



Medway Safeguarding Children Procedures

Update to Core Procedures: *Section 2.2.19* *Moving Across Local Authority Boundaries*

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1.	Summary Points
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- Children and young people, especially those assessed to be in need or at risk, are likely to be even more vulnerable as a consequence of homelessness and the dislocation that is likely to occur as a result of moving between local authority and county areas.
- When a family with children subject to a child protection plan moves from one local authority area (the Home Authority) to another local authority area (the receiving authority), then the responsibility for the monitoring, supervision and updating of that plan must transfer from the Home Authority to the receiving authority.
- The request for a Transfer in Child Protection Conference (TCPC) will be processed through the SPA and a decision will be made within 24 hours by the CSWT Group Manager responsible for the area in which the child(ren) resides.
- In order to ensure that a decision made following a request for TCPC is made in a timely way, the SPA will ensure that the Home Authority provides all required documents, and these are uploaded onto Mosaic (see **Appendix A**)
- All children who are residing in Medway either temporarily or permanently, who are subject to a CP plan in their Home Authority, will be identified as such on Mosaic, until a time they move from Medway, the CP Plan ends or a TCPC is convened.
- There are some circumstances where cases should not transfer across LA boundaries. These reasons are outlined in **Section 3.4**.
- A CP Plan does not in itself prohibit children from travelling overseas, sometimes children are moved to avoid involvement with professionals. Children may be removed from the country and placed at significant risk of harm overseas, e.g., c forced marriage or Female Genital Mutilation (FGM). Appropriate steps that need to be undertaken are detailed in **Section 5**.
- If a family with children subject to a child in need plan moves across local authority boundaries, then the Home Authority should notify the receiving Authority that the family have moved and provide copies of relevant documentation. A case should not be closed until confirmation has been received by the Receiving Authority and recorded on the child's file.
- The arrangements for the transfer of information about children in need between the Home Authority and Receiving Authority are subject to the consent of the family. Information about

child protection concerns or a concern that a child may be missing education may be transferred without consent.

2.	Movement of Children and Families
2.1	Definition

Children and young people, especially those assessed to be in need or at risk, are likely to be even more vulnerable as a consequence of homelessness and the dislocation that is likely to occur as a result of moving between local authority and county areas. Relationships with relatives, friends, schools and statutory services are likely to be fractured as a result of such moves; alternatively, those seeking to avoid the intrusion of statutory services may welcome the opportunity to sever relationships with those that have begun to understand them.

Families may move for a variety of reasons. Failure to comply with the terms of their tenancy, eviction, homelessness and victimization as a result of involvement in gangs or anti-social behaviour can all be reasons why families move between areas. Government policy, the pressure on the housing market and Domestic Abuse, can all lead to the movement of vulnerable children and their families between local authority areas. Increasingly, homeless families are placed for extended periods in other local authority areas; sometimes they may choose to continue to access some universal services within their Home Authority (e.g. education and health).

Regardless of the reasons or circumstances of families moving between local authority areas, the Children Act 1989 is clear about where the responsibility for safeguarding and promoting the welfare of such children lies (Section 17 and Section 47): it is with the local authority responsible for the area in which the child is to be "found", i.e. where they are at the time that a concern may arise, which will normally be where they are living. However, case responsibility should remain with the authority in who's area they previously resided for a short period of time in specific circumstances, i.e. where the child is already the subject of a protection plan, child in need plan or where an assessment (S17 or S47) has already commenced but is yet to be completed.

Where a child moves across local authority boundaries, and a Section 47 Enquiry is being considered or is in progress and/or a Child Protection Conference is proposed but has not yet taken place, in these circumstances the Home Authority must continue with the Section 47 Enquiry and initiate an Initial Child Protection Conference when this is required. A request for a Transfer in Conference should be considered after this point.

2.2	Concerns about the risk to an unborn child
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Where there is a concern about the risk to an unborn child, the responsibility for undertaking the pre-birth assessment lies with the Home Authority, i.e. the authority in who's area the pregnant woman is residing at the time that the concern is first identified. Responsibility will remain with that authority until the completion of the assessment and may then request a transfer to the new area in the event that the pregnant woman moves. If a pregnant woman is homeless, then the responsibility for undertaking the pre-birth assessment will be with the authority in who's area the concern is first identified, usually through registering for antenatal care.

