

Family Assistance Orders

Helping families overcome
problems associated
with separation



Putting children first
in family courts

What is Cafcass?

The job of the Children and Family Court Advisory and Support Service – Cafcass – is to safeguard¹ and promote the welfare of children involved in family court proceedings. We work with children and their families, making sure children's voices are heard and their needs are met.

We advise the court so the decisions they make are in the best interests of children. We are independent of the courts, social services², education and health authorities and all similar agencies. We only work in the family courts. These are not criminal courts.

- 1 The Children Act 2004 places a statutory duty on bodies and agencies working with children to make arrangements to safeguard and promote the welfare of children, particularly in terms of being healthy, staying safe, enjoying and achieving, making a positive contribution and achieving economic well being.
- 2 In this leaflet, the term 'social services' refers to the work of local authorities in undertaking their social services function, and particularly children's social care.

What is a Family Assistance Order?

It is a short-term order designed to give specialist help to children and families to overcome the problems and conflicts associated with separation and divorce. It can be useful when the family is facing a difficult period of change or transition. Consent to the order is required from everyone named in the order, except any children.

When will an order be made?

The court will only make an order in exceptional circumstances. Examples of exceptional circumstances are:

- > major change in a child's circumstances
- > starting of contact with a parent after an extended period of time without contact
- > if further work with the family is required to assist them to reach agreement on future arrangements for the children.

Please note, the 'exceptional' requirement will be removed from October 2007.

A Family Assistance Order will not usually be made unless Cafcass has carried out an assessment and has concluded that such an order will be in the child's interests and that the aims will be achievable and practical.

Who will be named in the order?

- > any parent or guardian of the child
- > any person with whom the child is living or who has contact with the child that is ordered by the court
- > the child or children involved.

Who supervises the order?

A Cafcass practitioner or a local authority officer who is trained and experienced in working with children and families.

What is the purpose?

The Family Assistance Order aims to help families facing a time of change. The practitioner's focus is to advise, assist and befriend those named in the order. It may also be used to help families meet the terms of another order made by the court.

How long is an order?

The maximum period is six months. From October 2007 the maximum will be 12 months.

What happens when an order is made?

The practitioner who will be working with your family will make contact with all the people named in the order and send a letter within five working days of the case being allocated. The letter will confirm a first appointment within 10 working days of the case being allocated. This leaflet will also be sent to help everyone understand how your family will benefit from the order.

What will happen at the first meeting?

The practitioner will:

- > discuss the Family Assistance Order with your family and make sure everyone understands it
- > agree with your family what needs to happen to help you overcome any difficulties and how these can be achieved during the course of the order.

What happens next?

After the first meeting the practitioner will prepare a written plan that sets out the goals agreed with your family and provide everyone named in the order with a copy of the plan.

At the end of the order period, the practitioner will prepare a short written review and those named in the order will be given a copy.

What do I need to do?

It would be helpful if you would:

- > keep us informed of any change in your circumstance, for example change of residence or employment
- > keep appointments and inform us if you need to postpone.

Do my views count?

We welcome feedback about all our services and activities as this forms an important part of developing and improving our service. We would like to hear from all those who use our service – children and young people, parents, relatives, courts or other agencies.

This feedback might be:

- > A **comment** about our policies or working practices or any other aspect of our service
- > A **compliment** about our work or an individual practitioner
- > A **complaint** about any aspect of your dealings with us.

We will record, monitor and review all comments, compliments and complaints about our services, and the outcomes will be published in our Annual Report.

In the interests of developing the service and for research purposes, we may approach you to obtain your views once proceedings are completed.

How do I feedback comments and compliments?

Pass on any comments or compliments (preferably in writing) to the practitioner concerned, or send them to the local Cafcass manager at the address on the back of this leaflet. You may also send your comments or views to our national office via email at: feedback@cafcass.gov.uk

You may request a feedback meeting with the practitioner involved in your case or with their manager.

What if I am not happy with the service Cafcass provides?

We aim to provide a high standard of service in all family proceedings, and to give a voice to children at a critical time in their lives. It is important for us to know when service users believe we have fallen short of these aims.

We have a complaints process that is designed to ensure complaints are dealt with as quickly, fairly and effectively as possible. An introduction to the complaints process can be found on the next page. The full process is set out in a booklet for service users³, which is available from your local Cafcass office or can be accessed in the *Feedback* section of our website at www.cafcass.gov.uk

³ Your Views Count – How to make a comment, compliment or complaint about our work

What if I want to make a complaint?

Firstly, you should always let the practitioner concerned know if you are unhappy about any aspect of the service. There may be an opportunity to sort things out. Alternatively you may request a feedback meeting at the end of your case as described on page 7.

If you do not wish to do this and instead wish to go ahead and make a complaint, then contact the local Cafcass manager as soon as possible, bearing in mind the timescales below.

