

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 child looked after within their boundary.

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.

The primary purpose of this requirement is to enable the local authority within whose area the child is placed, to be able 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 which it is itself looking after;
- Those children looked after by another local authority, but where there has been agreement that it will carry out some functions;
- Those children who are looked after by another local authority and where the other local authority continues to carry out all functions.

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.

Process

1. 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:

	Local Authority Contact	Health
Derbyshire	Geoff.hallam@derbyshire.co.uk	Kathy.Webster@derbyshirecountypct.nhs.uk
Derby City	Mark.barratt@derby.gov.uk	Lesley.smales@derbyshcft.nhs.uk
Leicestershire	april.rhodes@leics.gov.uk	Maria.smith@leicestercity.nhs.uk
Leicester City	Lee.chapman@leicester.gov.uk	Maria.smith@leicestercity.nhs.uk
Lincolnshire	Janet.Wilson@lincolnshire.gov.uk	jan.gunter@lpct.nhs.uk
Northamptonshire	Dawn Mcallister (Team Manager) dmcallister@northamptonshire.gov.uk	Cathy.Sheehan@northants.nhs.uk
Nottinghamshire	Diane.brady@nottsc.gov.uk	kellie.munks@nhs.net
Nottingham City	Olga.Brock@nottinghamcity.gov.uk	kellie.munks@nhs.net
Rutland	Gisela Jarman, (gj@rutland.gcsx.gov.uk)	Maria.smith@leicestercity.nhs.uk

Where an Authority wishes to request that another carry out certain functions on their behalf (e.g. supervision of the placement), then a direct request should be made to the other Authority.

This is more likely to apply where the child is placed with foster carers and will usually extend to another Authority supervising the placement on behalf of the placing local authority. For example, an Authority may agree to undertake:

- 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 another Authority supervise the placement on behalf of the placing local authority.

It would never be appropriate request for another local authority to supervise the placement of a child looked after by another local authority and placed in secure accommodation and/or subject to Section 53 of the Children and Young Person Act 1933.

No presumptions should be made prior to agreement at a formal Planning Meeting, where representatives of the local authorities concerned are present, and an agreement to carry out the functions required has been made and an undertaking to this effect given in writing.

2. Change in Circumstances or End of Placement

All changes in circumstances should also be notified to the Local Authority and PCT. The form at Appendix 2 must be used.

This includes

- A change of placement, address or details within the Local Authority;
- When a child or young persons placement 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.

3. Significant Incident arising in placement

Working together states:

“The local authority in whose area a child is found 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 first authority should consult the authority responsible for the child.

Only when the second local authority explicitly accepts responsibility is the first 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, even though 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 home 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 home authority should undertake the Section 47 Enquiry (for example where the child is **Looked After**) and in all cases, the home 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 Authority where the child is placed 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 placing local authority's Emergency Duty Team), the Authority where the Child is placed should not take any significant action or remove the child, without consultation with the child's Social Worker or Team Manager within the placing local authority.

At all times case management responsibility remains with the placing local authority. In the event that the Authority where the Child is placed has to have an involvement in an emergency situation where the placing authority cannot be contacted any action should be on the basis of an initial assessment having been completed.

The Authority where the Child is placed should never take action at the request of the placing 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 initial assessment. The Police in the Authority where the Child is placed will of course be able to work in partnership with the placing authority and the Authority where the Child is placed to secure the immediate safety of a child.

4. Placements where the placing local authority request that another Local Authority carry out certain functions on their behalf

Where a child is placed by another local authority within the boundaries of another, it is possible to negotiate for that 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 another Authority supervising the placement on behalf of the placing local authority.

For example, another Authority would 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 this Directorate supervise the placement on behalf of the placing 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 Section 53 of the Children and Young Person Act 1933.

Where it is agreed at a Planning Meeting, that another Authority will supervise a placement on behalf of the placing local authority, the case should be allocated to a Social Worker.

