

Adoption and Children (Coronavirus) (Amendment) (No. 2) Regulations 2020

The Adoption and Children (Coronavirus) (Amendment) Regulations 2020 came into force on 24 April 2020 and remained in force until 25 September 2020. The Regulations made temporary amendments to various requirements and timescales.

The Adoption and Children (Coronavirus) (Amendment) (No. 2) Regulations 2020 ('the temporary Regulations') came into force on 25 September 2020 and will continue in force until 31 March 2021.

The amended Regulations temporarily amend a series of 6 Regulations which are applicable during periods of national lockdown. The temporary Regulations:

- allow visits to take place over the telephone, a video link or other electronic communication methods, where face-to-face visits are not possible due to coronavirus (COVID-19)
- change the rules regarding health assessment in the process for approving adopters and foster carers, as long as assessments are obtained and considered for the final stage and prior to approval
- suspend the minimum frequency of Ofsted inspections, recognising that assurance visits will be conducted using a risk-based approach

These amendments are shown in the table below highlighted in green.

Revised guidance **Coronavirus (COVID-19): Guidance for Children's Social Care Services** (<https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-for-childrens-social-care-services/coronavirus-covid-19-guidance-for-local-authorities-on-childrens-social-care>) provides that the temporary regulations are intended to be used where the flexibilities are still needed to provide effective support for children involved with children's social care services during the pandemic. These can be when:

- it would be contrary to any guidance relating to the incidence or transmission of coronavirus (COVID-19) published by Public Health England or the Secretary of State for Health and Social Care
- it is not reasonably practicable for a reason relating to the incidence or transmission of coronavirus (COVID-19)

The overarching approach to making use of these flexibilities should include:

- approval at chief officer level in local authorities and, where appropriate, top tier management level in other services and providers
- properly recording the use, along with the reasons for doing so and communicating to the other safeguarding partners and providers
- each local authority and provider recording the reason or reasons for use of a flexibility

Ofsted will take note of any use of these flexibilities, so providers should be ready to explain why their use was necessary, for what length of time and how any possible longer-term impacts were mitigated. This should be available to share with Ofsted, and others such as Independent Reviewing Officers, as appropriate. The records may be used to inform Ofsted's annual engagement meetings with local authorities and in any local authority or provider inspection activity. Ofsted will review the relevant records if they receive any complaints or concerns or whistleblowing.

The difficult and complex decisions that need to be taken during this period should be made in the spirit of the following principles:

- child-centred – promoting children's best interests: nothing is more important than children's welfare; children who need help and protection deserve high quality and effective support as soon as help is identified
- risk-based – prioritising support and resources for children at greatest risk
- family focussed – harnessing the strengths in families and their communities
- evidence informed – ensuring decisions are proportionate and justified
- collaborative – working in partnership with parents and other professionals
- transparent – providing clarity and maintaining professional curiosity about a child's wellbeing

There should be no blanket changes to social work practice, but COVID-19 brings additional risk and complexity to social work practice and may necessitate some different ways of working which should always be risk-based.

Note also the **Principles of Good Administrative Practice During the Response to Covid 19** set out by the Local Government and Social Care Ombudsman, especially when departing from usual practice.

<https://www.lgo.org.uk/information-centre/reports/guidance-notes/principles-of-good-administrative-practice>

This sets out principles to be followed by local authorities and safeguarding partners, including:

- There should be a clear audit trail of how and why key decisions were made, summarising key reasons for departing from normal practice;
- Where new or adapted policies and procedures are brought in, ensure staff are clear on these;
- The basis on which decisions are made and resources allocated should be open and transparent. Any new criteria, thresholds and timescales should be clear to service users and staff;
- Even where national rule changes allow raised thresholds for action, ensure you properly consider the individual circumstances of each case;
- Consider a triage approach.

is important that practitioners check their local position before varying duties and practice standards in the way permitted by the regulations.

