



Practice guidance - children subject to dual status (child protection & looked after)

Introduction

Occasionally and in exceptional circumstances, there will be some children who are dual status that is, subject to a child protection plan and looked after by the local authority (voluntary arrangement under S.20 Children Act 1989 or an interim care order/care order under S.31 Children Act 1989).

Children should not generally be the subject of both child protection and care planning processes. The general presumption should be that children who are looked after should not be living with a level of continuing risk that requires a child protection plan, particularly for those children placed in residential, foster care or other regulated setting where the placement arrangements ensure that the child is safe from continuing significant harm.

When both planning processes are in operation it can result in unnecessary duplication. There can be confusion about which forum is making key decisions, resulting in risk factors being overlooked. This is further compounded in cases where court processes are also underway. It can be difficult and stressful for families to attend numerous meetings and understand the differing processes, and there are also resource implications for professionals attending the meetings.

The purpose of this guidance is to ensure that children are subject to dual plans for the shortest possible period of time whilst ensuring their continuing protection. The overall intention is to ensure that child protection and care planning processes are integrated in a child-centred and non-bureaucratic way.

Children who become subject of an interim care order

At every child protection conference the social worker will be expected to inform the child protection adviser (CPA), if there are any immediate proposals to make an application to court for an interim care order. If this is proposed, all conference attendees will be informed of this and the CPA will notify the conference that once



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confirmation of the order is received from the social worker (and the child is placed away from parent), the child/young person will no longer be the subject of a child protection plan with agencies notified of this.

The safeguarding children admin will write to all agencies involved to advise them that the child protection plan will be discontinued with immediate effect and that the child's future care needs and safeguarding will be managed through the looked after statutory procedures.

Children who are subject to an interim care order (or no order) and placed with parents

If the local authority is unsuccessful in gaining agreement from court to remove a child from the care of parents whilst care proceedings are on-going, the social worker will inform safeguarding children admin.

An early review child protection conference will be timetabled in order to establish whether the child can/should be removed from a child protection plan.

Children subject to section 20 accommodation

The allocated social worker will contact the safeguarding children admin when the child becomes looked after.

Safeguarding children admin will then timetable an early review child protection conference. If core group members are satisfied that the local authority would immediately seek emergency protection should attempts be made to remove the child from placement where there is risk of significant harm, the child should be removed from the child protection plan.

Children subject to section 20 accommodations should only remain subject to child protection plans in complex situations including kinship placement that involves contact with parents, or where there is a planned short term time table for rehabilitation to care of parents.