

APPENDIX G: Section 37 Request

Objective	Target time: by DAY 40
<p>To provide a recommended procedure within the existing rules for the timely determination of section 37 requests by the Court</p>	
Action	Party and Timing
<p>1 The Test Where, in any family proceedings in which a question arises with respect to the welfare of any child, it appears to the Court that it may be appropriate for a care or supervision order to be made with respect to the child, the Court may direct the appropriate local authority (LA) to undertake an investigation of the child's circumstances.</p>	<p>Court on DAY 1</p>
<p>2 The Court's Request On the same day the Court shall:</p> <ul style="list-style-type: none"> Identify the LA that is to prepare the s 37 report Fix the date for the next hearing Specify the date for the s 37 report to be filed by the LA Direct the court officer to give notice of the order and the form C40 to the LA court liaison manager / lawyer (as set out in the CCP) by fax on the day the order is made Direct each party to serve upon the LA all further documents filed with the Court. 	<p>Court on DAY 1</p>
<p>3 Where a s 37 report is required in less than 8 weeks, the Court should make direct enquiries of the Court liaison manager / lawyer of the LA to agree the period within which a report can be written.</p>	<p>Court on DAY 1</p>
<p>4 Within 24 hours of the order being made (on DAY 2) the court officer shall serve on the LA a sealed copy of the order and such other documents as the Court has directed.</p>	<p>Court Officer on DAY 1</p>

Action	Party and Timing
<p>5 LA Responsibility Within 24 hours of the receipt of the sealed order (on DAY 3) the Court liaison manager / lawyer of the LA shall ensure that the request is allocated to a social services team manager who shall:</p> <ul style="list-style-type: none"> • Be responsible for the preparation of the report and the allocation of a social worker/team to carry out any appropriate assessment • Ensure that the request is treated and recorded as a formal referral by social services in respect of each child named in the order • Notify the Court and the lawyers acting for all parties of his / her identity and contact details and the identity of the team that has been allocated • Follow Government guidance in relation to referral and assessment processes (see appendix F). 	<p>LA on DAY 3</p>
<p>6 Any assessment including a core assessment that is undertaken by social services should be completed within 35 days of the allocation above i.e. within 36 days of the service of the sealed court order.</p>	<p>Social Services by DAY 38</p>
<p>7 At the conclusion of the social services enquiries social services shall:</p> <ul style="list-style-type: none"> • Consult with the family, the child and all relevant agencies before making decisions about a plan for the child. The LA will record the response of each person and agency consulted • Decide whether to apply to the Court for a statutory order • File the section 37 report with the Court and serve it upon the parties on or before the date specified in the Court’s order. 	<p>Social Services between DAYS 38 and 40</p>
<p>8 Where social services decide not to apply for a care or supervision order they should as part of their report set out the decisions they have made and the reasons for those decisions and any plan they have made for the child (including the services to be provided) in accordance with Government guidance (see appendix F).</p>	