Where a pregnant woman has moved or is likely to move repeatedly (more than twice) between local authority areas for short periods of time (less than 4 weeks), it would be good practice for the Home Authority to retain case responsibility until the woman has settled i.e. has been placed in housing for a period that will exceed 4 weeks. This is to ensure some continuity in the arrangements for the protection of the unborn child.

Please see: [Medway Pre-birth Procedures](#)

2.3	Working Together: Responsibilities of Partner Agencies
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Professionals in all agencies should be alert to the possibility that a child or family who has moved may not be in receipt of universal services. Where a Child subject to a Child Protection Plan moves out of the home area, anyone who becomes aware of the plan to move or the move taking place, must inform the allocated social worker or, their line manager.

Professionals should engage with the family in order to link them into local universal services in the new area, e.g:

- Seek to:
 - Ensure that all forenames and surnames used by the family are provided, and clarification is obtained about the correct spelling.
 - Ensure that accurate dates and places of birth are obtained for all household members, wherever possible.
 - Obtain the previous full addresses, and earlier addresses within the last two years.
 - Clarify relationships between the child and other household members, if possible, with documentary evidence.
 - Ask the child / family with which statutory or voluntary organisations they are in contact.
- Providing information about relevant services.
- Following up to ensure that the family has managed to make contact and register with a local GP, school and other relevant services to which the child is entitled.

In some circumstances, however, the move may take place in haste and as an attempt to avoid the involvement of professionals and agencies. In such circumstances, the agencies involved must assess the impact on the child/children of the change in circumstances.

Several agencies may hold information about the child and family, which is not co-ordinated and / or which has not followed the child or family i.e. information which is missing or has gaps and needs to be collated and therefore it is imperative that we work together to ensure that this vital information does not become 'lost'.

3.	Protection and Action to be Taken
3.1	Children Subject to a Child Protection Plan

When a family with children subject to a child protection plan moves from one local authority area (the Home Authority) to another local authority area (the receiving authority), then the responsibility for the monitoring, supervision and updating of that plan must transfer from the Home Authority to the receiving authority. In order that the vulnerability of such children is not compromised, such case transfers should take place in a timely manner. During the period prior to the formal transfer of case responsibility, the Home Authority should continue to monitor the protection plan.

When a family with children subject to a child protection plan moves to Medway, the Home Authority should notify the receiving authority at the earliest opportunity by making a referral on the Medway portal and attach the documents. The Home Authority should provide the receiving authority with the following documentation:

- Copies of an up-to-date assessment of each of the children in the family which clearly identified the risk(s) to each child.
- Copies of the minutes of all the child protection conferences, core groups and child protection plan relating to the current period for which the children have been subject to a child protection plan.
- A copy of the current child protection plan.
- An up to date chronology and genogram

The request for a Transfer in Child Protection Conference will be processed through the SPA and a decision will be made within 24 hours by the CSWT Group Manager responsible for the area in which the child(ren) resides. Upon acceptance, IROadmin and the Home Authority will be notified of the decision by the Group Manager and the contact will be progressed by the SPA to the receiving team.

There can be uncertainty about whether the move is permanent or temporary, this can cause delay in the transfer of the case and the allocation of services to support the family in the new area. Fundamentally, the child becomes the responsibility of the area where they reside, regardless of the length of time they have been there. In addition to any safeguarding concerns. The priority should be creating support for the family in the new area from universal services. This includes registering the child on a new school roll and registering with a GP.

There may delay if we consider that the documentation provided by the Home Authority is incomplete or not of a sufficient standard. If the quality of the documents raises concerns, the relevant CSWT Group Manager will challenge this directly with the referring Home Authority. Any disagreements should be resolved within 10 working days from the point of receipt of the documentation.