TOPIC	AMENDMENTS/INFORMATION
<p>Department for Education Coronavirus Helpline</p>	<p>The Department for Education coronavirus helpline is available to answer questions about COVID-19 relating to education and children’s social care.</p> <p>dfc.coronavirushelpline@education.gov.uk</p>

	<p>Phone: 0800 046 8687</p> <p>Opening hours: 8am to 6pm Monday to Friday and 10am to 6pm Saturday and Sunday</p> <p>If you work in a school, please have your unique reference number (URN or UK PRN) available when calling the hotline.</p>
Children's Guide to Coronavirus (Children's Commissioner)	https://www.childrenscommissioner.gov.uk/publication/childrens-guide-to-coronavirus/#163961_20200428063510
Remote Working and Use of Technology	<p>IMPORTANT NOTE:</p> <p>Whilst many staff will be working remotely during the coronavirus outbreak, it is important to note that personal data must at all times continue to be processed and stored in accordance with Data Protection principles.</p> <p>You should not use personal devices to communicate with service-users, store personal data on personal devices or download and use apps onto work or personal devices (phones/laptops/tablet computers) without express authorisation from your manager.</p> <p>See also Home Working: Preparing Your Organisation and Staff - National Cyber Security Centre How to make sure your organisation is prepared for an increase in home working, and advice on spotting coronavirus (COVID-19) scam emails. https://www.ncsc.gov.uk/guidance/home-working</p>
Data Protection and Information Sharing	<p>Data Protection and Coronavirus Information Hub (Information Commissioner's Office) https://ico.org.uk/global/data-protection-and-coronavirus-information-hub/</p>
Workforce	<p>The Coronavirus Act 2020 allows for the emergency registration of social workers who have recently left the profession to expedite their registration allowing them to return to practice.</p> <p>Social workers can register their interest via the Local Government Association website https://www.jobtrain.co.uk/lga/displayjob.aspx?jobid=936</p>

Anyone who has had a fitness to practise case upheld will not be re-registered. Local authorities will be required to undertake their usual employment checks.

Social workers, and others, brought in for coronavirus (COVID-19) purposes are eligible for free, fast-tracked **DBS checks - COVID-19: Free-of-charge DBS Applications and Fast-track Barred List Check Service**

<https://www.gov.uk/government/publications/covid-19-free-of-charge-dbs-applications-and-fast-track-barred-list-check-service>

Coronavirus (COVID-19): Right to Work Checks

<https://www.gov.uk/guidance/coronavirus-covid-19-right-to-work-checks>

Right to work checks have been temporarily adjusted due to coronavirus (COVID-19). This is to make it easier for employers to carry them out.

The following temporary changes have been made:

- checks can now be carried out over video calls
- job applicants and existing workers can send scanned documents or a photo of documents for checks using email or a mobile app, rather than sending originals
- employers should use the [Employer Checking Service](#) if a prospective or existing employee cannot provide any of the accepted documents

How to make right to work checks: video

https://www.gov.uk/government/publications/how-to-make-right-to-work-checks?utm_source=16e187c6-d366-48c8-b93f-f3acd004cb83&utm_medium=email&utm_campaign=govuk-notifications&utm_content=immediate

	<p>Information for Social Workers from Social Work England</p> <p>https://www.socialworkengland.org.uk/coronavirus/information-for-social-workers</p> <p>PCFSW COVID-19 Ethical Response and Best Practice Guide For Children and Families Services - this guidance has been developed by the Principal Children and Families Social Worker (PCFSW) Network to stimulate ethical thinking and reflection about the ethical response to current Covid-19 pandemic and to support practitioners in applying social work values and principles and Social Work England’s practice standards in their everyday practice, decisions and actions. This is a best practice guidance as such is neither prescriptive nor meant to present a single way of doing things.</p> <p>https://www.skillsforcare.org.uk/Documents/Learning-and-development/social-work/psw/COVID-19-PSW-Ethical-Response-and-Best-Practice-Guide.pdf</p>
<p>COVID-19 Vaccination: a Guide for Social Care Staff</p>	<p>Information for frontline social care workers on COVID-19 vaccination.</p> <p>https://www.gov.uk/government/publications/covid-19-vaccination-a-guide-for-social-care-staff?utm_medium=email&utm_campaign=govuk-notifications&utm_source=84d3c865-d297-4e00-871d-c7966d2f7bd1&utm_content=daily</p>
<p>Coronavirus (COVID-19) testing for children’s social care workers</p>	<p>Education, childcare and children’s social care settings and providers must ensure they understand the NHS testing and tracing for coronavirus process (https://www.nhs.uk/conditions/coronavirus-covid-19/testing-and-tracing/) so that they know how to respond if anyone within the setting is suspected or confirmed to have coronavirus (COVID-19). They must also know how to contact their local PHE health protection team (https://www.gov.uk/guidance/contacts-phe-health-protection-teams), and do so as soon as they have a confirmed case or an overall rise in suspected cases.</p> <p>Anyone who displays symptoms of coronavirus (COVID-19) should request a test. Tests can be booked on the NHS testing and tracing for coronavirus website (https://www.nhs.uk/conditions/coronavirus-covid-19/testing-and-tracing/) or ordered by telephone via NHS 119.</p>

