hold a hearing remotely is one for the judge in each circumstance

It should be a matter of discussion between the FCA and the court on the most effective way that participation can take place with an agreement reached in advance of a hearing. The courts which are open will have the facility to arrange for evidence to be given remotely. There is significant use of hybrid hearings where the parents or other family members attend in person together with their advocates, while the guardian, social workers and other experts attend remotely.

There will be cases where it is necessary for the guardian to be present in court. The needs of the children Cafcass is working with may require that a hearing in person takes place.