It is the responsibility of the Home Authority to ensure that all other agencies working with a child subject to a child protection plan are notified that the child has moved to another area. It is the responsibility of each agency in the Home Authority to notify their counterparts in the receiving area that that the child has moved to their area and to transfer relevant documentation as soon as possible. Where a child of school age has moved to another area and not registered for a school place, then it

Medway will treat that child as if they are missing from education and to seek to ensure that their parents or carers register that child for a school place as soon as possible.

Following a transfer child protection conference, the Home Authority should end their child protection plan and notify relevant agencies accordingly.

When a child or young person subject to a CP plan in Medway is known to have moved either permanently or temporarily, then the Medway Social Worker needs to notify the Children's Social Work service in the receiving area and request a TCPC if appropriate. The Medway Social Worker also needs to inform the CP Chair that the child is no longer in the area.

3.2	Convening a Transfer In Child Protection Conference
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Where the transfer is agreed, a Child Protection Chair will be allocated and convened within 15 days of the decision, Medway Children's Services will arrange a transfer child protection conference. A list of those who need to attend the TCPC will be requested by Medway IROAdmin from the Home Authority Social Worker and Medway will be responsible for sending the invitations and arranging the TCPC. At that child protection conference, the receiving authority will formally accept case responsibility. The conference should determine whether the children will remain subject to a child protection plan and the contents of that plan.

At the same time, the case will be allocated to a Medway Social Worker for a brief C&F assessment within the Children's Social Work Team and an initial assessment home visit will be undertaken. The purpose of which will be to undertake enquiries to ensure that protective action is taken in order to safeguard the child in the new area until the Initial Child Protection Conference has taken place and to determine if there are concerns about Significant Harm in the new area and work with the child and family to prepare for the Initial Child Protection Conference.

3.3	Funding
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Where the Home Authority has been providing or funding services for the children, they should continue to do so for the period of time originally envisaged by the child protection plan. Where the Home Authority is funding the housing costs of the family, they should continue to do so until such point as the family are able to claim benefits or pay for the housing costs themselves. For families receiving financial support because they have no recourse to public funds, the financial support should continue to be provided by the Home Authority until such time as the family's immigration status is resolved although all other responsibilities for services under S17 or S47 will transfer to the receiving authority.

3.4	Reasons why case responsibility would not transfer
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The only reasons why case responsibility for children subject to a child protection plan not be transfer from the Home Authority to the receiving authority are:

- If the child is looked after by the Home Authority or the subject of a statutory order to the Home Authority
- If the child has been temporarily placed by the Home Authority for the purposes of assessment, treatment (psychological or medical) or education, with or without their parents and will be returning to the Home Authority.
- If the child has been remanded into custody or received a custodial sentence.
- If the child is temporarily living with relatives or friends in the area but will be returning to the care of a parent in the Home Authority.
- If the child and their family have been placed in temporary accommodation in the receiving authority for a specified period of time, which is less than 4 weeks, after which they will be located elsewhere.
- If the child is "placed with" the relative or friend by the Home Authority, then the Home Authority will be responsible for the assessment and approval of the relative or friend as required by the fostering regulations
- A legal planning meeting has agreed that the threshold has been met for proceedings

Where the Home Authority is dealing with a child through the public law outline (PLO), a legal planning meeting has agreed that the threshold has been met but proceedings have not been initiated pending further assessments, then case responsibility should transfer to the receiving authority unless:

- There is evidence of immediate or increased risk resulting from the move; or
- There is evidence that the family have only moved to avoid legal proceedings.
- In such circumstances the Home Authority should instigate proceedings immediately.
- The risks relate to an unborn child and the EDD is within 12 weeks of transfer request being made. In this instance, it would be expected that the Home Authority complete any pending assessments and initiate proceedings following the birth of baby, if required and request that the receiving authority be joined to the proceedings. If proceedings are not being initiated after the outcome of the assessments, then case can be transferred via TCPC, once PLO is ended.

Where a child and their family have moved or are likely to move repeatedly (more than twice) between local authority areas for short periods of time (less than 12 weeks), the Home Authority should assess the suitability of the accommodation / other residents of that accommodation to ascertain whether there is a risk to the child and the viability of the arrangement to meet the child's needs. If an immediate risk is identified, then they consider what action to take to safeguard the child.

