**PRACTICE GUIDANCE FOR TRANSFER- IN CHILD PROTECTION CASES – Dec 2019**

This Guide sets out the Core Responsibilities in terms of Children on a Child Protection plan who move or Transfer into South Gloucester.

The overarching principles that inform this Guide are to –

* Ensure Children’s welfare and safety is paramount
* Ensure the right Children receive the right services at the right time
* Avoid Drift and Delay and make timely decisions
* Hold Local Authorities to account in terms of securing children’s welfare, safety and permanence.

**Childs Welfare and Safety.**

The Childs welfare and safety is of paramount consideration. The lead responsibility for this lies with the Originating (Transferring) LA, however if we believe the child is at risk we will act in the child’s best interest, liaising and updating the relevant Local Authority as necessary pending agreement of Transfer.

**Right Service Right Time.**

Children move across different authorities all the time. In order to ensure that these children are tracked, supported and kept safe it is important to make sure that transfers are appropriate, necessary and in the child’s best interest.

In order to ensure that there is minimum disruption to the child’s plan, safety and progress of the case South Glos. utilise a Phase in Process for transfers made up of different steps

* Step 1 – assessment of information provided
* Step 2 – assessment of child in current situation
* Step 3 - confirmation of action
* Step 4 - transfer within 15 days of confirmation

**Drift and Delay**

All contacts and enquiries regarding CP transfers are made to South Glos. Access Team. Decisions will be made within 24 hours and followed up in writing within 3 working days of receipt of information.

ART cannot assess the appropriateness of the request if the correct information is not available. Contacts will not progress to referrals if the correct information is not provided.

The originating authority retains case responsibility up to the point a transfer has been accepted. The onus is on the Originating Authority to provide the right information at the right time.

Once the information has been received by ART and is deemed to be appropriate the case will be transferred to the appropriate locality team and allocated for an assessment, and a transfer in conference will be arranged within 15 days of accepting the appropriateness of the referral.

Should a safeguarding matter arise prior to the transfer South Glos. will ensure this is managed and reported back to the originating authority, in order that they can assess what difference if any the information makes to their overall assessment and plan for the child.

**Accountability**

Everyone is accountable for safeguarding, however key decision making is retained by the Originating Authority, pending the confirmation of a transfer. Children cannot be abandoned in South Glos. without adequate notification, planning and assessment.

Temporary arrangements cannot be used as a means to enforce transfers. - Temporary Accommodation does not pass the Habitual or Ordinary Residence Test. This test is simply applied to explain where a parent usually / ordinarily would live. A child in temporary accommodation is in a period of transition and therefore transferring a case is neither responsible, appropriate nor safe. Valuable information regarding family history, culture and lifestyle gets lost and or diluted.

Cases on the Edge of Care Proceedings will not be accepted, the Transferring Authority where the family ordinarily resides will need to instigate proceedings.

Refuges and Prisons do not constitute as Ordinary Residence for the Child. – South Glos will assist LA wherever possible in terms of visiting, but statutory responsibility is retained by the Ordinary Authority. Should an incident occur whilst the Child is in South Glos, we will undertake safeguarding measures on behalf of the child and the Transferring Authority as per the Core Duties and Responsibilities within Working Together. Section 47 investigations will be carried out jointly with the Transferring Authority retaining responsibility for safeguarding decision making.

Section 27 of the Children Act states - **An Authority whose help is requested shall comply with the request if it is compatible with their own statutory or other duties and obligations, and does not unduly prejudice the discharge of any of their functions.** – South Glos will wherever possible support distant Local Authorities in the discharge of safeguarding matters, as the overarching Principles of safety and welfare are what underpin best decisions and outcomes for the child.

There is a shared responsibility and expectation that the Originating Authority and receiving authority will work together to ensure that plans and transfers are dealt with swiftly and appropriately.

**Process**

The Transferring Authority retains responsibility for the child and the execution of the Child Protection Plan up to the point a Transfer Conference has taken place and agreed upon. In the case of disagreement, for example, if there are issues over geographical boundaries, the permanency of the home address, or more importantly the fact that the child does not appear safe the allocated worker in the originating authority must retain responsibility until such issues are resolved**. Under no circumstances should a child be left at risk of harm due to disputes over accountability. If we believe the child is at risk we will act in the child’s best interest, liaising and updating the relevant Local Authority.** – The Escalation Process should be used to address any practice and safeguarding issues for the child.