	<p>Settings must take swift action when they become aware that someone who has attended has tested positive for coronavirus (COVID-19). Based on the advice from their local PHE health protection team (https://www.gov.uk/guidance/contacts-phe-health-protection-teams), settings must ask those people who have been in close contact with the person who has tested positive to self-isolate for 10 days from the day after contact with the individual who tested positive.</p>
<p>Residential Family Centres</p>	<p>Virtual interviews</p> <p>In relation to visits to the centre by the registered person, any interview may be carried out by telephone, video-link or other electronic means where carrying out a physical interview would be contrary to any guidance published by Public Health England or the Secretary of State for Health and Social Care, or where it would not be reasonably practicable for a reason relating to the incidence or transmission of coronavirus.</p> <p>The person carrying out the visit must keep a record of any 'virtual' interviews carried out.</p> <p>Coronavirus (COVID-19): Guidance for Children's Social Care Services https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-for-childrens-social-care-services/coronavirus-covid-19-guidance-for-local-authorities-on-childrens-social-care provides that:</p> <p>The temporary regulations allow interviews with residents and staff at the residential family centre that are carried out by the registered provider in accordance with regulation 25(4)(a) of the Residential Family Centres Regulations 2002 to take place over the telephone, a video link or via other electronic communication methods.</p> <p>The use of virtual interviews should be the exception and can be used as a result of public health advice or when it is not reasonably practicable to have a face-to-face visit otherwise for a reason relating to the incidence or transmission of coronavirus (COVID-19). This could include during periods of national restrictions, self-isolation or social distancing</p>

	<p>advice due to coronavirus (COVID-19).</p> <p>All uses of this temporary flexibility must be recorded, for example in individual case records, and those records should include the reasons why a virtual interview was necessary. Providers may also find it helpful to keep a separate collated record of in which cases the flexibility has been used.</p>
<p>Contact with Parents/Carers/Siblings and Others</p>	<p>The registered person must ensure that suitable facilities are provided for children to speak privately over the telephone, a video-link or other electronic means where carrying out a physical meeting would be contrary to any guidance published by Public Health England or the Secretary of State for Health and Social Care, or where it would not be reasonably practicable for a reason relating to the incidence or transmission of coronavirus.</p> <p>The registered person must keep a record of any 'virtual' meetings carried out.</p> <p>Coronavirus (COVID-19): Guidance for Children's Social Care Services https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-for-childrens-social-care-services/coronavirus-covid-19-guidance-for-local-authorities-on-childrens-social-care:</p> <p>What about court orders related to contact for children in care?</p> <p>[The Government] expect that contact between children in care and their birth relatives will continue. It is essential for children and families to remain in touch at this difficult time, and for some children, the consequences of not seeing relatives would be traumatic.</p> <p>However, there may be local or individual circumstances where face-to-face contact may not be possible, including where members of households are isolating or continuing to take precautions due to clinical vulnerability.</p>

	<p>Under the current provisions for social distancing, there are exceptions for the purposes of arrangements for access to, and contact between, parents and children where the children do not live in the same household as their parents or one of their parents. There is also an exception to allow for contact between siblings when they do not live together and one or more of them is a looked after child or a 16 or 17-year-old care leaver.</p> <p>Where it is not possible for the usual face-to-face contact to happen, keeping in touch will need to continue to take place virtually. The Government would encourage social workers and other professionals to reassure children that this position is temporary.</p> <p>The Government would also expect carers to be consulted on how best to meet the needs of the children in their care and to be supported to facilitate that contact.</p> <p>When considering the most appropriate ways for children to stay in touch with their families, social workers and carers should seek the views of children who may welcome different forms of contact, including less formal and more flexible virtual contact with their birth families.</p> <p>Coronavirus: Separated Families and Contact with Children in Care FAQs (UK) (House of Commons Library) https://commonslibrary.parliament.uk/research-briefings/cbp-8901/</p> <p>Cafcass have produced guidance for children and young people with ‘top tips for keeping in touch with family and friends’ https://www.cafcass.gov.uk/grown-ups/parents-and-carers/covid-19-guidance-for-children-and-families/</p>
<p>Social Worker Visits</p>	<p>‘Virtual’ visits</p> <p>Visits may be conducted by telephone, video-link or other electronic means, where carrying out a physical visit would be contrary to any guidance published by Public Health England or the Secretary of State for Health and Social Care, or where it would not be reasonably practicable for a reason relating to the incidence or transmission of coronavirus.</p>

