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Access to Resources

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**Roles and responsibilities in decision making and accessing resources for children during the course of proceedings and those who require accommodation s20 CA 1989.**

**1. Bringing a Child into Care for the first time**

The Local Authority must be satisfied that a child's entry into care is **in the child's best interest**. This overriding principle must be satisfied via a thorough assessment of the child's needs and, importantly, meet the expectation that **the child’s outcomes will be improved in a placement away from home**.

There will be an expectation that the following options have all been thoroughly explored prior to a request to the Access to Resources Panel for a placement:

* Referrals to appropriate community services to support a family in order to prevent a child becoming looked after, including those provided by partner agencies;
* Use of appropriate Friends and Family members (Connected People) to provide alternative care.

It will be the role of the Area Manager to ensure that these options have been considered before agreeing to seek a decision for accommodation.

As is already the case in proceedings, all voluntary admissions into care must take note of the following welfare checklist from the Children Act 1989:

* The ascertainable wishes and feelings of the child concerned (considered in the light of his age and understanding);
* His physical, emotional and educational needs;
* The likely effect on him of any change in his circumstances;
* His age, sex, background and any characteristics of his which is considered relevant;
* Any harm which he has suffered or is at risk of suffering;
* How capable each of his parents, and any other relevant person is of meeting his needs.

Guidelines, Legislation and Regulations are contained in Department of Education materials covering all aspects of care and education - but particularly relevant are the materials relating to The **Children Acts of 1989 and 2004.**

In all cases, a child may only be considered for care, if an appropriate and thorough assessment of the child's needs has been carried out and consideration has been given to any alternative services including Family Group Conferencing which may support a family to continue to care for their child at home.

**2. Seeking a Decision for Accommodation**

Any decision to seek accommodation will need to be sought from the Head of Safeguarding (or nominated deputy) by completing the ‘Decision to seek Accommodation’ episode on Frameworki. It is expected that a discussion will take place between the Area Manager and the Head of Safeguarding prior to the submission of the request. If agreed the allocated social worker will be required to complete an Access to Resources Children’s Team Referral Form. This will be quality assured by the Practice Manager for relevance and content.

This is an important part of the process for two main reasons:

* **Correct and comprehensive information** will greatly improve the chances of a successful placement;
* The Access to Resources Team will be passing much of the information to third parties, chiefly placement providers, and Medway needs to ensure that the material is accurate, relevant and professionally written.

Once signed off by the Practice Manager this is then emailed to the Access to Resources Panel Administrator and to Access to Resources Team.

There will be occasions when an emergency placement is required, for example, following police protection or other circumstances where it is possible that children will need to come into care for their own safety and social care may have no prior information about the family. In these circumstances as much information as possible will be gathered prior to placement request but this will not compromise the need or speed of placement provision due to the emergency nature of the referral. Any child or young person accommodated as an emergency must be presented to the next Access to Resources Panel for agreement of the Care Plan.

**3. Once a Request For Placement has been accepted**

**Placement Priorities**

The local authority has to be satisfied that the placement proposed will meet Medway's duties to promote and protect the child's welfare.

**Local Authority Provided Options**

The Access to Resources Team is the single point of contact to access placements both in house and in the independent sector via Access to Resources Panel.

The following must be considered when choosing the most appropriate placement for each individual child:

1. **Placement with family, friends or Connected Persons**. The local authority must make arrangements for a child to live with family or friends unless this is impractical or not consistent with a child's welfare. The local authority can support an application for a Special Guardianship or Child Arrangements Order;
2. **The ability to ensure that the child is prepared for the move**. We will seek to avoid 'emergency' or urgent placements wherever possible. Planned placements with appropriate introductions are far more likely to be successful. The Access to Resources Team will be responsible for ensuring that placements are available for introductions and will facilitate this with the social worker where an external placement is proposed.
3. **Family based care is to be preferred**. Should a placement with family/friends not be feasible, the next option to be considered should be a foster placement;
4. **As close to home as possible**. Accommodation provided should be as near to the child's home as is consistent with his welfare;
5. **Need to be maintained at school**. It is important that a placement is found that maintais the existing educational placement. If this is not possible, finding a suitable education placement must be considered with equal importance to the placement for children and the Virtual School is to become involved if there are any difficulties. If a child has an EHCP, tehre are statutory duties on the local authority SEND Team to consult with potential new educational placements before making a decision on the suitability of an educational placemnet and early liaison with the SEN Team is essential;
6. **Siblings should be placed together**. This should happen at all times if consistent with each child's welfare. In the exceptional circumstances where this is not possible, for example with very large sibling groups, consideration must be given to the placement provider's ability to facilitate high levels of contact between siblings;
7. **Promoting contact between children and families**. The ability of the placement to promote and facilitate contact will be a key consideration in deciding suitability;
8. **Placements for children with special needs or disabilities** must be suitable for their requirements;
9. **Placements should be appropriate to the child's linguistic, religious, racial and cultural background**. In nearly every case this will mean placing a child in a family that closely matches their own, whenever possible;
10. **Placements should be time limited**. Effectively all placements are time limited by default, but there is an expectation within these procedures that the time limit is explicit prior to the placement taking place;
11. **Wherever possible Access to Resources Team will seek to offer a choice of placement option**. This will be easier to provide when placements are planned appropriately:
12. **Access to Resources Team will ensure that any placement in the independent sector will provide best value for the local authority**.

**In House Options**

Where there is no connected person available to offer a placement to a child or young person, Medway in house fostering provision will be the first option to be considered by Access to Resources Team. All vacancies will be available for consideration and in the majority of cases placements will be made within approval range of the foster carers.

However, there may be occasions where an in-house placement is appropriate, despite there being no apparent vacancy, given the specifics of the situation. This may require an exemption in order to allow a specific carer to be used outside of their specified approval for a short period. If this is the case, the placement will follow the procedure outlined in the Exemption Protocol in line with Fostering Regulations and if being completed in an emergency, must be agreed by the Head of Provider Services or person deputising if not available.

**Independent Sector Provided Fostering Options**

If it is not possible to make an appropriate match with a friends and family carer or in house carer and agreement has been given by the Head of Safeguarding in Access to Resources Panel, authorisation must be sought from the Deputy Director (or Director) by the Senior Commissioner in Access to Resources Team to look for placements in the independent sector. A response from the Deputy Director must be provided within 1 working day to prevent delay. From the social worker's perspective, the process will be the same as the in-house processes. No new referral will be required, and Access to Resources Team will seek to provide a choice as outlined above **and will ensure that any placement in the independent sector will provide best value for the local authority**.

All potential fostering agencies will have been thoroughly assessed for their ability to provide an appropriate service to Medway in the spirit of partnership. Access to Resources Team will have a thorough working knowledge of each agency, their strengths, specialisms and location of carers. In many cases, the team will know the specific carers and will always have access to their Prospective Foster Carer Report (Form F) which they will share with the referring social worker ahead of any placement.

**Residential Care Options**

The placement priorities for identifying suitable residential placements for children will be the same as those listed in **Local Authority Provided Options**. Agreement must be granted from the Head of Service via Access to Resources Panel, before a residential placement is sought and if this is from the Independent Sector further authorisation must be sought from the Deputy Director (or Director) by the senior commissioner in the Access to Resources Team. A response from the Deputy Director must be provided within 1 working day to prevent delay. Where a residential placement is being considered, Access to Resources Team must ensure that all the relevant documentation has been received from the provider prior to the placement being agreed.

Wherever possible Access to Resources Team will seek to offer a choice of placement options.

**4. Placement Choice**

Social workers, in partnership with the Access to Resources Team, will need to carefully balance the factors **outlined in priorities** to ensure selection of the best placement available. This is most likely to be achieved when:

* The placement is carefully planned;
* The plans are based on a comprehensive assessment of the child's needs;
* A care plan is drawn up;
* The needs that must be met in the placement are identified;
* Required outcomes are clearly defined;
* Value for money;
* Where appropriate the child and his family are consulted about placement options

The most successful placements will always adhere to these principles and the likelihood of being offered a choice of placements (with an optimum of three) will be increased the more comprehensive the adherence.

**5. Placement Planning – Emergency and Unplanned**

Our aim is to place children in a carefully planned way, with all the necessary information available and the agreements completed before placement, but we know that the circumstances requiring children to be placed can arise at very short notice.

