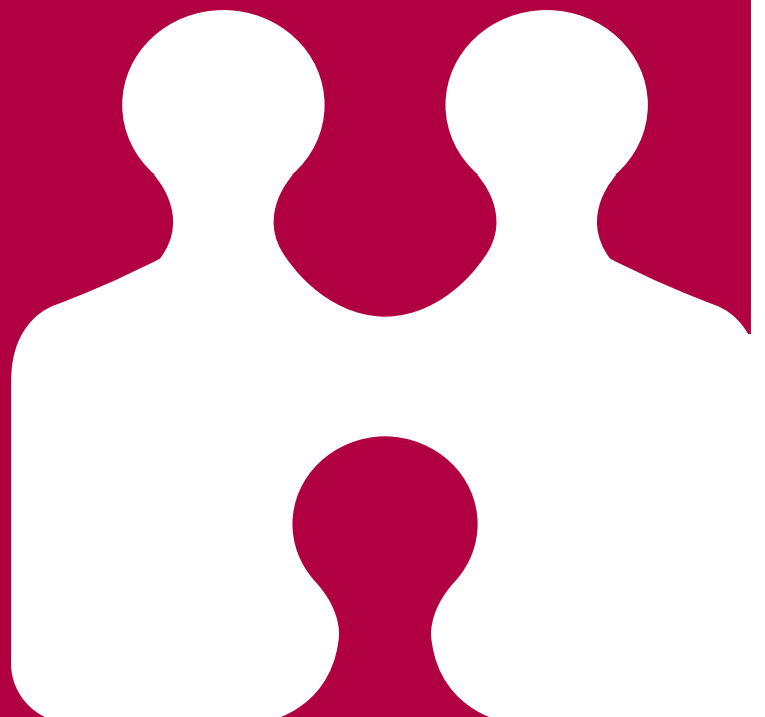


# Guide to Good Practice on referrals to contact centres



This Guidance was reviewed in February 2018. The law or procedure may have changed since that time and members should check the up-to-date position.

# Guide to Good Practice on referrals to contact centres

## Introduction

This guide relates to all referrals of families to child contact centres. Contact centres are very valuable resources for family lawyers, so we must carefully consider whether or not their use is necessary and appropriate in each individual case. You must also be aware of the clear distinction between “supported” and “supervised” contact, and consideration must also be given as to which facility is needed, so that the client can be given the best advice possible as to the most appropriate resource for their family. The vast majority of referrals that a family practitioner will make will be to centres offering supported contact.

All Resolution members should be aware of the location and the facilities that their local centres offer. If you are unsure as to which centres are closest to your client’s home, we suggest that you use the search facility on the National Association of Child Contact Centres website ([www.naccc.org.uk](http://www.naccc.org.uk)), or telephone its information line on 0845 4500 280. An annual subscription fee of £45 provides a personal login for the whole firm, enabling you to access the directory pdf, which is updated monthly, and the centre finder service, which is updated daily.

It is best practice to visit your local centre/s to enable you to advise your client and answer any questions that they may have. Most centre co-ordinators are more than happy to facilitate a visit to the centre by a solicitor. However, it is always best to contact the centre and pre-arrange the visit. It is difficult to recommend a centre to a reluctant user if you have not been there yourself.

Since the introduction of Child Arrangements Orders the courts and parties will no longer be referring to contact, instead they will be referring to with who the child/ren “spends time”.

## Referrals to supported contact centres

The [Revised protocol for referrals of families to supported child contact centres by judges and magistrates](#) states that:

*“Supported Contact Centres provide safe, pleasant, neutral surroundings for children meeting parents they do not live with, their broader families and significant other adults.”*

They are found in a variety of community venues. As such facilities are used where no significant risks have been identified, you must ensure that your client understands the following before they agree to using a supported centre:

- there will be several families in the room/rooms;
- staff will record attendance;
- staff are not closely monitoring or evaluating contact or conversations between parent and child; and
- no reports will be prepared for the court.

It is vital that clients know, in particular, that there is no close monitoring or reporting. One of the most common causes of difficulty, for both the centre staff and the lawyer/client relationship, is when a client mistakenly believes that the contact is to be “supervised”. Many lawyers still refer to a “supervised” contact when discussing a referral to a “supported” centre, and it is crucial that the correct terminology is used.

Members must be aware of the protocol referred to above.

A referral form must be completed carefully. A standard referral form for supported contact is appended to this Guide, but please note that many centres have devised their own referral form loosely based on the one set out here. It is best to check with the centre first as to whether they are willing to accept the standard form, or whether they will only accept a completed form that is specific to the centre.