	<p>Any 'virtual visits' must be carried out in accordance with any recommendations given by the Nominated Officer, and the responsible authority must keep a record of any 'virtual visits' carried out.</p> <p>Coronavirus (COVID-19): Guidance for Children's Social Care Services https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-for-childrens-social-care-services/coronavirus-covid-19-guidance-for-local-authorities-on-childrens-social-care provides that: The temporary regulations allow meetings taking place under regulation 22(1) of the Children's Homes (England) Regulations 2015 to take place over the telephone, a video link or other electronic means. Suitable facilities are to be made available within the children's home to enable such private meetings to take place. As good practice, children and young people should be told why a face to face visit is not possible and be advised of their right to advocacy. The use of virtual visits should be the exception and can be used as a result of public health advice or when it is not reasonably practicable to do otherwise for a reason relating to the incidence or transmission of coronavirus (COVID-19). This could include during national restrictions, self-isolation or social distancing advice due to coronavirus (COVID-19). All uses of this temporary flexibility must be recorded, for example in individual case records, and those records should include the reasons why a virtual visit was necessary. Providers may also find it helpful to keep a separate collated record in which cases the flexibility has been used.</p>
<p>Advocacy and Independent Visitors</p>	<p>Coronavirus (COVID-19): Guidance for Children's Social Care Services https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-for-childrens-social-care-services/coronavirus-covid-19-guidance-for-local-authorities-on-childrens-social-care:</p> <p>The ongoing provision of advocacy for looked-after children is of critical importance and local authority duties to provide it remain unchanged. The DfE funded Always Heard safety net service continues to be fully operational and can be contacted at 0808 800 5792 and the Children's Commissioner's Help at Hand service is also available on 0800 528 0731.</p> <p>https://coramvoice.org.uk/for-professionals/always-heard-the-national-advocacy-helpline-and-safety-net-for-england/</p>

	https://www.childrenscommissioner.gov.uk/help-at-hand/
Education	<p>Coronavirus (COVID-19): Guidance for Children’s Social Care Services https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-for-childrens-social-care-services/coronavirus-covid-19-guidance-for-local-authorities-on-childrens-social-care</p> <p>Early years setting remain open for all children.</p> <p>During the period of national lockdown, primary, secondary, alternative provision and special schools will remain open to vulnerable children and young people and the children of critical workers only (recognising that the characteristics of the cohorts in special schools and alternative provision will mean these settings continue to offer face to face provision for all pupils, where appropriate). All other pupils should receive remote education. Pupils who are self-isolating should not attend school. Clinically extremely vulnerable pupils are also advised not to attend school.</p> <p>The definition of vulnerable children and young people includes children who have a social worker, an education, health and care (EHC) plan or who may be vulnerable for another reason at local discretion (“otherwise vulnerable”).</p> <p>Schools are expected to allow and strongly encourage vulnerable children and young people to attend. Parents and carers of vulnerable children and young people are strongly encouraged to take up the place.</p> <p>If vulnerable children and young people do not attend, schools should:</p> <ul style="list-style-type: none"> • work together with the local authority and social worker (where applicable) to follow up with the parent or carer to explore the reason for absence, discussing their concerns using supporting guidance considering the child’s circumstances and their best interests • work together with the local authority, social worker (where applicable) and other relevant partners to encourage the child or young person to attend educational provision, particularly where the social worker

agrees that the child or young person's attendance would be appropriate

Where schools grant a leave of absence to a vulnerable child or young person they should still speak to parents and carers, and social workers (where applicable) to explore the reasons for this and any concerns raised. The discussions should focus on the welfare of the child or young person and ensuring that the child or young person is able to access appropriate education and support while they are at home.

Where providers have had to close, they should inform the local authority to discuss alternative arrangements for vulnerable children and young people and work towards reopening as soon as possible, where feasible to do so.