If you disagree with the contents of the report, it is usually best to raise this at the court hearing.

It is not possible to change the outcome of the court's decision by making a complaint to us. If you disagree with the decision made by the court you need to take legal advice about a possible appeal against the court decision.

It is important to note that there are time limits within which we will accept complaints. For adults this is within three months of the event or incident having occurred. Please refer to the *Your Views Count* booklet for full details of these time limits.

You can expect receipt of your complaint to be acknowledged by us within five working days.

Complaints from children can be received at any point. A child who wishes to make a complaint will be offered the support of an independent advocate throughout the process.

Child safety

We undertake checks with other agencies to find out whether children are at risk of significant harm. This includes where children have witnessed domestic violence. Routine checks are undertaken with police, social services and the Child Protection Register. We will let you know if further checks are needed with additional agencies (e.g. GPs, schools).

Information will be used in the preparation of a report for court and may also be shared with social services.

We will not support arrangements that put at risk the safety of children or young people and their carers.

Diversity

We aim to champion the individual needs of children and to respect and value the different communities in which they grow up. We record and monitor information relating to the diversity of our service users – such as ethnic origin, language and special needs – to enable us to continuously improve the quality of our service to children and their families. This information also helps us to promote equality as required by legislation including the Race Relations Act 1976 (amended 2000 and 2003) and the Disability Discrimination Acts 1995 and 2005.

Information

The way in which we collect, process and make information available is governed by legislation. The following points may be of interest to you:

- > The nature of our work requires the processing of personal information relating to our service users. All such activities are undertaken in line with the Data Protection Act 1998. Our entry on the Data Protection Register can be found at www.cafcass.gov.uk
- > Under the Data Protection Act, you are entitled to ask for copies of the information we hold on you.
- > We are committed to providing information about our service in accordance with the Freedom of Information Act 2000.

For more details on how we work in line with the Data Protection Act or Freedom of Information Act, please visit the *Information* section of our website at www.cafcass.gov.uk or contact your local Cafcass office.

Our website also contains further information about the full range of our services.

Information in this leaflet can be made available on audiotape and in languages including:

Arabic, Bengali, Chinese, French, Gujarati, Hindi, Portuguese, Punjabi, Turkish, Urdu and Welsh.

يتوفر هذا الكراس باللغة العربية. فإذا احتجت الى نسخة منه، فيرجى الطلب من أحد الموظفين لإعداده لك.

এই লিফলেট বাংলা ভাষায় পাওয়া যায়। একটি কপি পেতে হলে অনুগ্রহ করে একজন কর্মীকে এটা দিতে বলুন।

這份單張備有繁體中文譯本。請向職員索取。

Cette brochure est disponible en français. Veuillez en demander une copie auprès du personnel.

આ પત્રિકા ગુજરાતીમાં ઉપલબ્ધ છે. આની કોપી મેળવવા માટે મહેરબાની કરીને કાર્યવાહીઓમાંનાં એક સભ્યને પૂછો.

यह पर्चा हिन्दी में उपलब्ध है। इसकी कॉपी पाने के लिये कृपया कर्मचारियों में से एक सदस्य से मांग करें।

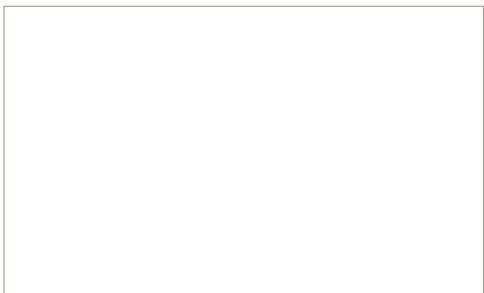
Este folheto é disponível em português.
Por favor peça uma cópia a um funcionário.

ਇਹ ਪਰਚਾ ਪੰਜਾਬੀ 'ਚ ਉਪਲਬਧ ਹੈ। ਇਸ ਦੀ ਕਾਪੀ ਲੈਣ ਲਈ ਕ੍ਰਿਪਾ ਕਰਕੇ ਕਰਮਚਾਰੀਆਂ ਦੇ ਇਕ ਮੈਂਬਰ ਤੋਂ ਇਸ ਦੀ ਮੰਗ ਕਰੋ।

Bu broşürün Türkçesi vardır. Lütfen personelden bir nüsha isteyiniz.

یہ لیفٹ لیٹ اُردو زبان میں دستیاب ہے۔ برائے مہربانی دفتری عملہ کے رکن سے اس کی ایک نقل حاصل کرنے کے متعلق پوچھیں۔

Mae'r daflen hon ar gael yn Gymraeg.
Gofynnwch i aelod o staff roi copi i chi.



www.cafcass.gov.uk
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