It would be good practice for the Home Authority to retain case responsibility until that child and family have settled i.e. have been placed in housing for a period that will exceed 12 weeks. This is to ensure some continuity in the arrangements for the protection of that child. If either the Home Authority or Medway identifies that a family are or have been moving repeatedly between areas for short periods of time, then they may discuss and agree when or if it is appropriate for the case to transfer.

4.	Temporary Moves
4.1	Responsibility for the Child Protection Plan

It is the Home Authority's responsibility to ensure the Child Protection (CP) Plan continues to be implemented. This includes core group activity and key worker responsibility. The Home Authority can negotiate with the receiving authority regarding any urgent assistance required to implement the Child Protection Plan.

4.2 Notification to Medway of a Child/Young Person who is subject to a CP plan

It is the Home Authority's responsibility to advise Medway Children's Services when one of their children subject to a Child Protection Plan are temporarily residing in the Medway area.

The Home Authority are to provide details of the child(ren)/young person, including name, date of birth, address in Medway and reason for CP plan/category. Notification should follow the usual referral process via the referral portal.

The current CP Plan should be included with the referral and uploaded onto Mosaic.

4.3 Process for recording a Temporary Child Protection status on Mosaic

If there is an accompanying request for a Transfer In Conference, the Temporary CP flag on the child's file will added by the Referral Information Officer when the contacted is proceeded within the SPA.

When the contact is made for information only, the information notifying of the temporary transfer will be sent on to the gaconvenors@medway.gov.uk mailbox.

When they receive a notification in this mailbox the QA Convenors will search Mosaic for the Child/Young Person – if they have not been previously known to Medway, then they will set them up on the system, entering their home address if known, but with the temporary Medway address as their current address.

The CP Temp Transfer In workflow on Medway is to be followed to process the request.

It is important that we have the correct spelling of the Social Worker's name, the duty phone number for the team the child is open to and the secure email address, as well as the Out of Hours number for the Home Authority.

If the Home Authority has sent in the CP Plan, then it needs to be uploaded upon receipt, onto the child/young person's record.

4.4 What needs to happen when a Child/Young Person returns to Home Authority

The Home Authority needs to notify Medway Children's Services, via an email to the gaconvenors@medway.gov.uk mailbox when the child/young person returns to their home authority area or the CP plan is ended by the Home Authority. When the notification is received, the temp CP plan will be ended by the CP Chair Manager on Mosaic.

The status of the Temp CP plans will be reviewed no more than 3 months after the initial notification by the QA Convenors. Where no new information is received from the Home Authority, the QA Convenors

will contact them and request an updated status. Where the CP plan has been ended by the Home Authority, the CP plan has ended and the case is closed or the child(ren)/young person has returned to their Home Authority, the temp plan will be ended by the CP Chair Manager on Mosaic.

5. Moving Abroad

CFAB research shows that one in four children in need of protection who travel abroad remain at risk of abuse and/or neglect. Sometimes children are moved in this way to avoid involvement with professionals. Families may flee after an initial home visit, once a child has been made subject to a child protection plan, when a case is escalating to a pre-proceedings stage or after court proceedings are issued. Children may also be removed from the country and placed at significant risk of harm overseas, for example, in cases involving forced marriage or Female Genital Mutilation (FGM).

Gather as much information as early as possible in any referral and assessment process about the family's resources and any links abroad, including past addresses, addresses of grandparents, aunts and uncles, and second residences abroad.

If a family is identified as a flight risk, consider seeking legal advice on issuing court proceedings. Orders issued by the family courts give the local authority parental responsibility for the child, meaning that the children cannot leave the UK without consent from the local authority.

Where a child subject of a Child Protection Plan moves abroad whether planned or unplanned the Lead Social Worker and Conference Chair should consider whether to reconvene a Review Conference or Core Group to determine what action to take. Due diligence should be taken to ascertain the whereabouts and welfare of the child(ren)/young person overseas. Until this has been established, the CP Plan in Medway will continue.