Regardless of setting, schools are encouraged to work collaboratively with other schools and education providers and other local partners (including the local authority, social workers, police, youth services, key workers) to maximise opportunities for face-to-face provision for vulnerable children.

The Government have also published guidance on **Improving school attendance: support for schools and local authorities** which includes guidance on the responsibilities of virtual school heads (VSHs) in monitoring the attendance of looked-after children and previously looked-after children, and securing appropriate interventions for those who are persistently absent.

This guidance sets out expectations on social workers and family support workers to convey high expectations for attendance, make sure school attendance is prioritised within multi-agency plans and support children and families to overcome barriers to attendance where needed. The Government have published a **toolkit of resources and guidance to help social workers in conversations with children and families about school attendance** .

This is especially important when schools are open for vulnerable children and young people and children of critical workers only: there is even more need to have eyes on vulnerable children and young people and, where they do not attend school, social workers should work together with others to address concerns and encourage attendance.

Where individuals who are self-isolating are within our definition of vulnerable, it is important that schools put systems in place to keep in contact with them, offer pastoral support and check they are able to access education support.

When a vulnerable child and young person is asked to self-isolate, schools should notify their social worker (if they have one). School leaders should then agree with the social worker the best way to maintain contact and offer support to the vulnerable child or young person. Social workers should be in communication with schools and, where possible, engaged in conversations with the school and parents to put in place strategies to reduce the risk of exclusion.

The Government have reiterated to schools that they should, as far as possible, avoid permanently excluding any pupil with an Education, Health and Care Plan or a Looked-After Child. Where a looked after child is at risk of exclusion, the VSH, working with others, should consider what additional assessment and support needs to be put in place to help the school address the causes of the child's behaviour and prevent the need for exclusion, and make any additional arrangements to support the child's ongoing education in the event of an exclusion.

Where a child has been permanently excluded, this will include rapidly securing new educational provision in line with the child's needs and Personal Education Plan (PEP). Where a school has concerns about the behaviour of a previously looked after child which could result in the child being excluded, advice may be sought from the VSH on strategies to support the child to avoid exclusion.

All children deemed clinically extremely vulnerable are advised not to attend school.

Where a child's GP or clinician has confirmed they are still considered clinically extremely vulnerable, they should follow shielding advice and should not attend school, because the risk of exposure to the virus in their area may currently be very high.

A child or member of staff who lives in the same household as someone who is clinically extremely vulnerable or

clinically vulnerable can still attend the setting, unless advised otherwise by an individual letter from the NHS or a specialist doctor.

Risk assessments for children and young people with an education, health and care plan

Following the March closure of schools and colleges to most pupils and students, local authorities and settings were asked to undertake risk assessments for children and young people with EHC plans. These risk assessments are no longer required.

Pupil level risk assessments, which were used last spring, should not be used to filter children and young people in or out of attendance, but could be helpful to prioritise the amount of time in school children can get if full time attendance for all is not possible.

Local authorities and educational settings should make their own judgements as to whether risk assessments continue to be useful for each child or young person after they have returned full time. They may for example prove useful to:

- help identify any additional support that pupils need in order to make a successful return to full-time education
- to help reassure pupils, families, and staff that it is safe for the pupil to be welcomed back to their setting in the event that children and young people have to self-isolate; or if there is a local outbreak of coronavirus (COVID-19)

Where a child or young person with an education, health and care (EHC) plan has a social worker, the social worker should be involved in maintaining any risk assessment. Where a child is looked-after, the local authority virtual school head should also be involved.

Alternative provision (AP) schools and providers

	<p>Alternative provision (AP) settings should remain open and allow vulnerable children and young people and children of critical workers to attend. The Government expect AP schools to actively encourage those they consider to be most vulnerable – identified in partnership with local services – to attend provision. They should provide robust remote learning for those who are not attending.</p> <p>On occasion AP schools will encounter circumstances where they cannot provide their usual interventions and provision at adequate staffing ratios, or with staff with vital specialist training. In these circumstances they should seek to resume as close as possible to full time provision as soon as possible for all children of critical workers and those deemed vulnerable.</p> <p>Critical workers and vulnerable children who can access schools or educational settings</p> <p>https://www.gov.uk/government/publications/coronavirus-covid-19-maintaining-educational-provision?utm_medium=email&utm_campaign=govuk-notifications&utm_source=31faca4b-814d-4606-947d-432ab6d24ea6&utm_content=daily</p> <p>Providing school meals during the coronavirus (COVID-19) outbreak</p> <p>https://www.gov.uk/government/publications/covid-19-free-school-meals-guidance?utm_medium=email&utm_campaign=govuk-notifications&utm_source=0d96046e-2048-4d3a-b4c7-67e69d789a99&utm_content=daily</p>
Transporting Children	Government social distancing requirements apply. https://www.gov.uk/coronavirus
Leisure and Activities	Government social distancing requirements apply. https://www.gov.uk/coronavirus