The placing 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 placing local authority.

In particular, the placing local authority should forward to the other Authority a completed set of Looking After Children Materials, which should be ICS compliant and may be forwarded electronically:

- a. Child Care Plan - Looked After Child;
- b. Review of Arrangements (most recent one - if applicable);
- c. Assessment and Progress Records (most recent one - if applicable).

5. Notification to Health Providers when Children and Young People in Care are Transferred across Local Authority Boundaries.

- a. In alignment with the Statutory Guidance for Promoting the Health and Well-being of Looked After Children (Dept Health & 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.
- b. When a looked after child is placed out of area the “originating PCT” (health provider) remains the responsible PCT for secondary healthcare type services, even where the child changes their GP practice.
- c. To ensure that regional processes satisfy these requirements, social care departments are to 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.
- d. 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.

6. Health Assessments for Children in Care placed out of area

- a. Requests for Initial and Review Health Assessments for children and young people in care placed out of area will be sent from social care to the original NHS Provider who will forward the request to the relevant receiving NHS Provider
- b. 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.
- c. This process will be repeated 28 days later if there is still a non- return.
- d. If following these reminders there is no response or exception report available Original Health Provider will send a letter to the social worker, Independent Reviewing Officer and Commissioner informing them of the situation.

Appendix 1

NOTIFICATION OF PLACEMENT OR CHANGE OF PLACEMENT OF A LOOKED AFTER CHILD WITHIN THE AREA OF ANOTHER LOCAL AUTHORITY

(Arrangements for Placement of Children (General) Regulations 1991)

N.B.: Complete a separate form for each child or young person. This form should be sent to the designated name in the Local Authority and Health Authority concerned.

TO:

(Name of Please select:)

A. Name of Child or Young Person:

Date of Birth:

Gender: Male/Female

B. Name & address of parent(s):

Name & address of any other person with parental responsibility:

C. Does the child have a Child Protection Plan? YES/NO
Is the child on the "Children Act Register" (i.e. for children with disabilities)? YES/NO
What is the child's legal status?
If the child is the subject of a Care Order:
If so, to which Authority?

D. Name of Local Authority placing the child:
Name and address of Social Worker responsible for the child:

Telephone number of Social Worker:
Out-of-Hours (EDT) contact tel. no.:

E. Name & address of proposed carers/placement*:

Telephone number of placement:
Date proposed placement to commence:
Date of termination of placement (if appropriate):
Reason for termination:

F. Have arrangements been made for another authority/person/organisation to supervise or carry out the functions in relation to this placement on behalf of the local authority with responsibility for the child? YES/NO
If YES, please give details of the authority/person/organisation with whom the arrangements have been made:

* Where the local authority in whose area the child is to be placed has local knowledge of the placement, which it would be appropriate to share with the placing authority, please contact the Commissioning Officer for Children's Services and the Social Worker indicated above.

Appendix 2

N.B.: Complete a separate form for each child or young person. This Form should be sent to the designated name in the Local Authority and Health Authority concerned.

THE PLACEMENT OF CHILDREN WITH PARENTS ETC REGULATION 1991

Please choose: OF PLACEMENT

Child _____, date of birth: _____, gender: Please choose: _____,
who is in care under (Act & Section) _____ to, (insert LA) previously of
whose GP was:

- *will be placed with:
of: _____
on: _____ GP: _____
- *who is / are not parent/guardian/person w/ parental responsibility. The name of the
parent/guardian/person w/ parental responsibility is:
of: _____
- *was moved from:
of: _____
on: _____
- *The placement was terminated for the following reasons:

The child was placed by (Insert LA).
- *The child is / is not not subject to a Child Protection Plan under the following category:

The supervisory Social Worker is: _____, who can be contacted
at the above address / at the following address. _____, as supervision will be undertaken on our
behalf by _____.

The information given above is confidential and should not be given to anyone outside your department. Any queries should be directed to the supervisory social worker.

*tick as appropriate