



## East Midlands Regional Protocol

### Notification by Other Local Authorities of Children Placed within local authorities in the East Midlands

This protocol indicates the action to be taken when a local authority needs to notify another Local Authority in the East Midlands region that they are intending to place a Looked After Child within their boundary

Status of this document	Approved
Approved by East Midlands Tier 2 Group	14 October 2014
Date last updated	12 January 2015
Updated by	Leicestershire & Rutland LSCB Contact: <a href="mailto:sbbo@leics.gov.uk">sbbo@leics.gov.uk</a>

## **1. Regional Protocol**

All Authorities in the East Midlands have agreed to a standardised procedure for the notification of placements of Looked After Children and then any subsequent change in circumstances including moving out of the authority.

This document has been approved by the East Midlands Tier 2 Managers Group at their meeting on 14 October 2014. Minor updates, including the correct names and contact details for nominated points of contact have been included since the meeting. The document has been updated on behalf of the Group by the Leicestershire & Rutland LSCB Business Office.

## **2. Signatories to this document**

- Derby City Council
- Derbyshire County Council
- Leicester City Council
- Leicestershire County Council
- Lincolnshire County Council
- Northamptonshire County Council
- Nottingham City Council
- Nottinghamshire County Council
- Rutland County Council

## **3. Background**

It is a requirement within the Arrangements for Placement of Children General Regulations 1991, in Regulations 10 and 12 that when one local authority places a child which it is looking after within the area of another local authority regardless of the type of placement, that it notifies that authority of the placement and provides certain information.

This was updated by the Children's Homes and Looked After Children (Miscellaneous Amendments) (England) Regulations 2013 which came into effect on 27 January 2014. This requirement is in addition to the existing requirement outlined above. The change to Regulation 12B (now Reg 7) requires the registered person of a Children's Home also to notify the local authority when a child is admitted to or discharged from their children's home and set out the information that the notice must contain.

The following definitions apply for the protocol:

- 'Originating local authority' is the local authority (LA) where the child or young person previously lived or still usually resides and who is responsible for them;
- 'Host local authority' is the local authority to which the child or young person has been placed, has recently moved to or where the child actually is at the time an

incident occurs

The written notification must include:

- The child's name and date of birth
- Whether the child is placed under section 20 or 21 or subject to a care or supervision order under section 31
- Contact details for the team manager of the Originating local authority and the child's IRO
- Whether the child has an Education, Health and Care Plan (EHC), and if so, details of the local authority that maintains the plan

The change to Schedule 5 means that Children's Homes are required to notify the police and the local authority in whose area the child is placed, where a child is suspected of being a victim of 'sexual exploitation'.

The requirement will continue to enable the local authority within whose area the child is placed (host local authority), to maintain a Register of all looked after children resident within its area. This register is maintained through entry onto data systems and should include:

- Those children who they are responsible for looking after (Originating local authority) and are placed within their own boundaries
- Those children looked after who are placed within a local authority by another local authority (Originating local authority), but where there has been identified through risk assessment that the authority (host local authority) where the child is resident will carry out some functions to ensure the child's safety

#### 4. Notification of Placement

All Authorities will use a standardised form located at **Appendix 1**.

This form will be sent to the following contacts in each local Authority:

