

Practice Guidance- Letters of Instruction

Social workers are the experts in the child's life and experts should be instructed only when the scope of assessment falls outside of the social workers area of expertise. Determining if you need an expert is an important part of examining your assessment and evidence. Formulating draft questions for the letters of instruction should offer an additional layer of scrutiny about any gaps in your evidence which may show a need for an external expert. If you can answer any of the questions you are posing to experts, or you are looking for an expert to endorse your position, you do not need an expert assessment. If any gaps in evidence are identified, discuss potential suitable people to complete the assessment (including consideration of social workers across Children's Services). Please refer to Practice Guidance on Instructing Experts to decide if an expert assessment is required.

Preparing Letters of Instruction

Experts should be agreed and instructed by the parties at the Case Management Hearing (CMH); therefore, Letters of Instruction should be part of the preparation process for entering into care proceedings. There is new guidance around preparing letters of instruction:

- Letters of instruction should be succinct and address 4-5 key areas.
- Only in exceptional circumstance, or when instructing a joint assessment, should there be more than 10 questions.
- The questions to experts must be proportionate and should not repeat assessments already completed by social workers (i.e. it is expected that social workers will have completed a parenting assessment and have a reasonable understanding of the basic care provision).
- Experts should only comment on areas outside of the social workers area of expertise.
- The Law Society has also developed a 'Guide and sample questions for experts' to assist with drafting questions for a range of different experts that are commonly used in Care Proceedings. <http://www.lawsociety.org.uk/advice/family-expert-templates/>

Roles & Responsibilities

It is the joint responsibility of the social work and legal teams to ensure that Letters of Instruction are appropriately prepared and are available for the Case Management Hearing (CMH) to be agreed on the day and sent to the expert within 24 hours.

Social workers (in liaison with relevant internal teams and managers) are required to make enquiries of, Residential Units, Community Based assessors, parenting programmes, Community Based intervention and support programs.

The responsibility for drafting Letters of Instruction is shared between Legal Services and social workers:

- Details of the expert, including CV, availability (date they can start the assessment and report), and cost will be provided by the solicitor of social worker (see above) at CMH;
- Social Workers will draft questions for the letter of instruction;
- Solicitors will draft the remained of Letter of Instruction in the prescribed template for consideration of the parties at the first hearing;
- The parties will consider and agree the Draft Letter of Instruction at the CMH;
- The instructing solicitor will provide the final Letter of Instruction and agreed documents to the expert within 24 hours of the CMH.

- The final date for the report to be filed will be included in the Case Management Order. It is the expectation of the court that experts file their report on time and if there is a risk of delay then the matter should be raised with the court immediately. The timeliness of instruction of experts and expert reports is being tracked by the court and the Case Manager.

Mother's Psychological Assessment (Exemplar questions)

- 1) Please undertake a psychological assessment of Ms B and, where any difficulties are identified, please consider the possibility of change and the likely impact of any identified difficulties upon her parenting capacity and interpersonal relationships.
- 2) Please undertake a cognitive assessment of the parent/parents and comment upon any impact upon their parenting capacity.
- 3) Please undertake an assessment of Ms B's relationship history and, where any difficulties are identified, please consider her level of insight into these difficulties and the likely impact of any identified difficulties upon the children.
- 4) Please comment on Ms B's own care history and disclosure of self-harm and drug and alcohol use where any difficulties are identified please consider the impact on her parenting.
- 5) Please comment on Ms B capacity to remain separated from Mr B and develop more positive relationships in the future; ·
- 6) Where any difficulties that may impact on parenting capacity or interpersonal relationships are identified, please make recommendations for intervention or treatment, with reference to the likelihood that Ms B will engage and the prognosis and timescales for change; ·
- 7) Please comment on any other matter you consider appropriate

Father's psychological assessment

- 1) Please undertake a psychological assessment of Mr B and, where any difficulties are identified, please consider the possibility of change and the likely impact of any identified difficulties upon his parenting capacity and interpersonal relationships.
- 2) Please undertake an assessment of Mr B's relationship history and, where any difficulties are identified, please consider any possible causal factors (such as substance misuse, own care experience, or any other factors) and the likely impact of any identified difficulties upon the children.
- 3) Please undertake an assessment of Mr B's criminal history and anti-social behaviour, where any difficulties are identified, please consider any possible causal factors and the risk of recidivism.
- 4) Where any difficulties that may impact on parenting capacity or interpersonal relationships are identified, please make recommendations for intervention or treatment, with reference to the likelihood that Mr B will engage and the prognosis and timescales for change;
- 5) Please comment on any other matter you consider appropriate.

