

What is the Welfare Checklist and the Threshold Criteria

Welfare Checklist (s1 (3) of the Children Act 1989)

When a court has to make a decision about a child's upbringing, they use a list called the "welfare checklist" to make sure they think about everything important for the child's well-being. Here's what's on the checklist:

- **The child's wishes and feelings:** The court will consider what the child wants, depending on their age and understanding. So, if you're old enough to express your thoughts, the court wants to know how you feel about the situation.
- **Physical, emotional, and educational needs:** They will look at what the child needs to be healthy, happy, and able to learn. This means making sure they have a safe place to live, enough food, and support for your school work and emotions.
- **The likely effect of any change in circumstances:** The court thinks about how changes, like moving to a new home or changing schools, might affect the child.
- **Age, sex, background, and other characteristics:** They consider the child's age, whether they are a boy or girl, their culture, religion, and anything else that makes them unique.
- **Any harm the child has suffered or is at risk of suffering:** They look at any past harm the child might have experienced and try to prevent any future harm.
- **How capable each parent or guardian is:** The court assesses how well each parent or person caring for the child can meet their needs and keep them safe.
- **The range of powers available to the court:** They think about all the different options they have to help you and the child and family.

Threshold Criteria (s31 (2) of the Children Act 1989)

Before the court can make certain decisions, like taking a child into care, they need to see if the situation meets specific rules, called the "threshold criteria." Here's what they check:

1. **Significant harm:** They look to see if a child is suffering or are likely to suffer serious harm. This could be physical harm, emotional harm, or neglect (not being properly cared for).
1. **Attributable to:** They check if this harm is because of something the child's parents or guardians did or didn't do. For example, if they didn't provide proper care or protection.

In summary, the welfare checklist is used to ensure all important factors about a child's well-being are considered in any decision-making process, while the threshold criteria are used to determine if the situation is serious enough for the court to intervene in a major way.