

Supervision Orders - A Guide

What is a Supervision Order?

Under Section 31 (2) of the Children Act 1989, on the conclusion of care proceedings, the local authority can be granted a Supervision Order. A Supervision Order has the same threshold criteria as a Care Order, but the two orders are completely different in application. A Care Order gives the local authority Parental Responsibility for a child whereas a Supervision Order does not. A Supervision Order places a responsibility on the local authority to appoint a 'supervisor' who will "advise, assist and befriend" the child and those that they live with. The Children Act states:

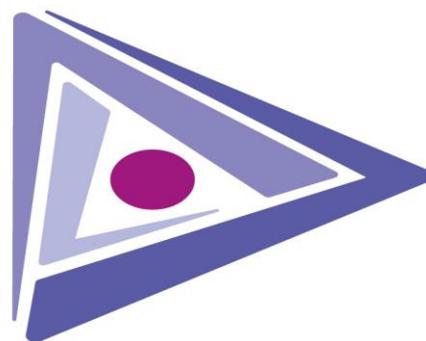
Supervision Orders.

While a Supervision Order is in force it shall be the duty of the supervisor:

- a. To advise, assist and befriend the supervised child;*
- b. To take such steps as are reasonably necessary to give effect to the order; and*
- c. Where:*
 - i. The order is not wholly complied with; or*
 - ii. The supervisor considers that the order may no longer be necessary,*
 - iii. To consider whether or not to apply to the court for its variation or discharge.*

The court can impose certain conditions on a child subject to a Supervision Order as outlined in [Schedule 3 \(sections 35, 36\) Children Act 1989](#)

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Duration

Supervision Orders are normally made for 6 months or 12 months at a time. A Supervision Order can be extended, on application to the Court for up to a further two years. A Supervision Order cannot run for more than three years from the date it was made and will only last until the child reaches the age of 18, unless discharged at an earlier date.

No Supervision Order may be made with respect to a child who has reached the age of seventeen (or sixteen, in the case of a child who is married).

Threshold

A court may only make a Final Supervision Order if it is satisfied:

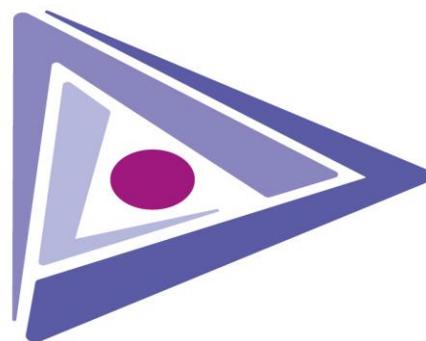
- a. That the child concerned is suffering, or is likely to suffer Significant Harm; and*
- b. That the harm, or likelihood of harm, is attributable to:*
 - *The care given to the child, or likely to be given to him if the order were not made, not being what it would be reasonable to expect a parent to give to him; or*
 - *The child being beyond parental control.*

Management of Supervision Orders - the role of Children's Social Care

When Legal Proceedings are concluded a Care Plan will be presented to the Court detailing information around what is required to support the child or young person moving forward, and this care plan will form the basis of a timeline formulated to allow the progression and review of the case.

- Regular visits should be undertaken as for a Child in Need case (seen initially within a 4-week period or sooner pending circumstances) The child should

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be seen alone (dependent on age and understanding) and his or her wishes and feelings obtained and recorded.

- Regular Child in Need Reviews should be held for the duration of the Order as per usually child in need timescales. Team Managers will chair some of the meetings to have oversight of the plan which will include one at 20 working days after the Order has been made, then at 3 months and 9 months.
- The plan should be reviewed by the Social Worker and their Team Manager during every supervision.
- A review of the plan will take place in Legal Gateway 3 months prior to the expiry date of the Supervision Order to determine if there is a need for a Court application to extend the Supervision Order.

If the Child or Young Person moves from North Tyneside with their parent / carer

If a child who is subject to a Supervision Order moves out of borough, the local authority area into which the child moves must be notified as soon as possible.

- Where this is known in advance, the social worker will write to the relevant local authority advising of the move and include a copy of the Supervision Order and a copy of the single assessment and child's care plan.
- Where there is no or little advance notice of the move, the Social Worker will phone the relevant local authority to alert them and follow up with sending copies of the documents listed above within 24 hours of becoming aware.
- The Supervision Order and case responsibility remains with the home Local Authority and not the Local Authority the child has moved into. Case transfer could only be reasonably requested on the expiry of the Supervision Order unless there is a Court application to consider transfer of the Order to the new Local Authority.