



NAGALRO PRINCIPLES AND PRACTICE GUIDANCE FOR ALL FULL MEMBERS

Introduction

All full members of Nagalro must be registered as social workers with the appropriate registration body, either Social Work England, Social Care Wales (Gofal Cymdeithasol Cymru), the Scottish Social Services Council, The Northern Ireland Social Care Council, or CORU for those working in Ireland.

Your professional registration with the above bodies requires you to comply with and uphold the code of practice of your registration body. This may alter from time to time, and it is important that you keep up to date with all requirements, including continuing professional development and training. In addition to these, Nagalro seeks to promote its own principles and to give practice guidance for full members to help them meet their professional obligations, not only to their registration body but also, where appropriate, to the court.

Full Membership is open to any appropriately registered social work practitioners currently working with children and families as independent social workers, children's guardians, family court advisers, expert witnesses, or in roles such as chairs of children's reviews, child protection conferences, counsellors, psychotherapists, trainers and mediators or social workers acting in the role of a McKenzie Friend.

Nagalro aims to promote high professional standards. All full members have professional obligations to the children and families who are the focus of their work, as well as to the agencies and individuals for whom they undertake work. The exercise of members' professional judgment must be based on clear principles. Nagalro is not a regulatory body. It aims to support members to meet the requirements of their regulator and (where appropriate) of the court. Beyond this, Nagalro works to promote the highest legal, practical and ethical standards in our member's practices.

Nagalro's Principles

Members should:

- 1. Act in a child's best interests whilst undertaking their work.**
- 2. Maintain independence in all aspects of their work.**
- 3. Act without prejudice and ensure respect for equality, inclusion and diversity.**
- 4. Be clear about their role and function before undertaking any piece of work.**

- 5. Take responsibility for maintaining their professional development, knowledge and skills.**
- 6. Comply with the Code of Practice of their registration body, and other relevant legislation and guidance.**
- 7. Be accountable for their work and conduct their work expeditiously.**
- 8. Avoid and declare any conflict of interest (potential or actual).**

These principles are now explored more fully in the following sections.

(NB. Some areas of good practice will be more relevant to some roles than others)

1. Act in a child's best interests whilst undertaking their work

- 1.1** The Children Act 1989 and the Adoption and Children Act 2002 for England and Wales both specify that the child's welfare is the paramount consideration. This common thread is also to be found in the Children (Scotland) Act 1995, the Children (Northern Ireland) Order 1995 and the Irish Republic's Child Care Act 1991. All practitioners concerned with children are expected to act in accordance with this principle.
- 1.2** Members have a duty to take appropriate action relating to any child protection concerns arising from their enquiries and assessment work.
- 1.3** In reaching a recommendation about what is in a child's best interests, a thorough investigation and a careful analysis of the issues should be conducted. It should bring all of the relevant issues to the attention of the court, or to the agency involved, within the confines of their role or instructions.
- 1.4** Members must use their skills and professional judgment in the best interests of the child. The interests of the organisation or agency which has commissioned their involvement must not take precedence over the child's interests.
- 1.5** Members should present their conclusions in a clear, balanced, well-thought-out and evidence-based manner, taking account of any ambiguous or contradictory evidence.
- 1.6** Members should actively assess and accurately report a child's wishes and feelings, where this is required.
- 1.7** Members are expected to value each child as an individual and to value a child's legal and moral rights.
- 1.8** Although a practitioner's role is time-limited, consideration should always be given to the child's long-term interests, and how decisions are likely to impact on the child in the future. In proceedings relating to adoption, the welfare of the child throughout his or her life must be the paramount consideration and in

respect of a Care Order to actively promote care of the young person until the age of 18 years to exclude placement in unregulated accommodation.

2. Maintain independence in all aspects of their work

- 2.1** Members must at all times ensure that they maintain professional independence and that they do not act in such a way as to compromise this.
- 2.2** When accountable to a court, members must ensure their independence from other parties to the proceedings is not compromised. They should also be seen to be independent of any other party.
- 2.3** Any previous knowledge of a particular child or family, or a potential conflict of interest, must be declared as soon as it is recognised. Details of any previous involvement must be noted in any written report.
- 2.4** When involved in court proceedings, members must comply with the latest Family Court Proceedings Rules and other relevant law and practice guidance. All expert witnesses must be aware of the latest Practice Directions before undertaking any work as an expert witness.

3. Act without prejudice and respect diversity

- 3.1** Members must demonstrate an awareness of the prejudices that exist, both in society and in themselves, and demonstrate values and standards which challenge prejudice wherever it exists.
- 3.2** Members must demonstrate their commitment to respecting diversity in relation to age, gender, gender identity, disability, sexual orientation, social class, race, ethnicity and status.
- 3.3** Members must approach every individual without preconceived judgments, and with sensitivity to the differences that they find.
- 3.4** Members must promote anti-discriminatory practice at all times. Interviews and reports should explicitly address issues of diversity, if applicable.

4. Be clear about their role and function before undertaking any piece of work

- 4.1** Members must have a clear understanding of the role they have been instructed or commissioned to undertake, and also remain mindful of the limits of that role. They are expected to work within the limitations set by the remit of their instructions or work contract.

