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Leicestershire Procedure Placements with Parents

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Scope of This Chapter

This procedure applies to any placement of a child, on a Care Order or an Interim Care Order, with a parent or person with Parental Responsibility or person who held a Child Arrangements Order specifying with whom the child is to live immediately before the Care Order was made, for more than 24 hours, including a placement for residential assessment.

Children may also be placed with parents having acquired Looked After status following a Remand to Local Authority Accommodation, see [Remands to Local Authority Accommodation or to Youth Detention Accommodation Procedure](#).

*Note however that this procedure does not apply to children subject to Interim Care Orders where the placement is required by the court under Section 38(6) Children Act 1989 for the purposes of assessment, (and is therefore not subject to the Care Planning, Placement and Review Regulations 2010)

1. Planned Placements

In exceptional circumstances a child may be placed without the immediate need for the following procedures; please see [Section 2, Immediate Placements](#). A child must not be placed with parents if that would be incompatible with an order as to contact under Section 34 Children Act 1989.

1.1 Consultation before Placement

Before a child is placed, the following people must be consulted, and their views accounted for:

- a. The child;
- b. Both parents (including a parent who is not the proposed carer of the child);
- c. Any person with Parental Responsibility;
- d. Any other member of the family who is significant to the child;
- e. Relevant health practitioners including any health visitor known to the child, the child's GP, as well as the GP and any health visitor known to the person with whom it is proposed the child will be placed (with the person's consent);
- f. The child's school and the local education service where the child will live;
- g. The child's current foster carer and supervising social worker or the manager of the children's home currently caring for the child;
- h. The Probation Provider if it has contact with the family;
- i. The Police;

- j. The Youth Offending Service;
- k. The relevant Children's Services Department if the child is placed in another local authority's area;
- l. The child's Independent Reviewing Officer.

The consultation should be formal. It is important that those who are consulted should reply in writing; their written replies should be placed on the child's case record. The Placement with Parents Form should stipulate who is involved and when they were consulted and what their views are.

If appropriate a letter should also be sent to the child, as part of the consultation process with the child.

Minutes of the Looked After Review which recommended the child's placement can be taken as a written record of the consultation with those in attendance.

1.2 Assessment and Checks before Placement

The suitability of the proposed placement should be assessed through:

- Obtaining relevant information about the proposed main carer or carers and all members of the household;
- Inspecting the accommodation; and
- Checking the proposed carer and all members of the household aged 16 and over with the Disclosure and Barring Service, the parent/carer's GP, NSPCC and Children's Services records. Consent from these parties is required to complete the check.

The assessment should take account of:

- The parents' capacity, and the capacity of other adult members of the household, to care for children and, in particular in relation to the child:
 - To provide for the child's physical needs and appropriate medical and dental care;
 - To protect the child adequately from harm or danger, including any person who presents a risk of harm to the child;
 - To ensure that the home environment is safe for the child;
 - To ensure that the child's emotional needs are met, and he/she is provided with a positive sense of self, including any particular needs arising from religious persuasion, racial origin, and cultural and linguistic background, and any disability the child has;
 - To promote the child's learning and intellectual development through encouragement, cognitive stimulation and the promotion of educational success and social opportunities;
 - To ensure appropriate education provision and attendance
 - To enable the child to regulate his/her emotions and behaviour, including by modelling appropriate behaviour and interactions with others;



Positivity



Trust and respect



Flexibility



Openness and transparency

- To provide a stable family environment to enable the child to develop and maintain secure attachments to the parents and other persons who provide care for the child.
- The parents' state of health (physical, emotional and mental), the parents' medical history, including current or past issues of domestic violence, substance misuse or mental health problems;
- The state of health (physical, emotional and mental) of other adult members of the household and their medical history, including current or past issues of domestic violence, substance misuse or mental health problems;
- The parents' family relationships and the composition of the parents' household, including:
 - The identity of all other members of the household, their age and the nature of their relationship with parents and one another, including any sexual relationship; their relationship with any parent of the child;
 - Other adults who are not members of the household but are likely to have regular contact with the child;
 - Current/previous domestic violence between household members including the parents.
- The parents' family history, including:
 - The particulars of the parents' childhood and upbringing, including the strengths and difficulties of their parents/carers;
 - The parents' relationship with their parents and siblings, and their relationships with each other;
 - The parents' educational achievement, including any specific learning difficulty/disability;
 - A chronology of significant life events;
 - Other relatives and their relationships with the child and parents.
- Criminal offences of which the parents or other members of the household have been convicted or cautioned;
- Parents' past and present employment/sources of income;
- The nature of the neighbourhood and resources available in the community to support the child and parents;
- Any available information about the parents' previous experiences of looking after children. Where a parent has other children subject to care/adoption orders, earlier case records should be explored to ascertain the circumstances which led to social work involvement and any indication that the capacity of the parent to bring up children has changed.