As part of the Safeguarding and Quality Assurance Arrangements South Glos. apply a 4 step process for all Child Protection Transfer in Requests from other Authorities.

**Step 1 – Contact with ART**

**STEP 2 – Progressing Contacts to Referral**

**Step 3 – Assessment.**

**Step 4 – Arranging Transfer**

**Documentation**

At the point of Contact, ART will require –

* Basic Details of all family members and any known associates
* Previous Assessment & Background history
* Previous CP Report and Plan
* Previous CPC minutes
* Core Group Minutes
* Up to date Chronology
* Health & Safety Concerns
* Transfer Summary

If this information is not provided a letter will be sent from ART to the Transferring Authority advising the Referral cannot progress pending receipt of all above information – draft letter attached.

Upon notification to the Child Protection Conference Service that a Transfer in Conference will be required a further letter will be sent to the Transferring Authority setting out the requirements for the Transfer In Conference – Draft Attached.

**Dispute Resolution**

Disputes should never get in the way of safeguarding a Child. Should a dispute arise as a result of the transfer request and process the following steps will be taken –

* 1 - TM will attempt to resolve via Telephone
* 2 – Dispute will be put in writing with a suggested resolution
* 3 – Service Manager will follow up the letter and discuss the necessary resolutions. – legal advice may be required
* 4 – Escalation process to be implemented.

**Final Guidance.**

Safeguarding is everyone’s business.

 It is the responsibility of both authorities to work together in order that the child does not slip between services or areas and become an unseen child.

Efficiency in communication and planning keeps children safe.

There is an expectation that both Local Authorities work respectfully with each other, in order that the child and family are provided with a professional, respectful and seamless service with the primary focus maintained on the safety and welfare of the child.

**DRAFT LETTER SAMPLE from ART.**

**Dear Colleague**

 **RE: Request for Transfer - In Child Protection Conference for ………..**

**On ……… you notified South Gloucestershire Council of the above child moving into this authority.**

**We have recorded your request as a Contact, In order to progress this we will require additional information including - :**

* **A chronology of Significant Events**
* **Copy of Previous Assessments**
* **Current Child protection Report and Plan**
* **Minutes from previous Child Protection Conferences**
* **Copy of Core Group Minutes**
* **Detailed risk assessment including any health & Safety Issues.**
* **Any viability assessments or contingency plans.**

**On receipt of the above a Referral will be opened and the request will be allocated to a Social Worker who will undertake an assessment based on the information you have provided to ensure Permanence has been established and the Transfer Request is appropriate to the Childs Needs and situation.**

**The Child Protection Conference service will contact you to organise the Transfer In Conference**

**We thank you for your notification and wish to remind you that at this point Case responsibility remains with you until it has been formally accepted by South Gloucestershire Council.**

**If we can assist in any other way please contact us via our ACCESS Team on ……….**

**Yours Sincerely**

**…..**

**DRAFT LETTER FROM CPC SERVICE**

**Dear ……..**

**Re : Your request for a Transfer- In Child Protection Conference for ……….**

**The Child Protection Conference Service has been notified of your request for a Transfer In Conference, in advance of the Conference you will need to provide the following Documentation –**

* **Completed invite list within the next 2 days – inquorate Transfer Conferences will not be able to proceed.**
* **New Child Protection Assessment, Report and Plan by day 10…….**
* **Updated chronology by day 10……..**
* **Up to date Genogram**

**A Conference Date has been set for …………………………**

**The Conference has been allocated to ………………………**

**If the documentation is not provided on the above dates the Chair will determine whether the Conference is ready to proceed on the designated date or not.**

**Please ensure that all communication is made to the Chair ……. in order that delay can be avoided wherever possible.**

**Safeguarding is important to us in South Gloucestershire, and whilst our primary aim is to ensure that all children are safeguarded, we need your assistance to meet the further aim that the right children receive the right service at the right time .**

**We look forward to hearing from you**

**Yours Sincerely**

**…….**