Joint Psychological Assessment (here are issues of domestic violence)

- 1) Please undertake a psychological assessment of Mr X, where any difficulties are identified, please consider the possibility of change and the likely impact of any identified difficulties upon his parenting capacity and interpersonal relationships.
- 2) Please undertake a psychological assessment of Ms Y, where any difficulties are identified, please consider the possibility of change and the likely impact of any identified difficulties upon his parenting capacity and interpersonal relationships.
- 3) Please undertake an assessment of Mr X's and Ms Y's relationship history and, where any difficulties are identified, please consider any possible causal factors (such as substance misuse, own care experience, or any other factors) and the likely impact of any identified difficulties upon the children.
- 4) Where any difficulties that may impact on parenting capacity or interpersonal relationships are identified, please make recommendations for intervention or treatment, with reference to the likelihood that Mr X or Ms Y will engage and the prognosis and timescales for change;
- 5) Please comment on any other matter you consider appropriate.

Father's psychiatric assessment

- 1) Please undertake an assessment of Mr X's mental health and, where any difficulties are identified, please consider the possibility of change and the likely impact of any identified difficulties upon his parenting capacity and interpersonal relationships.
- 2) Please undertake an assessment of Mr X's relationship history and, where any difficulties are identified, please consider any possible causal factors (such as substance misuse, own care experience, or any other factors) and the likely impact of any identified difficulties upon the children.
- 3) Where any difficulties that may impact on parenting capacity or interpersonal relationships are identified, please make recommendations for intervention or treatment, with reference to the likelihood that Mr X will engage and the prognosis and timescales for change;
- 4) Please comment on any other matter you consider appropriate.

Community Based Assessment (where domestic violence is an issue)

- 1) Please provide an assessment of Ms X and Mr Y's parenting capacity, including basic care, attitudes towards parenting, safeguarding and ability to meet the child/children's identified need now and in the future. Please include an assessment of each parent's individual parenting capacity, as well as an assessment of their ability to safely co-parent their child/ren.
- 2) Please consider any factors which might impact child's safety or development.
- 3) Please comment on child's individual developmental needs and Ms X and Mr Y's insight into child's needs.
- 4) Please undertake an assessment of Ms X's relationship history and, where any difficulties are identified, please consider her level of insight into these difficulties and the likely impact of any identified difficulties upon the children.

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5) Please undertake an assessment of Mr Y's relationship history and, where any difficulties are identified, please consider her level of insight into these difficulties and the likely impact of any identified difficulties upon the children. (OR Please comment on Ms X capacity to remain separate from Mr Y and the impact on her parenting capacity and child's development if she is unable to do so).

6) Where any difficulties that may impact on parenting capacity or interpersonal relationships are identified, please make recommendations for intervention or treatment, with reference to the likelihood that Ms X and/or Mr Y will engage and the prognosis and timescales for change;

7) Please consider any additional factors which might impact on child's safety or development. Where any difficulties that may impact on parenting capacity are identified, please make recommendations on whether these issues can be safely managed through a community based support package, with reference to the likelihood that Ms X will engage, the prognosis and timescales for change, and the likely duration of recommended support;

8) Please comment on any other matter you consider appropriate.

Community Based Assessment (where substance misuse is an issue)

1) Please provide an assessment of Ms X and Mr Y's parenting capacity, including basic

Residential Assessment

1) Please provide an assessment of Ms B and Mr Y's parenting capacity, including basic care, attitudes towards parenting, safeguarding and ability to meet the child/children's identified need now and in the future. (If in a couple) Please include an assessment of each parent's individual parenting capacity, as well as an assessment of their ability to safely co-parent their child/ren.

2) Please consider any factors which might impact child's safety or development.

3) Where any difficulties that may impact on parenting capacity are identified, please make recommendations for community based intervention or treatment, with reference to the likelihood that Ms B/Mr Y will engage, and the prognosis and timescales for change;

4) Please comment on any other matter you consider appropriate.

Residential Assessment (where there are queries over mental health)

1) Please provide an assessment of Ms B's parenting capacity, including basic care, attitudes towards parenting, safeguarding and ability to meet the child/children's identified need now and in the future.

2) Please undertake an assessment of Ms B's mental health and, where appropriate, comment upon likely causal factors, prognosis, recommended interventions, timescales for change and impact upon parenting. (Note: not all residential units have psychologist/psychiatrists and often they cost extra)

3) Please consider any additional factors which might impact on child's safety or development.

4) Where any difficulties that may impact on parenting capacity are identified, please make recommendations on whether these issues can be safely managed through a community based

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support package, with reference to the likelihood that Ms B will engage, the prognosis and timescales for change, and the likely duration of recommended support;

5) Please comment on any other matter you consider appropriate.

Residential Assessment (where there are queries over cognitive functioning)

1) Please provide an assessment of Ms X's parenting capacity, including basic care, attitudes towards parenting, safeguarding and ability to meet the child/children's identified need now and in the future.

2) Please assess whether the parent has any identified general or specific learning disability and comment on any impact upon their parenting capacity OR Please comment upon how the parent's identified learning disability impacts upon their parenting capacity. (Note: not all residential units have psychologists and often they cost extra)

3) Please consider any additional factors which might impact on child's safety or development. Where any difficulties that may impact on parenting capacity are identified, please make recommendations on whether these issues can be safely managed through a community based support package, with reference to the likelihood that Ms X will engage, the prognosis and timescales for change, and the likely duration of recommended support;

4) Please comment on any other matter you consider appropriate.