However, there must always be some information gathered, and baseline agreements made, and it is important that information, however limited, is provided using the Access to Resources Children’s Team Referral Form in order to ensure best practice in finding the most appropriate placement for a child.

Where it has not been possible to complete the Access to Resources Children’s Team Referral Form. (e.g. where a placement has been made out of hours) this must be completed at the earliest opportunity.

**All actions relating to children being brought into care must reduce the possibility of placements being unplanned or made in an emergency.**

**6. Request for a Move of Placement**

Any move of placement is disruptive for a child. Before a move can be agreed, the Local Authority must be convinced that this is in the child's best interests and that a new placement will improve the outcomes for that child.

Placements are often seen to have "broken down" as an emergency or there are times when an end of placement can be anticipated. All providers are expected to give the local authority notice of their need to end a placement, therefore any emergency breakdowns of placement should be very rare.

Unless there are serious concerns or child protection issues within a placement, a referring social worker must attend the Access to Resources Panel to inform the placement is becoming fragile. The Access to Resources Panel will explore what additional support can be provided to the current placement in order to prevent an unnecessary move.

It will be the role of Access to Resources Panel to ensure that all support options have been provided before accepting a referral for a move of placement.

**7. Factors for Consideration when Choosing a Placement**

The Access to Resources Team will seek to find a placement with a provider who is rated either "Good" or "Outstanding" with Ofsted. On the few occasions where a placement with a lower rating is being considered or the rating of a placement changes after a child is placed, the Ofsted action plan must be obtained and presented to the Deputy Director for final agreement for the placement.

Where a child or young person is being placed in a distant placement outside of Medway (ie not in an adjacent authority), agreement must be obtained either before or, in an emergency, immediately after placement from the Deputy Director.

**8. Actions Once a Placement has been Agreed**

Access to Resources Team will have responsibility for ensuring that the placement is secured and in advising the allocated social worker of details of the placement. This will also involve negotiation around any cost implications with the provider of the placement and confirmation in writing of any specific additional support packages agreed if necessary. As Access to Resources Team will have been provided with all details of the child's behaviour from the allocated social worker at this stage it is unlikely that any additional funding will be agreed at a later date unless there is a serious deterioration in the child's behaviour.

Access to Resources Team will input the data with respect to the identified placement onto Frameworki and will inform Finance of the financial implications for any placement agreed.

If a placement has been identified with an in-house Medway foster carer, the Placement Planning Meeting will be attended by the supervising social worker within the Fostering Team and allocated social worker. Ongoing support for the carers will be offered from the Fostering Team in partnership with social work team.

If a placement has been identified with an IFA or a Residential unit, ongoing day-to-day support will be the responsibility of the provider. However, Access to Resources Team will maintain responsibility for liaising with the provider of the placement for any further discussions around the placement, including any requests for additional funding which are likely to be refused except in exceptional cases.

Access to Resources Team will undertake regular QA monitoring visits to providers to ensure that commissioning of placements meets the high expectations of the service, provides best value to the Council and remains in the best interests of the child or young person.

This input from Access to Resources Team may involve attendance at the initial placement planning meetings and any placement support meetings. However, this is unlikely to be an ongoing involvement with individual workers from Access to Resources Team and requests for attendance at meetings will be allocated as necessary to workers in Access to Resources Team. Access to Resources Team will maintain links with external providers to ensure that placements continue to meet the needs of any child placed.

**10.****Regulation 24 Placements**

* Children’s Services need to be robust in identifying and understanding when children are residing with family members and/or connected persons and when this becomes a Regulation 24 Placement.
* Carers with Parental Responsibility will need to be asked to provide consent for accommodation s20 CA 1989;
* If a Regulation 24 Placement is identified it needs to be actioned immediately, specifically where the child/ren are subject to Powers of Police Protection;
* If a Regulation 24 Placement is identified the Viability Assessment needs to be completed (written up) prior to or within 24 hours of the placement being made;
* The carers need to be added to Frameworki as connected persons;
* Regulation 24 Temporary Approval must be agreed and signed off by the Head of provider Services or person deputising if not available.