<p>Children and Young People Aged 0-25 with Special Educational Needs and Disabilities/Transitions/Young Carers</p>	<p>Risk assessments for children and young people with an education, health and care plan attending on-site education</p> <p>see the section on Education</p> <p>Where providers need to offer transport to enable children with SEND to access respite services, they should follow the principles set out in the Guidance on Transport to Schools and Other Places of Education: Autumn Term 2020 (https://www.gov.uk/government/publications/transport-to-school-and-other-places-of-education-autumn-term-2020/transport-to-school-and-other-places-of-education-autumn-term-2020).</p>
<p>Restrictions on Visitors and Gatherings in Residential Settings</p>	<p>Coronavirus (COVID-19): Guidance for Children’s Social Care Services https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-for-childrens-social-care-services/coronavirus-covid-19-guidance-for-local-authorities-on-childrens-social-care</p> <p>Children’s homes will usually be considered as ‘households’. There are no restrictions on members of the same household meeting together, all the children in the home would still be able to gather together alongside the adults working at the home.</p> <p>Your approach to deciding what constitutes a household and who should self-isolate because they are part of this household will depend on the physical layout of the residential setting, considering who shares a kitchen or bathroom, bedrooms and staffing arrangements. You can seek advice from PHE’s local health protection teams if needed.</p> <p>The National lockdown: Stay at Home guidance has introduced limits on people gathering indoors or outdoors. However, there are exceptions to enable people to meet, such as for work or the provision of voluntary or charitable services, if you cannot reasonably do so from home. This means, for example, that social workers and independent visitors under regulation 44 of the Children’s Homes (England) Regulations 2015 can continue to visit children.</p> <p>The exceptions also allow for contact between parents and children where children do not live in the same household as</p>

	<p>both their parents, and for contact between siblings when they do not live together and one or more of them is a looked after child or a 16 or 17 year-old care leaver.</p> <p>Social workers or police needing to visit a setting and investigate child protection concerns should make a judgement about visiting that balances considerations of the:</p> <ul style="list-style-type: none"> • risks to children and young people • risks to families • risks to the workforce • guidance on social distancing and hygiene • statutory responsibilities, including safeguarding
<p>Promoting Health and Wellbeing</p>	<p>Coronavirus (COVID-19): Guidance for Children’s Social Care Services https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-for-childrens-social-care-services/coronavirus-covid-19-guidance-for-local-authorities-on-childrens-social-care</p> <p>What steps should local authorities and providers take if they believe it is necessary to restrict a child’s movement if they become symptomatic or are confirmed as having coronavirus (COVID-19)?</p> <p>Anyone in England and Wales who has symptoms of coronavirus (COVID-19) (https://www.nhs.uk/conditions/coronavirus-covid-19/symptoms/), can now ask for a test to check if you have coronavirus through the NHS website (https://www.gov.uk/get-coronavirus-test).</p> <p>If it is suspected or confirmed that a young person in residential care has become infected with coronavirus (COVID-19), it will be necessary for them to self-isolate.</p>

If a child in a residential care home develops symptoms of coronavirus (COVID-19):

- staff can continue to enter and leave the home as required, but consistent staff rotas should be used where possible and staff should follow infection control procedures
 - staff should wear **PPE for specific activities requiring close contact** (<https://www.gov.uk/government/publications/safe-working-in-education-childcare-and-childrens-social-care/safe-working-in-education-childcare-and-childrens-social-care-settings-including-the-use-of-personal-protective-equipment-ppe->) please be mindful that wearing a face covering may inhibit communication with people who rely on lip reading, facial expressions and clear sound
- staff should adhere to social distancing guidelines as far as they are able to, but should take account of children's emotional needs

Local authorities and providers should discuss the care planning arrangements to determine whether the child can be safely cared for at their home (the children's home), or whether alternative arrangements are required, for example, a temporary move to alternative provision, or a move of other children who are well to an alternative temporary placement. In all cases, the Government would hope that this could be done with the co-operation of the young person and their understanding of the significant risk of spreading infection.