- 4.2 Members must address any lack of clarity in their instructions or commission with the relevant contractor before undertaking any work, or as soon as any lack of clarity is identified.
- 4.3 Members must make clear to all those whom they encounter how they will use the information they gather in the course of their work. Members will have in place and implement appropriate policies under the Data Protection Act 2018 and the EU General Data Protection Regulation
- 4.4 Members must ensure they maintain confidentiality during and also after their involvement in any matter.

5. Take responsibility for maintaining their professional development, knowledge and skills

- 5.1 Members must undertake training and professional development regularly, in order to maintain practice of a high standard. This will include training about new developments in social welfare practice, case law and research, changes in policy, procedures, practice guidance and family legislation.
- 5.2 Members must ensure they do not become isolated from changing sources of knowledge and debate and should always have access to professional consultation.

6. Comply with the Code of Practice of their registration body, and other relevant legislation and guidance.

- 6.1 Members are expected to be familiar with any Code of Practice that applies to their professional registration, and they also have a responsibility to uphold those standards.
- 6.2 Members are also expected to act in accordance with the principles and specific terms of legislation and government guidance and to be responsible for incorporating relevant aspects into their work. This legislation and guidance includes, but is not limited to, the Children Act 1989, the Adoption and Children Act 2002, the Children (Scotland) Act 1995, the Social Services and Well-being (Wales) Act 2014, the Children (Northern Ireland) Order 1995, the Child Care Act 1991 (Republic of Ireland), (within the UK) the Human Rights Act 1998 and (within the Irish Republic) the European Convention on Human Rights Act 2003 and the UN Convention on Rights of the Child.

7. Be accountable for their work, and conduct their work expeditiously

- 7.1 Members, whether paid from public or private funds, should always be efficient in their use of time and carry out their work in an economical and transparent manner.

- 7.2** Enquiries and investigations should be completed within the agreed time scales. If there is to be any delay, the relevant parties or commissioning agency must be informed as early as possible following appointment.
- 7.3** Members will only accept work which is within their professional expertise and experience and where they have the necessary resources (including time) to undertake the work to a competent standard.
- 7.4** Members may refuse to accept instructions where the time-frame within which the work is required is insufficient to enable the member to carry out the work to the required professional standards.

Attendance at court and professional meetings

- 7.5** Members should attend meetings only where this is relevant to their role.
- 7.6** Family court advisers are expected to attend court hearings unless they have been excused by the Court. Children's Guardians should use their discretion in attending professional meetings and make clear their role at such meetings. In other roles, practitioners should attend meetings by invitation only. When attending court or professional meetings, members must be particularly careful to ensure the independence of their role is not compromised at any time.

Reports and investigations

- 7.7** All investigations and assessments should follow a clear plan while responding to emerging information. Members should be able to identify all sources of information on which facts and opinions are based.
- 7.8** Members should prepare reports in accordance with the requirements set for them when commissioned. Reports should be balanced, with a clear distinction between fact and opinion, and written in non-discriminatory language. Reports should be submitted by the due date unless a prior agreement has been obtained in respect of extending beyond the deadline.

Administrative arrangements

- 7.9** Members must take care to keep professional matters separate and confidential from their private lives. It is recommended that members should have:
- secure arrangements for storing files and records
 - secure arrangements for confidential waste disposal

- 7.10** Members must also comply with any data protection legislation in relation to the processing and storage of personal information.
- 7.11** All Full members have professional indemnity and public liability insurance cover through the Nagalro Insurance Policy. However, it is **essential** that membership subscriptions are **always paid by the due date**, in order to maintain continuity of insurance cover for professional practice. Any failure to renew on time would mean that you are not insured for a period of time. You would also be likely to be in breach of any contract for services that you were providing at the time.

Recording of work

- 7.12** Notes of all interviews and telephone conversations must be recorded contemporaneously, or as soon as possible after the event. These notes should be retained, so they can be produced if necessary, for either Court proceedings or any commissioning agencies.
- 7.13** Most commissioning agencies require that a confidential file is maintained for each case, including member's own notes, reports, and other documents received during the course of their involvement.
- 7.14** Members should maintain a system for recording details of activities undertaken, time spent, and disbursements, to enable accurate invoicing and accounting. Members should act in accordance with the requirements of the organisation or contractor who has commissioned the work when submitting any claim for payment.
- 7.15** Members should agree with the commissioning agency how their files should be stored during the course of their involvement, and how files should be disposed of upon completion of the work and in compliance with the Data Protection Act 2018.

Instructing solicitors and expert witnesses

- 7.16** Members acting as Children's Guardians have a duty under s.41 of the Children Act 1989 to appoint a solicitor for the child. Only solicitors on the Law Society Children Panel should be instructed. Those members should endeavour to appoint a range of such solicitors for good practice.
- 7.17** Where members are involved in instructing experts, they should ensure that only suitably qualified and experienced people are appointed.
- 7.18** When appointing a solicitor for the child or selecting an expert witness, members will adhere to their obligations in section 3 above to respect equality and diversity.

7.19 Where members act as expert witnesses themselves, they must adhere to the latest Practice Directions and Guidance for expert witnesses.

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