**Appendix 1**

**Access to Resources Panel**

**1. Purpose**

The purpose of Access to Resources Panel is to approve requests for the accommodation of a child or young person s20 CA 1989, any requests to move a young person, to review children already looked after to ensure that the placement is meeting their needs and providing value for money and agreeing resources which may be identified during the course of care proceedings (other than those that are ordered by the court). Resources identified for children at the point proceedings are agreed at Legal Gateway, may be approved at Legal Gateway and where appropriate reviewed at ARP.

In doing so the panel will:

* Ensure consistency of approach to all placement finding for children requiring accommodation or schooling away from the family home;
* Ensure that agreed procedures are in place before children are accommodated;
* Provide challenge and consider alternative strategies which may divert children from accommodation;
* Increase local authority fostering options and improve placement stability by contributing to analysis of patterns and trends in admissions to care to inform sufficiency planning;
* Ensure placements are commissioned with a best value framework;
* Improve reporting arrangements in the areas of finance and management information;
* Agree and monitor SEN residential placements in the independent sector

All children in need of or likely to need a LAC placement (full time or regular shared care) will have to be presented to ARP for approval before any discussion can take place over placement. All children who are placed in an emergency will be presented to the next scheduled Panel meeting. The Panel will want to look at whether or not this emergency situation could have been avoided and lessons that can be learnt.

**2.****Criteria to Help Deciding Which Cases are Presented to Panel**

**The following should be presented to Panel:**

* Where it is considered a child or young person should be accommodated;
* For children with a disability/open to 0-25 SEND, where agreement is required for SEN residential provision in the Private Sector;
* All care leaving young people looking for a new placement;
* All Unaccompanied Asylum-Seeking Children;
* All children where a change of placement is being considered. No child should be moved without coming to Access to Resources Panel first. If a child moves in an emergency this needs to be brought to the next Access to Resources Panel.
* Reviews identified by the chair including all high cost placements;
* All external assessment requests other than those ordered by the court.
* Children who have an unplanned admission to care;
* Parent / Child placements

**3.****Composition of Access to Resources Panel**

**The Panel will be made up of the following members:**

* Chairperson – Deputy Director/Head of Service Safeguarding
* Youth Offending Service representative (where case appropriate);
* Representative from NELFT
* Representative from Commissioning (to be the single point of contact for all types of placements including in-house fostering, IFA, SEN residential provision etc)
* Fostering Manager
* Representative from 0-25 SEND (where case appropriate)
* Representative from the Virtual School
* Lead Nurse for LAC
* Leaving Care (where case appropriate)
* Youth Service
* Administrator;

If anyone is unable to attend, they must send a representative.

**4.****Application Process**

**Date and Time**: Access to Resources Panel will meet on a Tuesday 2pm – 4.00pm

The request for Access to Resources Panel is made through the completion of Access to Resources Children’s Team Referral Form and must include:

* + What is being requested;
  + Reason for the request;
  + Proposed plan.

The request **MUST BE**:

* Approved by an Area Manager;
* Completed and emailed to Children’s Access to Resources Panel mailbox by noon on the Friday, prior to Access to Resources Panel where the request is being discussed. Any supporting reports or documents must be attached to the request.

The Social Worker and Practice Manager will be expected to attend Access to Resources Panel.

The minutes and outcome will be recorded on the child’s Frameworki record by Access to Resources Panel Administrator within 2 working days having been signed off by the chair of the ARP. This record will also identify the actions to be undertaken and will be reviewed by the Practice Manager and discussed in supervision. Copies of the minutes will be sent to the Deputy Director if s/he is not at the meeting.

The panel's recommendations will include:

* + What other work tasks/actions/investigations are required within what timescale;
  + If accommodation is agreed, length of time this agreement is for, and review date at Access to Resources Panel
  + Type of Placement to be considered;
  + Whether a review is required at Access to Resources Panel for further decision making, and if so when?

If it is recommended that a case returns to ARP for review, this will be booked by the ARP Administrator and added to a forward agenda.

**5.**  **Access to Resources Panel Decisions**

* All decisions are to be carried out within identified timescales;
* All decisions need to be discussed and reviewed in supervision;
* Evidence of completed actions need to be recorded on the child's record;
* All legal actions are to be evidenced on the child’s record.