1.3 Recommending the Plan

If the child has previously suffered significant harm when living with the parent and continues also to be the subject of a Child Protection Plan, the Looked After Review should actively consider the recommendation of a Review Child Protection Conference before recommending the child returns home.

The recommendations of the Looked After Review (and Child Protection Review Conference where applicable) will then be sent to the nominated officer together with a report (through the child's electronic records) covering the following:

- A summary of child's and family's history;
- A summary of how and why the child came to be in care;
- A summary of plan for the child when he/she originally came into care;
- Details of proposed placement with the parent/s;
- The outcome of the assessments, consultations and enquiries made, including an assessment of the parents' ability to meet the identified needs of the child;
- The aims and objectives of the proposed placement (there needs to be great clarity about why this placement is being proposed) and long-term plan for the child;
- Any identified areas of risk involved in the placement;
- The support and services to be provided to the family and child to meet the child's needs;
- Details of supervision of placement;
- Arrangements for the child's education;
- Contingency plans in case of breakdown.

As well as the usual contents, the proposed Placement Plan must include the following:

1. Details of the support and services to be provided to the parents and the child during the placement;
2. The obligation on the parents to notify the Local Authority of any relevant change in circumstances including any intention to change address, any changes in the household in which the child lives and any serious incident involving the child;
3. The obligation on the parents to ensure that any information relating to the child or the child's family or any other person given in confidence to the parents in connection with the placement is kept confidential and that such information is not disclosed to any person without the consent of the Local Authority;

4. The circumstances in which it is necessary to obtain the prior approval of the Local Authority for the child to live in a household other than that of the parents;
5. The circumstances in which the placement of the child with the parents pending completion of the assessment of suitability will be terminated if the decision following completion of the assessment is not to confirm the placement.

The above needs to be in a written agreement, signed by parents (see embedded document)



60. Placement with
Parents agreement f

NB The Local Authority must provide such services and support to the parents as appear to be necessary to safeguard and promote the child's welfare and record details in the Care Plan and Placement Plan.

1.4 Approval of the Placement

The placement can only be made after the approval of the Nominated Officer (Head of Service) has been given and the Placement Plan prepared, except as set out in Section 2, Immediate Placements.

The Nominated Officer must be satisfied that:

- The child's wishes and feelings have been ascertained and given due consideration;
- The assessment of parents' suitability to care for the child (see [Section 1.2, Assessment and Checks before Placement](#)) has been completed;
- The placement will safeguard and promote the child's welfare;
- The Independent Reviewing Officer has been consulted.

If approval is given, consideration should be given to whether the Care Order is still required. The Local Authority and parents may agree to apply to discharge the Care Order and if so, such an agreement must include the level of support and supervision to be provided by the Local Authority after the Care Order has been discharged, and the level of co-operation by the parents.

1.5 Short Term Placements

Where the relevant plan provides for a series of short-term placements of a child with a parent, the requirements as to consultation, enquiries and checks can be carried out once only rather than every time a placement is made, provided that

- All the placements take place within a twelve months period;
- No single placement is for a period of more than four weeks; and
- The total duration of the placements does not exceed 90 days.

If a series of short-term placements is part of a longer-term rehabilitation plan, further consultation and approval must be obtained before the rehabilitation plan is extended and/or the child is returned to the parent's full-time care.

