



CHILDREN ORDER

**The Children Order**

**A Guide for Children and  
Young People**

**Getting Help from  
Social Services**

**COG 4**

## **Getting Help from Social Services**

### **Introduction**

Did you know that the Health and Social Services Trust for the area in which you live – you may know it as social services – can help you if there are problems at home? The law changed in November 1996. It now makes things better for children and young people. This booklet tells you about your rights and how to get help if you need it.

Look on the contents page for a list of what is in the booklet. You may not want to read it all at once. It might be easier at first just to read the parts you need to know about. You can always read the rest later.

We have tried to make the booklet as clear as we can but the law can be difficult to understand. If there is anything that you are not sure about **DO ASK AN ADULT** whom you trust to explain it to you.

## **1. Help for Children**

### **What can social services do for children?**

Social Services have to make sure that children in need are properly looked after. They have to help families with children in need to bring up children in their own homes, wherever this is possible.

- Children in need means children who may suffer if they do not get help. Children with a disability are also children in need.
- If you need help you should always feel able to go to social services. They are there to help.
- Social services must look into what is happening if they think that a child is, or is likely to be at risk of serious harm so that they can decide how best to keep that child safe.

### **How can you find out what your social services do?**

Social Services must let everybody know through booklets and leaflets about the help they give. The law calls this help 'services'. Social Services have to make sure that people can get these booklets easily. They should be in places like libraries and doctors' surgeries. If you have not seen them ask an adult you trust if they can get them for you.

### **Children with a disability**

The law says that social services must help children with a disability so that they can lead lives that are as much like other children's as possible. Sometimes they can help children with a disability by providing services such as giving them and their families regular breaks away. Services for other children in need should be arranged so that they can also be used by children with a disability.

### **What should you do if you think you need help?**

If you think you need help you should go to see social services. They will work out if you are in need. They will tell you what kind of help they can give you. A social worker will talk with you to find out what you want and he or she will take this into account when deciding what to do. If you are over 16 social services might ask you or your family to pay for services they have provided or arranged for you or your family if they think that you or your family can afford it and are not getting income support, family credit, disability working allowance or an income-based jobseekers allowance. Social services will not ask for payment if they think that it would not be proper for you or your parents to pay or if the help you or your family received was advice,

guidance or counselling. If you are not given help or are not happy with what you have been given you can make a complaint (see page 9).

## **2. What Kind of Help?**

### **Advice**

You may just want to speak to someone about things that are bothering you. Or you may feel you need to see someone for longer and more than once so that you can really talk things through. *You do not have to talk to a social worker from social services. You might want to talk to someone from a voluntary organisation – perhaps one for young people, or one for the Chinese community or one for people with a disability.* Social services should know about all the voluntary organisations in their area and may be able to arrange for someone from there to help you if that is what you want.

### **Help for your family**

If your family are having problems then this is likely to make things difficult for you too. Sometimes, as a way of help you, social services will help your family. They may do this by sending along someone who will give your family help and support in the home. They may provide a place in a nursery or playgroup for your younger brothers and sisters who do not yet go to school. They may ask your parents if they would like to go to a family centre. The type of help offered will be to help parents look after their children.

### **Clubs and other groups you might join**

Social Services have to do what they can to stop young people in their area from getting into trouble with the police. They may try to do this by setting up clubs and groups which young people can take part in. Sometimes they do this together with the youth service and voluntary organisations.

### **Living away from home**

You may feel that you cannot go on living at home because you are being hurt or because life at home seems so bad. You may have left home already because of this. *Social services should be able to help by providing you with accommodation if this is really what would be best for you.*

If you are under 16, social services cannot provide you with accommodation unless your parents agree. But if social services think that you are at risk of harm they must keep you safe. They would do this by going to court and asking for an order to be made. (See the booklet – ‘**The Children Order and the Courts – A Guide for Children and Young People**’). If an order is made they can find you somewhere else to live where you will be safe. They can do this even if your parents do not agree to it. If you are 16 or over, social services must provide you with accommodation at your request if they think that you are likely to be in serious danger without this help.

*So if you are homeless, and have nowhere to go, and social services think that you are at risk of serious harm and things are really difficult between you and your parents, social services should find you somewhere else to live. If the Housing Executive is asked by social services to help them, it might be able to find somewhere for you to live as part of its usual way of providing housing for people. If you are aged between 16 and 21 social services may arrange for you to go to a children's home which takes young people over age 16.*

You have a number of rights if you live away from home. These are explained in the booklet **'A Guide for Children and Young People Living Away From Home – Your Rights'**. Ask social services for a copy.

### **3. Being Hurt or Harmed**

#### **What social services must do**

Social services must look into how best to keep you safe if you are not being looked after properly, or you are being hurt or harmed in some way or they think you may be in the future.

#### **If you are in danger**

Social services may believe that you are in danger staying where you are. If so they have to think about whether they need to arrange for you to be looked after away from home to keep you safe. Before they do this they have to go to court to get an emergency protection order (see '**The Children Order and the Courts – A Guide for children and Young People**'). If you want to stay at home tell social services and ask them what else could be done instead. Social Services may be able to offer help with money or housing. They can sometimes do this so that the person who hurt or harmed you, or who they think has done so, can leave home rather than you. Your parent may also be able to go to court to get the person who harmed you out of the house. If you have to leave home you should ask social services for a copy of '**A Guide for Children and Young People Living Away from Home – Your Rights**'.

When you stay at home while social services look into what has been happening, a social worker will talk to you and probably to other people who know you. This could be your teacher or doctor. *The social worker should tell you what is happening and what he or she is planning for you.* Ask the social worker to write it all down for you if you would find it helpful to read later.