Stability for children is paramount at this time, and the Government encourage providers to prioritise this when making decisions about whether symptomatic children should be moved. A temporary move to an alternative placement should only ever be considered as a last resort. However, the Government understand that there may be significant health concerns relating to a symptomatic child or to another child in the home.

Coronavirus (COVID-19) test kits for children's homes

<https://www.gov.uk/guidance/coronavirus-covid-19-test-kits-for-childrens-homes>

provides guidance on when and how to test children and staff, including how to order more tests.

Enforcing self-isolation requirements

As far as possible, arrangements for restrictions should be put in place with the consent of the young person and all professionals involved in the care of the young person are encouraged to explain how and why the temporary restrictions are being applied. The restrictions should last for no longer than is necessary and must be kept under careful and constant review.

As a last resort, if the young person refuses to follow sensible public health guidance, advice can be sought from Public Health England on the possibility of imposing restrictions on an individual who is potentially infectious under the Coronavirus Act 2020. This gives Public Health Officers power to impose proportionate requirements (including screening and isolation) on any person suspected or confirmed to be infected with coronavirus (COVID-19). Children and young people have the power to appeal the decision and should be given information about accessing advocacy support.

If decision makers agree that there is no alternative and the proposed restrictions are necessary and proportionate, then contact should be made with local health protection teams.

Contact information can be found at [find your local health protection team in England](https://www.gov.uk/health-protection-team). <https://www.gov.uk/health-protection-team>

Regulation 20 of the Children's Homes (England) Regulations 2015 has been amended to provide that where it is agreed that restrictions on a child's movement amount to a deprivation of liberty, then this can be enforced temporarily where Public Health Officer powers under the Coronavirus Act 2020 (including a requirement for a person to remain in a

specified place or to remain isolated) are being exercised. The Government would expect that any decisions relating to the exercise of these powers must be recorded and carefully monitored, with the placing authority informed in accordance with the requirements to keep records in accordance with regulation 35(3) of the Children's Homes (England) Regulations 2015.

The powers under the Coronavirus Act 2020 cannot be used to generally enforce restrictions on movement that amount to a deprivation of liberty. In all other cases where restrictions of movement that amount to a deprivation of liberty are being sought to be enforced, local authorities will have to apply for a court order. Local authorities should always consider the least restrictive care and treatment arrangements and, if appropriate, arrangements should be altered so they no longer amount to a deprivation of liberty.

A children's home enforcing a deprivation of liberty under these provisions **on 25 September 2020** will continue to be able to do so for the duration of the period in which the circumstances giving rise to the deprivation persist.

What support is available to promote the mental health of looked-after children?

There will be particular issues arising from coronavirus (COVID-19) that will affect looked-after children e.g. changes to contact with birth families. Local authorities should be alert to these issues and the impact they may have on looked-after children's mental health and wellbeing. Local authorities should continue to encourage looked-after children to speak to their social worker, carer or other trusted adult e.g. their advocate about how they are feeling and any mental health and wellbeing needs they have so that they can ensure they get the help and support they need.

Social workers may also want to make carers aware of Public Health England's general [guidance for parents and carers on supporting children and young people during the coronavirus outbreak](https://www.gov.uk/government/publications/covid-19-guidance-on-supporting-children-and-young-peoples-mental-health-and-wellbeing/guidance-for-parents-and-carers-on-supporting-children-and-young-peoples-mental-health-and-wellbeing-during-the-coronavirus-covid-19-outbreak) (<https://www.gov.uk/government/publications/covid-19-guidance-on-supporting-children-and-young-peoples-mental-health-and-wellbeing/guidance-for-parents-and-carers-on-supporting-children-and-young-peoples-mental-health-and-wellbeing-during-the-coronavirus-covid-19-outbreak>) and NHS England's general [guidance on looking after children and young people during the coronavirus outbreak](https://www.nhs.uk/oneyou/every-mind-matters/looking-after-children-and-young-people-during-coronavirus-covid-19-outbreak/) (<https://www.nhs.uk/oneyou/every-mind-matters/looking-after-children-and-young-people-during-coronavirus-covid-19-outbreak/>). Both sets of guidance also