Practitioners should also be aware that there is an online form which parents can use to self-refer to centres. You will find it on the NACCC website in the members’ section. You can access this, as Resolution are members. This form is used by only 55 centres and is part of a pilot yet to be reviewed but if any Resolution members are referring to these centres they will need to go through that system.

These forms are often completed in haste after a hearing, which means that the volunteer support staff at the centres are often left without all of the information that they should have. This can mean that you are placing support staff and family members at risk of their cases being referred to supported centres when it may not be appropriate to do so. It is important that your client checks the form before it is sent to the centre. For example, you are unlikely to know if the child has any allergy or health issues that the centre should be aware of. If the contact has been ordered by the court, a copy of the order should be attached to the referral form. The centre will want to know if the parties are prepared to meet or whether separate handover facilities are needed. Sometimes they may have a designated room where one parent can wait.

Once the contact has been ordered and/or the referral has been made, clients will naturally assume that contact will start very quickly. It is your role to ensure that they have realistic expectations. In some areas waiting lists can be two to three months long. It is, therefore, helpful to clients to be relatively familiar with current local waiting lists. Some centres may require a “preparation for contact meeting” to take place with both parents and the child to ensure that they are aware of the rules and facilities at the centre and to confirm suitability. Other centres will just require confirmation that the relevant information, including any rules the centre may have, has been sent to the client and that the client agrees to conform to the same. Remember it is always open to the centre to refuse the referral if they consider it unsafe at any stage. Centres are also in high demand in most areas and may have waiting lists. Many centres now make a charge and may require payment before contact commences. Some centres just charge a minimal fee for the referral, but not for the actual contact sessions. It is helpful to clients for the lawyer to be aware of the relevant fees, if any, of the local contact centres.

Practitioners must keep under review whether or not the contact needs to remain in the centre, as if contact can safely be progressed elsewhere (perhaps first starting with handovers at the centre) this can free up a valuable resource for another family. If the court orders that contact can move away from the centre, it is important that you inform the centre as soon as is practicable.

Equally, some contact centres will only support a family for a fixed period of time, eg six months, so this also needs to be ascertained. Very often parties are anxious about using a centre, so the more information that can be given the better. Many centres have their own literature and require it to be sent to the client prior to contact commencing. The information often contains rules for users of the centre, contact information (including emergency telephone numbers if parties/children are unable to attend contact), address and directions to the centre, etc.

## Referrals to supervised contact centres

Referrals to supervised contact centres are usually made by the court, Cafcass, a local authority, or another child contact centre. In private law matters most centres will accept referrals if the parties are to be privately paying. If the parties cannot afford to pay then a limited number of places are available via Cafcass-contracted placements.

A supervised centre will be appropriate where a risk has been identified requiring intervention by the centre staff, or where there is likely risk of harm to a child. These centres can ensure the safety of the child both physically and emotionally. They will also prepare written observations and reports if so ordered or agreed.

However, you must consider in each case whether or not supervised contact is necessary, and if so, raise this with the court/Cafcass at the earliest opportunity.

Availability and facilities etc will vary centre by centre, and again details can be found through the NACCC website.

## Activity directions and conditions

On 8 December 2008 Part 1 of the Children and Adoption Act 2006 introduced a new ss11A-P of the Children Act. The introduction was a response to the widespread concern that the court's powers to enforce contact orders and promote contact were too limited. The Children and Families Act 2014 has amended ssA-O and these can now be provided for when the court is being asked to make, vary or discharge a child arrangements order. You and the court must consider whether or not an activity direction or condition is suitable.

A difficulty in giving guidance arises from regional differences in terms of their use and application. The direction/condition that you are most likely to use is that of the Separated Parents Information Programme (SPIP). SPIP courses are group sessions lasting four hours (usually split over two sessions), although the parties do not attend the same group. Groups are intentionally of mixed gender and also mixed in terms of applicants and respondents, with the idea being that each party learns to appreciate the concerns that the other may experience and also the experience of a child in a separated family. The parties watch a film portraying separating parties and work through a workbook, identifying definable goals that they can each achieve. Confirmation of attendance is provided by the supplier (of which there are many) at the conclusion of the programme. Feedback has been very good.

There is no prescribed wording in the Act, but your local judges may have their own chosen wording. Practice varies in relation to the referral. Some courts make the referral, but in some areas the solicitor does, which may require a copy of the court order to be forwarded to the programme provider at the time the referral is made.

Since April 2010 all fees have been abolished, save for in Wales. For your local provider, look [here](#).