#### **Interview**

You will be asked questions by a social worker about what has been happening to you. This is called an interview. If you have been hurt or harmed a police officer may also be there and ask you questions. They will try to ask you all the questions they need to ask at one interview. Sometimes they may have to ask you to come back again to answer more questions. *The interview itself should go at speed you are happy with. It should not last too long. You can ask to stop for a break if you want one.* The people who are asking you questions will always listen carefully to what you have to say. They may need to write down what you say. The interview may be videoed. This might be necessary if someone who might have harmed you is being taken to court.

#### **Medical examination**

You may need to be examined by a doctor if you have been hurt physically or sexually. At 16 you have the right to say yes or no to being examined. *If you are under 16 you may also say yes or no if the doctor thinks that you understand what*

*having the examination means.* Otherwise it is your parents who must agree to you being examined. If your parents say no and social services think it is very important that a doctor examines you they can go to court. Social Services can ask for a child assessment order, an emergency protection order or a care order for you. You can read more about these in the booklet **‘The Children Order and the Courts – A Guide for Children and Young People’**.

### **Child protection conference**

A child protection conference is a meeting of people who know something about you and your family. They will usually be social workers, doctors, health visitors, teachers and the police. They will meet to talk about how best to keep you safe, if you have been harmed or are at risk of being harmed.

#### **They may decide to do one of the following:**

- Place your name on the Child Protection Register. This is a list social services keep of children who are at risk of harm. You will usually stay at home and a plan will be made for keeping you safe. Part of the plan will be giving help to you and your family.
- Suggest that social services should go to court to ask for a care or supervision order for you.
- Suggest that social services should go to court for a child assessment order for you.
- Arrange for you to get other help you may need.
- Do nothing because they think you are all right.

### **Going to the conference**

*You should be asked to go to the child protection conference if you are able to understand what it is about.* Social services may think you are too young to go. You may not want to go. If so, the social worker should tell the people at the conference what you want to happen and what you think. You can write down what you want to say and ask your social worker to give it to people at the conference. You could perhaps make a video or tape recording telling them what you want.

Usually, social services will invite your parent to go to the conference. *If you feel too frightened or upset to go to the conference if one or both of your parents is to be there tell your social worker this so that your parents can attend at a different time.*

## **4. How to Complain when things go wrong**

### **What you can do**

If you are not happy about the way social services have treated you or with the services you received, you should tell them how you feel. You should try to sort things out with them. Ask them why they did what they did. Ask if they could do something else instead.

You may find it hard to do this by yourself. Your family or friends may be able to help you. There is a list on page 12 of this booklet of people who will be able to help you.

### **How to do it**

All social services must have a way to let children make a complaint if things go wrong. *This is called a Representations or Complaints Procedure. All children have the right to use it.* You are likely to need help to do this. Social services should tell you who can help you or you could ask for help from your parents, or one of the people listed under “People who can help you” on page 12 of this booklet.

### **Some of the things you can complain about:**

- the kind of help that you have been given by social services;
- social services not helping you;
- the way you have been treated.

### **Letting people know how to complain**

Social Services must tell people in writing about their complaints procedure. They must tell you how it works, who can use it and when. Leaflets about it should be easy for children to understand. You should be able to get them in libraries and other places such as a doctor’s surgery.

### **How it works**

Complaints must be looked into by social services together with an independent person. This means someone who has nothing to do with social services. This is how it works:

- You tell social services you want to complain. You do not have to do it in writing. Social services will write down your complaint for you. They will ask you if they have accurately recorded your complaint.

- Social services must look into your complaint with the independent person. Social services staff and/or the independent person may want to ask you questions. They will want to find out why you are not happy. Social services have to tell you within 4 weeks what they are going to do about your complaint.
- If you are not happy with what they decide, tell social services you want your complaint to be heard by a panel. You must do this in writing within 4 weeks and you can ask a friend or someone you trust to help you. A panel is made up of three people. One of the people on the panel must be independent.
- The panel must meet within 4 weeks to talk about your complaint. You can write down what you want to say and give it to the panel. You can also speak to them at the meeting. You have the right to have someone else there to speak for you if you want.
- The panel must say what they think should happen within 24 hours of the meeting. They must tell you.
- Social services must think hard about what the panel said should happen. Social services have to think about what they should do about your complaint. They do not have to do what you want or what the panel said.
- Social services should tell you what they have decided not later than 4 weeks after the panel meeting. They must also tell you why they decided what they did.

### **Further action**

If you still feel unhappy about how you were treated you may be able to go to court or you can make a complaint to the Commissioner for Complaints who you may know as the Ombudsman.

Social services should be able to give you the name of a solicitor or you could get in touch with people at one of the addresses on page 12 and ask them to help you.

## **5. Useful Addresses**

### **People who can Help You**

#### **Childline**

Freepost 1111 London N1 0BR  
Freephone Helpline 0800 1111

#### **NSPCC Child Protection Line**

Freephone 0800 800 500

#### **Voice of Young People in Care (VOYPIC)**

Tel 01232 244888

#### **Citizen's Advice Bureau**

You can find out where your nearest one is  
in the telephone directory.

### **Other People**

#### **The Ombudsman**

Freephone 0800 669933  
Freepost, The Ombudsman,  
Belfast BT1 6BR

#### **More about the Children Order**

Three other general guides on the Children  
Order have been produced for children and  
young people.

#### **The Children Order and You – A Guide for Young People (COG2)**

This leaflet explains what the Children  
Order is about.

#### **The Children Order & The Courts – A Guide for Children and Young People (COG3)**

A booklet which explains how children's  
cases proceed through the courts and  
describes the many new orders the court can  
make under the Children Order.

#### **A Guide for Children and Young People Living Away from Home – Your Rights (COG5)**

This booklet explains the rights of children  
have who are being looked after by social  
services.

These guides are available from social  
services.