Authority	Local Authority Nominated Point of Contact	Health Nominated Point of Contact
Derbyshire	<a href="mailto:GCSX.OLANOTIFICATIONS.CAYA@derbyshire.gcsx.gov.uk">GCSX.OLANOTIFICATIONS.CAYA@derbyshire.gcsx.gov.uk</a>	<a href="mailto:kathy.webster@nhs.net">kathy.webster@nhs.net</a>
Derby City	<a href="mailto:maureen.darbon@derby.gov.uk">maureen.darbon@derby.gov.uk</a>	<a href="mailto:lesley.smales@nhs.net">lesley.smales@nhs.net</a>
Leicestershire	Janyce Crosby: <a href="mailto:notifications@leics.gcsx.gov.uk">notifications@leics.gcsx.gov.uk</a>	Claire Turnbull: <a href="mailto:lep-tr.fypclookedafterchildrenadmin@nhs.net">lep-tr.fypclookedafterchildrenadmin@nhs.net</a>
Leicester City	<a href="mailto:lee.chapman@leicester.gcsx.gov.uk">lee.chapman@leicester.gcsx.gov.uk</a>	Claire Turnbull: <a href="mailto:lep-tr.fypclookedafterchildrenadmin@nhs.net">lep-tr.fypclookedafterchildrenadmin@nhs.net</a>
Lincolnshire	<a href="mailto:Janet.Wilson@lincolnshire.gcsx.gov.uk">Janet.Wilson@lincolnshire.gcsx.gov.uk</a> or <a href="mailto:Carol.Holmes@lincolnshire.gcsx.gov.uk">Carol.Holmes@lincolnshire.gcsx.gov.uk</a>	Jan Gunter: <a href="mailto:SWLCCG.safeguarding1@nhs.net">SWLCCG.safeguarding1@nhs.net</a>
Northamptonshire	<a href="mailto:pmscontracts@northamptonshire.gov.uk">pmscontracts@northamptonshire.gov.uk</a>	Julie Ashby Ellis <a href="mailto:Julie.Ashby-Ellis@neneccg.nhs.uk">Julie.Ashby-Ellis@neneccg.nhs.uk</a>
Nottinghamshire	<a href="mailto:Childrens.notifications@nottsgc.gcsx.gov.uk">Childrens.notifications@nottsgc.gcsx.gov.uk</a>	Amanda Edmonds <a href="mailto:amanda.edmonds@nottshc.nhs.uk">amanda.edmonds@nottshc.nhs.uk</a>
Nottingham City	<a href="mailto:Rose.atkins@nottinghamcity.gcsx.gov.uk">Rose.atkins@nottinghamcity.gcsx.gov.uk</a>	Amanda Edmonds <a href="mailto:amanda.edmonds@nottshc.nhs.uk">amanda.edmonds@nottshc.nhs.uk</a>
Rutland		Claire Turnbull: <a href="mailto:lep-tr.fypclookedafterchildrenadmin@nhs.net">lep-tr.fypclookedafterchildrenadmin@nhs.net</a>

When an Authority wishes to place a child in another Authority, the originating local authority will complete the notification form, including the risk assessment questions and attach any additional information to support the risk assessments as negotiated. The form is then sent securely to the Nominated Point of Contact person in the host local authority where the child will reside.

The Nominated Point of Contact person will enter the details of the child onto their electronic case management system and inform the Nominated Point of Contact for Health to alert them to contact their equivalent in the Originating local authority.

The Nominated Point of Contact person will forward the form to the [Safeguarding Unit - equivalent in each authority] for assessment of risk and follow up with the originating local authority to negotiate that plans are in place to address the risk and ensure the safety and wellbeing of the child.

The Nominated Point of Contact person will forward the form to the Youth Offending Service where it is indicated there is involvement.

Where an originating local authority wishes to request that certain functions are carried out on their behalf by the host local authority (e.g. supervision of the placement), then a direct request should be made to the host local authority. For more information about this, see section 7. **Placements where the originating local authority requests that another Local Authority (host local authority) carry out certain functions on their behalf.**

## **5. Change in Circumstances or End of Placement**

All changes in circumstances should also be notified to the host Local Authority and health provider of Looked After Children (LAC) services. The form at [Appendix 1](#) or [Appendix 2](#) must be used.

This includes

- A change of placement, address or details within the host Local Authority
- When a child or young person's placement in the host local authority comes to an end

It may be necessary at times for Local Authorities to conduct Data Cleansing activities and the named LA contact for each LA is expected to co-operate with any such requests.

## **6. Significant Incident arising in placement**

The local authority in whose area a child is found (host local authority) in circumstances that require emergency action is responsible for taking that action. If the child is looked after by, or the subject of a Child Protection Plan, in another authority the authority where the child is resident (host local authority) should consult the originating local authority responsible for the child.

Only when the host local authority explicitly accepts responsibility is the originating local authority relieved of its responsibility to take emergency action. Such acceptance should be confirmed subsequently in writing.

The responsibility for undertaking Section 47 Enquiries lies with the local authority for the area in which the child lives or is found (host local authority), even if the child is ordinarily

resident in another local authority's area.

Where a Section 47 Enquiry is to be conducted in relation to a child who is ordinarily resident in the area of another local authority, her/his originating local authority should be informed as soon as possible, and be involved as appropriate in the Strategy Discussion/Meeting.

In certain cases, it may be agreed that the originating local authority should undertake the Section 47 Enquiry (for example where the child is Looked After) and in all cases, the originating local authority should take responsibility for any further support of the child or family identified as necessary.

Where a significant incident arises in placement whilst the child is placed in another Authority, the host local authority will be expected to respond to the presenting needs. However, except in an absolute emergency (e.g. where it is not possible to contact the child's Social Worker or their Team Manager, or if out of hours the originating local authority's Emergency Duty Team), the host local authority should not take any significant action or remove the child, without consultation with the child's Social Worker or Team Manager within the originating local authority.