Appropriate steps that need to be undertaken include:

- Consideration of appropriate **legal interventions**, where it appears that a child, who has outstanding child protection concerns about their safety and welfare, may be removed from the UK by his/her family in order to avoid the involvement of agencies with safeguarding responsibilities. This also applies when a child who is subject to a care order has been removed from the UK.
- If it is identified that a child in need of protection has left the UK without the knowledge of the local authority, consider **reporting the child as missing to the police**, who can take action to ascertain their whereabouts.
- **Request a border alert.** If a family has left the UK, a border alert can help to identify if they return to the country.
- **Make a child protection alert abroad** as quickly as possible to the country where the child is known, or suspected, to have travelled to. This will inform the other country of the concerns for a child who is now in their jurisdiction and can request that the other country takes action to protect the child.
- **Referral to CFAB**, subject to funding approval.

For further guidance please see: [Families Fleeing Overseas-Guidance for social workers protecting children and their families who have gone abroad and safeguarding those at risk of doing so](#)

6.	Children In Need
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If a family moves whilst subject to child protection enquires under s47 (CA 89) or an assessment of need under S17 (CA 89), those assessments should be concluded before transfer of case responsibility takes place. This ensures that services are working together to limit the extent to which children and families are exposed to having to repeat their stories and repeat work to overcome child protection concerns. However, where a family has only been resident in the Home Authority for a short period of time, then the respective authorities should consider who is best placed to undertake the assessment. This is especially important for those families who have moved frequently between authorities thereby preventing any authority or professional network from getting to know them.

6.1	Transfer of CIN Plan
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If a family with children subject to a child in need plan moves to another area, then the Home Authority should notify Medway Children’s Services via an email to the referral portal that the family have moved and provide copies of relevant documentation (see Appendix A).

If the children have previously been the subject of a child protection plan, prior to CIN then the Home Authority should ensure that the risks and protective factors are clearly described in the case summary.

Likewise, where a Medway child is subject to a Child In Need plan, the Social Worker should notify the receiving Local Authority and provide copies of relevant documentation. The outcome of any referral should be obtained and recorded on the child’s file before the case is closed by Medway.

Although there is no formal requirement to hold a meeting to discuss the transfer of a child in need plan, it would be good practice for the receiving authority to hold such a meeting, especially where the family situation is complex or the children have previously been the subject of a protection plan.

The arrangements set out above for the transfer of information about children in need between the Home Authority and Medway Children’s Services are subject to the consent of the family. Information about child protection concerns or a concern that a child may be missing education may be transferred without consent.

6.2	Funding
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Where the Home Authority has been providing or funding services for the children, they should continue to do so for the period of time originally envisaged by the child in need plan. Where the Home Authority is funding the housing costs of the family, they should continue to do so until such point as the family are able to claim benefits or pay for the housing costs themselves.

For families receiving financial support because they have no recourse to public funds, the financial support should continue to be provided by the Home Authority until such time as the family's immigration status is resolved although all other responsibilities for services under S17 or S47 will transfer to the receiving authority.

For a Transfer Child Protection Conference request to be considered by Medway Children's Services, or where a notification/referral is received for a child(ren) having been a CIN in their Home Authority before moving into Medway, the following documents would need to be provided from the Home Authority sent securely with all the documents attached via the portal, which can be found on the Medway Council Website. The documents required (where relevant) are as follows:

- Child and Family assessment and/or ICPC/RCPC report, and include an assessment of the circumstances since moving to Medway and a summary of findings of any police checks and outcomes of MAPPA/MARAC meetings/LPMs
- Details of school, GP and other services the family are accessing
- Minutes of the last Child Protection Conference
- Minutes of the last core group/CIN Review meeting
- Details of last visit, including when the children were seen
- Minutes of FGC/Family Meeting (if taken place)
- Chronology
- Genogram
- Date of next Conference and Core Group
- Evidence of housing situation

For the TCPC request to be considered by Medway evidence of stable accommodation (for longer than 12 weeks) in our area would be required. This evidence could be a letter from the Medway Council Housing Department confirming they accept responsibility for housing the family, a copy of a tenancy agreement linked to a Medway address or evidence of a house being purchased in our area. In lieu of this, the family would need to have established links in the area through registering with universal services i.e., Health and Education.