

CAFCASS Cymru Expectation Statement Child Arrangements Programme

Family Assistance Orders (FAOs)

Paragraph 15.5 of the Practice Direction 12B – Child Arrangements Programme, confirms that “*where active involvement or monitoring is needed*”, the court may consider making:

A Family Assistance Order

Practice Direction 12M clarifies that “before making a FAO the court must have obtained the opinion of the appropriate officer about whether it would be in the best interests of the child in question for a FAO to be made and, if so, how the FAO could operate and for what period”. If there is not a Section 7 Report recommending a FAO and the report author has not been called to court to provide evidence, then it would be good practice to consult with CAFCASS Cymru via the Hotline Protocol, prior to making the Order.

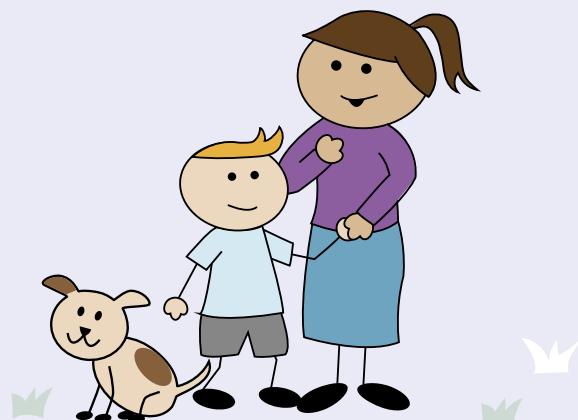
The components of a FAO are:

- The Family Court Advisor/Family Court Social Worker (FCA/FCSW) should be available to advise, assist and befriend
- The Order remains in force for up to 12 months
- The FCA/FCSW is directed to give advice and assistance with establishing, improving and maintaining contact

- Parties (except the child) have to be in agreement with the making of a FAO
- The Order for a FAO can direct the FCA/FCSW to provide a report to court.

Where the court is considering making or has made a Family Assistance Order, it should note what CAFCASS Cymru can and cannot deliver as part of its role in this respect:

- CAFCASS Cymru provides an operational service Monday to Fridays and it should not be expected that the FCA/FCSW will “advise, assist or befriend” outside of normal working hours.



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- CAFCASS Cymru does not “supervise” contact for the purposes of a Family Assistance Order.
- At the outset of involvement, the FCA/FCSW will endeavour to draw up a work plan in consultation with the parties. The plan should detail the work to be undertaken, identify responsibilities and clarify timescales. The plan is likely to include an expectation of joint meetings between the parties, unless there are specific reasons why this would not be appropriate. The plan will also include details about how and when the plan is to be reviewed.
- The purpose of a FAO should always reflect the principle that underpins the Child Arrangement Programme i.e. responsibility for arrangements concerning their child/ren and making the arrangements work should always ultimately rest with the parties.

Where the court is making a FAO in a situation where the Section 7 Report does not recommend the making of a FAO, the court needs to outline the details of what the Order is intended to achieve.

CAFCASS Cymru accepts that in the majority of cases the court will make a FAO at a Final Hearing and have no further involvement in the case.

When the court does intend to remain involved
CAFCASS Cymru request that where a FAO is being made that the court:

- List the matter for review half-way through the life of a FAO.
- Order a FAO Report to be filed seven days before the Hearing.