Consideration should also be given to a direction/condition for attendance on a Domestic Violence Perpetrator Programme (DVPP), which is usually only accessible when there has been a finding of fact and/or where the perpetrator is prepared to acknowledge their culpability. Places are extremely limited and may last for 10 weeks one-to-one followed by 30 weeks of group work, with sessions and support also available to the victim. In some areas the referral to the DVPP must be made by Cafcass and there is very specific wording that is required in relation to such a contact activity direction. This information will often be

provided in the Cafcass report, together with the wording required for the direction, in the event that Cafcass has made a recommendation that attendance on a DVPP is necessary.

#### Note

1. This good practice guidance does not and cannot affect any obligations in law, specific court orders or rules of professional practice.
2. Good practice guidance can, inevitably, only deal with the generality of situations. It cannot be an absolute rule. The special facts of any particular case may justify and/or require a lawyer departing from these guidelines.
3. This guidance applies to all family law cases for the better conduct and approach to resolving family breakdown issues and not just to cases between Resolution members.

**See the attached standard referral form to supported centres, but please note what is said in section 2 above as regards tailored forms for some centres.**

## STANDARD Referral Form (Standard for Supported Contact)

Name of Child Contact Centre:.....

.....



Wherever possible this form needs to be seen and completed by both parties' solicitors and any other professionals involved with the family.

Contact cannot commence until this form has been completed in full and received by the Centre Coordinator.

All information will be treated in the strictest confidence.

**Please print clearly**

Office use only	
Referral received	
Date of pre-visit	
Date of first contact	
Dates reviewed	
Contact ended	

1. Children			
Name(s)	Age	Date of birth	Boy (B), Girl (G)
2. Adult requesting contact			
Name:			
Relationship to child(ren):			
Does this person have legal parental responsibility? (please circle)			Yes    No
Length of time since:	a) They met children		
	b) They lived with children		
Address:			
Postcode:		Telephone:	
Solicitor's name:		Solicitor's ref:	
Name of practice:			
Address:			

Postcode:			
Email:		Telephone:	
<b>3. Adult with whom the child(ren) reside</b>			
Name:			
Relationship to child(ren):			
Address:			
Postcode:		Telephone:	
Solicitor's name:		Solicitor's ref	
Name of practice:			
Address:			
Postcode:			
Email:		Telephone:	
<b>4. Referrer</b>			
Name:		Profession:	
Address:			
Postcode:			
Email:		Telephone:	
<b>5. CAFCASS, Contact Orders &amp; Contact</b>			
a. Is there an allocated CAFCASS officer? (please circle)			Yes No
If 'Yes', please give details: Name:			
Name of CAFCASS office:			
Address:			
Postcode:		Telephone:	
b. When and where did contact last take place?			
c. Is there a Child Arrangement Programme in place? (please circle)			Yes No
If 'Yes', please either send a copy or indicate what it specifies.			

e. Can the child(ren) be taken out of the Centre? (please circle)		Yes	No
f. What is the next court date (if any)?			
<b>6. Arrival at the Child Contact Centre</b>			
a. Are the parents willing to meet? (please circle)		Yes	No
b. Will the adult with whom the child(ren) reside be bringing them to and collecting them from the Centre? (please circle)		Yes	No
If 'No', who will be bringing / collecting the child(ren)?			
c. What is the preferred date of first contact at the Centre?			
d. How frequently will contact take place?			
e. For how long will each visit last?			
f. Names of other people allowed to participate in contact at the Centre:			
Name		Relationship to child	
<b>7. Information Relating to Safety of the Child</b>			
a. Are there or have there been sexual / child abuse allegations made in this family? (please circle). If 'Yes', please give details (over page)		Yes	No
b. Is this family known to Social Services? (please circle) If 'Yes', please give details (over page)		Yes	No
c. Has any person who will be involved in the contact ever been convicted of an offence against a child(ren)? (please circle)		Yes	No
If 'Yes', please give details			
d. Has there been or is there likely to be a risk of abduction? (please circle)		Yes	No
If 'Yes', are procedures in place for holding passports, etc. (please circle)		Yes	No
e. Please give details of any allegations, undertakings, injunctions or convictions relating to violence involving either party, their respective families or the children.			



***I have explained the rules of the Child Contact Centre to my client and given them a copy of the Centre's leaflet / guidelines. This form has been completed accurately and to the best of my knowledge.***

Signed: .....

Date: .....

**N.B. Only dates and times of families attendance will be disclosed unless it is felt that anyone using the Child Contact Centre or a volunteer / staff member is at risk of harm.**

Please return this form to: .....