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| **Consultation Response Form**  **Consultation closing date: 26 March 2014** **Your comments must reach us by that date** |
| Court Orders Relating to Family Law |

**If you would prefer to respond online to this consultation please use the following link:** [**https://www.education.gov.uk/consultations**](https://www.education.gov.uk/consultations)

We are consulting on changes to the statutory guidance on the Children Act 1989. The guidance relates to public and private family law orders and is being updated in light of the Children and Families Bill 2014.

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the access to information regimes, primarily the Freedom of Information Act 2000 and the Data Protection Act 1998.

If you want all, or any part, of your response to be treated as confidential, please explain why you consider it to be confidential.

If a request for disclosure of the information you have provided is received, your explanation about why you consider it to be confidential will be taken into account, but no assurance can be given that confidentiality can be maintained. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department will process your personal data (name and address and any other identifying material) in accordance with the Data Protection Act 1998, and in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

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If your enquiry is related to the DfE e-consultation website or the consultation process in general, you can contact the Ministerial and Public Communications Division by e-mail: [consultation.unit@education.gsi.gov.uk](mailto:consultation.unit@education.gsi.gov.uk) or by telephone: 0370 000 2288 or via the Department's ['Contact Us'](file:///C:\help\contactus) page.

Please mark the box that best describes you as a respondent.

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**Questions for the Volume 1 consultation**

**General**

1 This guidance is primarily for use by social workers, local authority lawyers and other local authority children’s social care staff.  Is the guidance appropriate for its target audience?

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2 Does the guidance cover the necessary statutory requirements of pre-proceedings and care orders?  If not, what is missing?

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3 Is the guidance clearly expressed?  If not, what aspects might be made clearer?

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4 Are there any other links which would be helpful to be included in the guidance?

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5 This guidance includes some best practice examples. Are these helpful?

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6 Do you think the guidance and annexes are user friendly? If not, how can they be improved?

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**Specific**

**Private Law**

7 Bearing in mind that this guidance is primarily for use by social workers, is there too much content on private law?

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8 Do you think that there are additional issues that should be covered in the Private Law chapter?

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**Pre-proceedings**

9 Are the pre-proceedings letters expressed appropriately and clearly?

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**Chapter 4**

10 Chapter 4 is designed to provide information on some of the more frequently used orders.  Are the orders in this chapter the most helpful to include?

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11 Does the guidance contain enough information on what practitioners should do when considering whether to apply for a secure accommodation order for looked after children for welfare reasons?

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**LA Social Work Evidence Template**

12 The LA Social Work Evidence Template has been included at Annex A. This is intended to support the production of evidence for care applications. How could the template be amended to best support social workers in collecting robust evidence?

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**Foster Carers**

13  Do you think the guidance says enough about the importance of involving foster carers in the care planning process?

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**Adoption**

14 The revised guidance now includes sections on placement and adoption orders. Do you think this is appropriate?

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Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

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Here at the Department for Education we carry out our research on many different topics and consultations. As your views are valuable to us, please confirm below if you would be willing to be contacted again from time to time either for research or to send through consultation documents?

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All DfE public consultations are required to meet the Cabinet Office [Principles on Consultation](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/255180/Consultation-Principles-Oct-2013.pdf)

The key Consultation Principles are:

* departments will follow a range of timescales rather than defaulting to a 12-week period, particularly where extensive engagement has occurred before
* departments will need to give more thought to how they engage with and use real discussion with affected parties and experts as well as the expertise of civil service learning to make well informed decisions
* departments should explain what responses they have received and how these have been used in formulating policy
* consultation should be ‘digital by default’, but other forms should be used where these are needed to reach the groups affected by a policy
* the principles of the Compact between government and the voluntary and community sector will continue to be respected.

However, if you have any comments on how DfE consultations are conducted, please contact Aileen Shaw, DfE Consultation Coordinator, tel: 0370 000 2288 / email: [aileen.shaw@education.gsi.gov.uk](mailto:aileen.shaw@education.gsi.gov.uk)

**Thank you for taking time to respond to this consultation.**

Completed responses should be sent to the address shown below by 26 March 2014

Send by post to: Patrick Towgood, Level 1, Department for Education, Sanctuary Buildings,  16-20 Great Smith Street,  SW1P 3BT

Send by e-mail to: [courtorders.consultation@education.gsi.gov.uk](mailto:courtorders.consultation@education.gsi.gov.uk)