1.6 Social Work Visits During the Placement

The child's social worker must visit the child in the placement within one week of the placement and thereafter every six weeks or as specified by the nominated officer under conditions of agreement - see [Guidance – Statutory visiting](#)

If the child is placed with parents pending assessment (see [Section 2, Immediate Placements](#)), social work visits must take place at least once a week until the first Looked After Review, thereafter at intervals of not more than 6 weeks.

1.7 Review

The placement with parent decision should be reviewed every 6 months as part of care planning processes, unless stipulated as more frequent by the nominated officer.

The placement with parents paperwork should be updated and amended and returned to the nominated officer.

Where there is a significant incident whilst the child is placed with the parent, the paperwork should be updated/ amended and returned to the nominated officer for review of the decision regarding suitability of parent to provide care to ensure that the placement will continue to safeguard and promote the child's welfare

1.8 Ending of Placement

Wherever possible the decision to end a placement should be made at a Looked After Review and the ending should take place in a planned way. In *Re DE (A Child)* [2014], the High Court stated that not less than fourteen days' notice of a removal of the child should be given to the parents, save in an emergency.

The Court further stated that any removal of a child in circumstances where the child's welfare does not require immediate removal, or without proper consideration and consultation, is likely to be an unlawful interference with the rights of the parent and child under Article 8 of the European Convention on Human Rights. Before making the decision, the local authority must rigorously analyse the realistic options.

In emergencies, the social worker must discuss the case with his/her manager, who will make the decision. Legal advice should always be sought. The Care Order gives the local authority power to enable the child to be removed by the social worker, but this power should only be used after obtaining legal advice; the use of other orders (e.g. a Recovery Order) might be appropriate in some circumstances.

All those notified of the placement starting should be notified (see [Section 3, Notifications](#)), in writing, when it ends; preferably notifications should be made prior to the ending, or as soon as practicable thereafter.

A letter should also be sent to the parents and child explaining why the decision was made.

2. Immediate Placements

The Nominated Officer can approve an immediate placement before assessment provided that:

- a. There are exceptional circumstances which justify an immediate placement and it is necessary and consistent with the child's welfare;
- b. There has been an interview with the proposed carer who agrees to the placement and provides as much of the assessment information as can be readily ascertained at the interview;
- c. The accommodation has been inspected; and
- d. Information has been obtained about and the social worker seeks to meet the other people in the household. (This is particularly relevant to identifying issues such as domestic violence and substance misuse which may impact on the child's safety);
- e. A police check has been obtained and the risks considered;
- f. The assessment and the review of the child's case are completed within 10 working days of the child being placed;
- g. The decision on placement is made and approved within 10 working days of the assessment being completed and:
 - o If the decision is to confirm the placement, the Placement Plan is reviewed (and if appropriate amended);
 - o If the decision is not to confirm the placement, the placement is terminated.

The reasons for a decision to place a child on this basis must be fully recorded, signed by the Nominated Officer and placed on the child's case record.

If the child is placed in these circumstances, social work visits must take place at least once a week until the first Looked After Review, and thereafter at intervals of not more than 6 weeks.

The required consultation, assessment and enquiries for planned placements, as set out in [Section 1, Planned Placements](#) must then be completed and presented to the Nominated Officer as set out above.

A 'Working Agreement' and Safety Plan arising from a network meeting (or where this is not possible interim safety arrangements led by the local authority) should be completed by the practitioner with the parents to clarify the expectations of the parent(s) and ensure the child is safeguarded and their needs are met during this temporary phase before the Statutory Review. Where there are ongoing court proceedings the social worker must always seek legal advice.

3. Notifications of Placement

The child's social worker will update the child's electronic record with the details of the placement.

Notification of the placement will be sent by the child's social worker to the *Designated Nurse for LAC*, the relevant person in the education service, the local Children's Services (if the placement is in the area of a different local authority) and the child's GP.

The child's social worker will notify all family members consulted and involved in the decision-making process of the placement, as well as all those involved in the day to day arrangements for the child, including school and any health professional or YOT worker actively involved with the child.

The child's social worker must also notify the allocated Independent Reviewing Officer.

These notifications must be made in writing, advising of the placement decision and the name and address of the children's home where the child is to be placed.

The notifications should be before the start of the placement or within 5 working days.