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Leicestershire Procedure for Final Flow Chart for Decision Making on Dual Status

Applies to-

Children subject to child protection plans and Looked After Children.

How Leicestershire County Council make decisions about children who are subject of Child Protection Plans and who are becoming Looked After

If leading up to an ICPC the child's LAC status is confirmed then the LAC review and IRO will lead the safeguarding arrangements and the ICPC will be cancelled with (Service Manager approval).

What to do:

- 1) Social Worker will inform the Safeguarding Unit diary
- 2) Service Managers for Safeguarding Unit and CIN will consult on the need for an ICPC and agree if the ICPC can be cancelled
- 3) Social worker will book a Looked After Children review meeting with the Safeguarding Unit diary. This should be completed within 48 hours.

The LAC review will require the following information from the social work team to be available for the IRO to enable the Safeguarding elements of the plan to be robustly considered.

- An up to date chronology and genogram.
- Care Plan and placement plan
- An assessment and proposal of how to ensure the Child's continuing safety
- Recommendations and actions in relation to assessments and services to the child and family to understand how their ongoing needs will be met
- Up to date police information (ongoing investigations will need to be subject of continued strategy or follow up strategy discussions/meeting) to enable full consideration to be given to police information.

The LAC review will recommend a clear contingency about what should happen if there is a likelihood that the child will return home in an unplanned or unsafe way.

When deciding whether a Child Protection Conference is required when a Child is already Looked After

Children, who are already looked after will not usually be the subject of child protection conferences, though they may be the subject of a s47 enquiry. The circumstances in which a child who is looked after may be considered for a child protection conference or may be subject to a child protection plan can vary. The Care Plan and Placement Plan for a child who is looked after (whether there are proceedings pending an outcome, an interim Care order or a Care order in place) should provide the means to safeguard the child. The Care Plan and Placement Plan should be reviewed and updated regularly and in response to new information or concerns about the welfare of the child.

When deciding whether a Child Protection Conference is required when a Child is subject to a care order and plan is to return home

If it is proposed that a child subject to a care order should be returned to their birth family / returned home, the members of the statutory looked after child case review (see **The Children Act 1989 Guidance and Regulations - Volume 2: Care Planning, Placement and Case Review (2015)**), when considering the proposal for rehabilitation must decide and record whether an initial child protection conference should be convened prior to the change. If the decision of the Review is that an initial child protection conference should be convened, the child's social worker must request it to take place within 15 days of the case review decision.

Decisions about Children Subject of Child Protection Plans who become LAC

When a Child who is subject of a Child Protection Plan becomes Looked After :

- 1) Social Worker will inform the Independent Chair of the conference
- 2) Social Worker will book a Looked After Children review meeting with the Safeguarding Unit diary. This should be completed within 48 hours.
- 3) The Safeguarding Unit diary clerk check with a Safeguarding Manager if the case is to remain with the same IRO or the case needs to be reallocated – to take place within 24 hours and book a LAC review meeting.

If the child is LAC subject of an Interim Care Order – including placement with parents

If a child on a child protection plan becomes subject of an ICO and becomes looked after by the local authority either by being accommodated by the local authority or remaining in the care of their parents

- The child will remain subject of a child protection plan until the 1st LAC review. This is to ensure a full multi agency handover from the child protection process to the Looked after Children's process.
- At the LAC review the IRO will gain the views of all agencies and the Independent Chair (if the case has changed IRO) in relation to the need for a continuation of the Child Protection Plan.
- The child will then normally cease to be subject of a Child Protection Plan following the LAC review.
- The Safeguarding Unit will write to all agencies and family to end the Child Protection plan by post. This will confirm the date of the order, the IRO's name and contact details.
- If there is to be a change of IRO from that who chaired the Child Protection Conferences then the Independent Chair will hand over to the IRO the safeguarding elements of the Child Protection Plan that need to be part of the Care plan.

If a child subject of a Child Protection Plan becomes Looked After under Sec 20 of the Children Act

When a child subject of a Child Protection Plan becomes Looked After Sec 20 .

- 1) The social worker will book the LAC review (as above)
- 2) At the LAC review the IRO will gain the views of all agencies and the Independent Chair (if the case has changed IRO) in relation to the need for a continuation of the Child Protection Plan. If all agreed then the CP Chair will arrange for the Child to cease to be subject of a Child Protection Plan and formally write to all agencies and end the child protection plan by post. If not all parties in agreement then it will fall to the chairs decision making powers.

Children who are subject of other court directed orders

Children subject of a Child Protection Plan who become subject of another order e.g. Interim Supervision Order, Supervision Order; Special Guardianship Orders, Interim Child Arrangement Orders, Child Arrangement Orders.

In circumstances where children are subject of the above orders, it maybe that they continue to be at risk of significant harm. However the legal order and /or involvement of the care proceedings is viewed as sufficient to meet the needs of the child.

- 1) When the above orders are gained in court the social worker will inform the Independent Chair of the Child Protection Conference.
- 2) The Child Protection Conference will be brought forward to consider the continued need for a child protection plan.
- 3) If a child is subject of an interim or final supervision order they will not usually also need a Child Protection Plan and their safeguarding needs can be managed and reviewed via a Child In Need Plan and any current care proceedings.
- 4) The review conference will consider the interim/final supervision plan that has been agreed in court and ensure these elements are a part of the ongoing Child In Need Plan. The review conference will set the date for the first CIN meeting within 6 weeks.
- 5) The Chair of the review conference will always consider a clear contingency that is specific to the needs of the child. The contingency will include that if safeguarding concerns escalate then safety planning needs to address these concerns and further legal advice gained to safeguard the child.

Disagreements

If there are disagreements between the Independent Chair, IRO and Team Manager then Service Mangers (CP, CIN and LAC) will consider further how to work together well for the child's safety. The Quality Assurance Alert Process will be used where appropriate. [Link](#)

Contingency Planning

Within all Child Protection Conference outcomes and LAC review plans there will be a clear contingency plan that if a child's plan is not keeping them safe, if they return home in an unplanned or unsafe way then appropriate safeguarding actions will be taken by the operational child care teams, Child Protection processes will be followed i.e. Strategy discussion, sec 47 and consideration for a Child Protection Conference.

Handover arrangements

If there is a change of IRO at the point of the child becoming looked after. The IRO who had been the Conference Chair will hand over the safeguarding elements required in the care plan to the IRO. This will comprise of ensuring the following are available for the IRO: the outcome of all conferences including the child protection plan, Alerts/concerns raised and the child's views. The handover will take place in time for the first LAC review