At all times case management responsibility remains with the originating local authority. In the event that the host local authority is involved in an emergency situation where the originating local authority cannot be contacted any action should be on the basis of an assessment having been completed.

The host local authority should never take action at the request of the originating local authority's verbal authority solely, but must be certain that required actions are as a result of a written request, by fax or email and their own assessment. The Police in the host local authority will of course be able to work in partnership with the originating local authority and the host local authority to secure the immediate safety of a child.

## **7. Placements where the originating local authority requests that another Local Authority (host local authority) carry out certain functions on their behalf**

Where a child is placed by another local authority (originating local authority) within the boundaries of another (host local authority), it is possible to negotiate for the host local authority to undertake some functions on their behalf. This is more likely to apply where the child is placed with foster carers and will usually extend to the host local authority supervising the placement on behalf of the originating local authority.

For example, another Authority could undertake to:

- Supervise the placement and be satisfied that the welfare of the child continues to be suitably provided for
- Visit the placement regularly in line with ordinary expectation for Looked After Children
- Where the child is to be placed in another form of placement (e.g. Registered Children's Home; Voluntary Home; or Small Unregistered Children's Home), specific reference should be made to the Children's Homes Regulations 2010, before considering whether to agree to a request that the host local authority supervise the placement on behalf of the originating local authority.

Any undertaking should be recorded on the child's record and details of the functions signed by both authorities.

It would never be appropriate to agree to a request for another Authority to supervise the placement of a child looked after by another local authority and placed in secure accommodation and/or subject to Detention Under Section 92 of the Powers of Criminal Courts (Sentencing) Act 2000.

Where it is agreed at a Planning Meeting, that a host local authority will supervise a placement on behalf of the originating local authority, the case should be allocated to a Social Worker. The originating local authority should also supply sufficient additional information to enable the Social Worker to competently supervise the placement on their behalf.

Agreement to supervise the placement should be detailed in writing and sent by the Relevant Head of Service to the originating local authority.

In particular, the originating local authority should forward to the host local authority a completed set of Looking After Children Materials, which should be [ICS] compliant and may be forwarded electronically:

- Child Care Plan - Looked After Child
- Review of Arrangements (most recent one - if applicable)
- Assessment and Progress Records (most recent one - if applicable)
- Education, Health and Care Plan (if available)
- Any risk assessments and plans – e.g.
  - Is the child subject to a Child Protection Plan?
  - Is the child subject to MAPPA?
  - Is the child disabled?
  - Does the child have a history of running away or missing from home?
  - Are there any concerns around Child Sexual Exploitation (CSE)?
  - Are there any other significant concerns or risks?
  - Has a risk assessment been completed?
  - Should the Police be informed of any risks?

#### **8. Notification to Health Providers when Children and Young People in Care are transferred across Local Authority Boundaries**

In alignment with the Statutory Guidance for Promoting the Health and Well-being of Looked After Children (DoH & DCSF 2009) and Department of Health Guidance “Who Pays? Establishing the Responsible Commissioner” (2007) the local authority has a duty to inform health providers of its intention to place a child out of its area.

When a looked after child is placed out of area the “originating health provider” remains the responsible health provider for secondary healthcare services. This applies even where the child changes their GP practice.

To ensure that regional processes satisfy these requirements, the Local Authority with responsibility for a child will notify their NHS Providers within 28 days of a child or young person in care being transferred in or out of area. This process will be supported by a Regional Directory of NHS Providers of Services for Children and Young people in Care.

Information about the transfer of children and young people will:

- Enable NHS Providers to make necessary arrangements to ensure the continuity of healthcare and the objective of providing high quality, timely care for the individual child or young person.
- Contribute to the safeguarding of children and young people in care as partnership working will promote multi-agency decision making.
- Assist Commissioners in planning for the needs of looked after children and young people, and provide local data sets to contribute to the relevant parts of the Children and Young People Plan.
- When a Looked After Child move placements arrangements can be made to fast track GP held records
- When a Looked After Child moves placement the child suffers no disadvantage when moving NHS waiting lists between hospitals. The NHS has a commitment to a start of consultant led treatment within a maximum of 18 weeks from referral.
- Ensure continuity of care.

#### **9. Health Assessments for Children in Care placed out of area**

Requests for Initial (IHA) and Review Health Assessments (RHA) for children and young people in care placed out of area will be sent from the originating Local Authority to the original NHS Provider who will forward the request to the relevant receiving NHS Provider or in some areas this will be sent via the originating CCG.