**6.** **Agreements Outside of Access to Resource Panel**

If changes in circumstances occur, agreement is to be sought from the Head of Safeguarding for alternative action. Any agreement or decisions need to be recorded in Frameworki under Management Oversight Case Note for the respective child/ren by the respective Area Manager.

If agreement for accommodation is obtained outside of the Access to Resources Panel process, due to the urgency of the situation, this agreement should be obtained by the Area Manager from the Head of Safeguarding (or nominated Head of Service if not available).

The Area Manager **MUST** record the management decision in Frameworki under Management Oversight Case Note explaining:

* + - Why the agreement was made outside of ARP;
    - What the specific agreement is and the timescales;
    - Expectations of additional actions and timescales for completion of these.
    - Date of ARP where case is to be presented to formally ratify decisions made

The following actions **MUST** be completed by the Practice Manager and Social Worker to support this process:

* + A case supervision to be held between Practice Manager and Social Worker, to be recorded on Frameworki within 48 hours of the placement being agreed/made. Content of the discussion to detail:
    - Reason for accommodation;
    - Who agreed this & for how long;
    - What is required to be completed in this time period for the child/ren to return home;
    - Consideration of the trajectory for the child/ren and options available.
  + The request for ARP should be completed and must include:
  + What is being requested;
  + Reason for the request;
  + Proposed plan.
* The request **MUST BE**:
* Approved by an Area Manager;
* Completed and emailed to Children’s ARP mailbox by noon on the Friday, prior to ARP where the request is being discussed. Any supporting reports or documents must be attached to the request.

**10.****Access to Resources Panel Disagreements**

Where members of the Panel are unable to agree the recommendations of ARP, the areas of disagreement should be noted, and the chair of the Panel is authorised to decide on the outcome. Where disagreement remains the local Authority Escalation Process should be followed.

**11.****Review**

Access to Resources Panel activity will be reviewed quarterly by the chair and the analysis of the activity will be used to contribute to learning and improvement across Children’s Services with the Head of Quality Assurance and Head of Commissioning.

Louise Drury

March 2019

**Performance Framework**

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| **WHAT DO WE NEED TO KNOW?** | **WHAT INFORMATION WILL TELL US THIS?** |
| How many requests were received? | **KPI:** Number of Access to Resources Children’s Team Referral Forms received. |
| Who is making the request? *Which Team/Area/Service* | **KPI:** Source of Requests. |
| What was the decision about the request? | **KPI:** Outcome of requests and services provided |
| Reason for request to Access to Resources Panel? | **KPI:** Requests categorised by type. |
| Has the child been presented to the Access to Resources Panel previously in the last 6 months? *(Re-requests)* | **KPI:** Repeat requests within 6 months ( *reviews of placement not included)* |
| How timely is the ART response to placement requests? *(Placement identified within1 working day)* | **KPI:** Timeliness – Date of request received compared to date social worker notified of placement. |
| How timely is the decision making for external placements? (*Decision made within 1 working day)* | **KPI:** Timeliness – Date of request received compared to date Head of Service notified of agreement. |
| How many Placements were made outside Access to Resources Panel? | **KPI:** Number of emergency placement requests |
| How many requests for accommodation are provided by in house placements | **KPI:** Number of in-house fostering requests compared to number of in house foster placements made |
| How long are children waiting for placements? | **KPI:** Date placement need agreed at Panel to date child placed |
| How many requests to Access to Resources Panel are due to placement breakdown | **KPI:** Number of Placement Breakdowns |
| **Access to Resources Panel** |  |
| Number of children discussed at Access to Resources panel | **KPI:** No. of children |
| Which agencies are represented at panel? | **KPI:** Attendance by agency |
| What is the demography of children for whom requests of ARP are being made? | **KPI:** Requests to ARP by age, ethnicity & gender compared to CSC data & local population. |
| Do Requests to Access to Resources Panel have regular management oversight? *(Minimum of 1 supervision note per8 weeks)).* | **KPI:** Date of last supervision case note. |
| Are children & families satisfied with the service they received? | **AUDIT** & Service user & partner feedback |