If the receiving NHS Providers do not return a completed health assessment within the appropriate time frames for the Initial and Review Health Assessment the original Health Provider will send a reminder.

This process will be repeated 28 days later if there is still a non-return.

If following these reminders there is no response or exception report available the original Health Provider will send a letter to the social worker, Independent Reviewing Officer and Commissioner informing them of the situation.

#### **10. Process undertaken by Leicestershire and Rutland if No Notification has been made by the originating local authority**

In Leicestershire and Rutland if no notification has been made by the originating local authority to the local authority where the child will reside, the Nominated Point of contact person will contact the LSCB Business Office when the placement is discovered. Health professionals will inform LAC Administration who will inform the health NPOC to inform the LSCB Business Office. The Leicestershire & Rutland LSCB Independent Chair will write to the originating local authority Director of Children's Services to ask why the local authority where

the child was placed was not notified.

## **11. End of Placement**

When the placement ends the original Notification of Transfer form should be updated at the end of the form (Appendix 2) to include end of placement details. The form should then be sent back to the Nominated Point of Contact person for the Local Authority where the placement was.

**Appendix 1: NOTIFICATION OF PLACEMENT OR CHANGE OF PLACEMENT OF LOOKED AFTER CHILDREN WITHIN THE AREA OF ANOTHER LOCAL AUTHORITY**

Name of Local Authority child is being placed with (host authority)					
<b>CHILD / YOUNG PERSON DETAILS</b>					
Family Name of Child		First Name/s of Child			
Date of Birth		Gender		Religion	
Ethnicity		Nationality		First language	
Country of birth		Other Language		Fluency	
GP details					
Child's Legal Status	S20				
	S21				
	Care or Supervision Order under S31				
	Remand to LA				
	Other (please specify)				
Name and address [inc. postcode] of Parent / Person with Parental Responsibility					
Name and contact details of child's IRO					
<b>ORIGINATING LOCAL AUTHORITY DETAILS</b>					
Originating local authority - Name and Address and Contact Person details					
Name, address [inc. postcode], email and telephone number of Team Manager					
Name, address, email and telephone number of Social Worker					
Out of hours service contact details					
<b>PLACEMENT DETAILS (in host authority)</b>					
Placed with (establishment / foster carer / organisation)					
Name, address [inc. postcode] and telephone number of placement					
If your authority has local knowledge of the placement which it would be appropriate to share with the originating local authority, please contact [add local details] e.g. <a href="mailto:notifications@leics.gcsx.gov.uk">notifications@leics.gcsx.gov.uk</a> ; <a href="#">[citycommissioning]</a> ;					
Start date of placement					
Is this a series of planned short breaks		YES	NO	Details	
Expected end date of placement, if known					
Placement type	Foster home – LA				
	Foster home - IFA				
	Registered children's home				
	Registered boarding school				
	Other – please give details				

<b>SAFEGUARDING AND SOCIAL CARE INFORMATION</b>			
	Yes	No	Details
Is the child subject to a child protection plan?			
Is the child subject to MAPPA?			
Does the child have a history of running away or missing from home?			
Are there any concerns around CSE?			
Are there any other significant concerns or risks?			
Has a risk assessment been completed? Please specify what type of risk assessment			
Should the Police be informed of any risks?			
<b>EDUCATION INFORMATION</b>			
Name, address [inc. postcode] and telephone number of school or educational provision			
Does the child have a statement of Special Educational Needs?			
Which Local Authority will maintain the statement of Special Educational Needs?			
<b>HEALTH AND RESPONSIBLE COMMISSIONER INFORMATION</b>			
Does the child have additional needs arising from a physical or learning disability or mental ill-health?			
Has the health service in the receiving authority been notified?			
Date of last Health Assessment			
Contact details of person who completed the assessment			
<b>YOUTH OFFENDER INFORMATION</b>			
Is the child subject to any Court order or YOS intervention as a young offender?			
If YES, which is the supervising Youth Offending Service?			
Has the Youth Offending Service in the host authority been notified?			
<b>HAS THE PLACEMENT HAD THE FOLLOWING INFORMATION?</b>			
Current Risk Assessment			
Current Pathway Plan			
Police – risk assessment			
Other – please give details			

## Appendix 2: End of Placement Notification Form

<b>END OF PLACEMENT</b>	
When the placement ends and the child moves out of that area, the Originating local authority must notify the nominated point of contact person where the child was, that the placement has ended:	
Reason the placement ended	
End date of placement	
Name of Person notified	
Date notified	