	<p>contain helplines and websites which children and young people can access directly, including for anonymous support. Public Health England Every Mind Matters contains useful information for young people and carers on how to look after their own or someone else’s mental health.</p> <p>Additionally, Become has a dedicated Care Advice Line (https://becomecharity.org.uk/for-young-people/care-advice-line/coronavirus-advice/) for looked-after children and care leavers.</p> <p>Mental health continues to be a priority for the NHS and the NHS remains open to support everyone. NHS funded services across the statutory, independent and voluntary community and social enterprise sectors have worked with partners including education, local authorities, public health agencies and the justice system throughout the pandemic to help ensure that children and young people can get the support they need. This includes the use of e-clinics, online video calls or apps which enable children and young people to self-refer and talk to services through their mobile devices. 24/7 all ages crisis helplines are available across the country so anyone, including children and young people, can get urgent help whenever they need it.</p> <p>NHS England has published guidance for services on mental health, learning disabilities and autism. https://www.england.nhs.uk/coronavirus/community-social-care-ambulance/mental-health/</p>
<p>Behaviour Management/Use of Restraint and Physical Interventions</p>	<p>Coronavirus (COVID-19): Guidance for Children’s Social Care Services https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-for-childrens-social-care-services/coronavirus-covid-19-guidance-for-local-authorities-on-childrens-social-care</p> <p>What can we do to manage a young person’s behaviour if they are not complying with social distancing guidelines?</p> <p>If a young person is not complying with social distancing guidelines, the response should be considered on a case by case basis. In the first instance, encourage staff who know these young people best, to continue to engage with them on this issue, including residential care staff, foster carers or social workers.</p> <p>Where this is a persistent problem for those responsible for the child or young person, they should discuss with the</p>

	<p>child's responsible authority to develop a plan to encourage the child to comply. Providers should also support those who are caring for the child to find alternative ways and/or incentives to encourage children to comply with the overall restrictions in place at the time. Restraint should not be used to ensure children and young people comply with social distancing measures.</p> <p>Ofsted has published guidance about physical intervention and restrictions of liberty https://www.gov.uk/government/publications/positive-environments-where-children-can-flourish</p>
<p>PPE equipment for children's social care staff</p>	<p>Guidance for infection prevention and control in children's social care settings, including the specific circumstances where PPE should be used, can be found in the Guidance on Safe Working in Education, Childcare and Children's Social Care Settings https://www.gov.uk/government/publications/safe-working-in-education-childcare-and-childrens-social-care/safe-working-in-education-childcare-and-childrens-social-care-settings-including-the-use-of-personal-protective-equipment-ppe</p>
<p>Online Safety</p>	<p>Coronavirus (COVID-19): Support for Parents and Carers to Keep Children Safe Online</p> <p>https://www.gov.uk/government/publications/coronavirus-covid-19-keeping-children-safe-online/coronavirus-covid-19-support-for-parents-and-carers-to-keep-children-safe-online</p> <p>This guidance outlines resources to help keep children safe from different risks online and where to go to receive support and advice.</p> <ul style="list-style-type: none"> • Thinkuknow by National Crime Agency-CEOP (Child Exploitation and Online Protection) provides resources for parents and carers and children of all ages to help keep children safe online - https://www.thinkuknow.co.uk/ https://www.thinkuknow.co.uk/parents/Support-tools/home-activity-worksheets/ • Childnet has developed guidance for parents and carers (https://www.childnet.com/parents-and-carers/have-a-conversation) to begin a conversation about online safety, as well as guidance on keeping under-fives safe online (https://www.childnet.com/parents-and-carers/hot-topics/keeping-young-children-safe-online)

	<ul style="list-style-type: none"> • Parent Info is a collaboration between Parent Zone and NCA-CEOP, providing support and guidance for parents and carers related to the digital world from leading experts and organisations https://parentinfo.org/ • NSPCC has guidance for parents and carers to help keep children safe online https://www.nspcc.org.uk/keeping-children-safe/online-safety • UK Safer Internet Centre provides tips and advice for parents and carers to keep children safe online https://www.saferinternet.org.uk/advice-centre/parents-and-carers - you can also report any harmful content found online through the UK Safer Internet Centre https://reportharmfulcontent.com/ <p>Children's Commissioner for England Parents' digital safety and wellbeing kit (PDF) https://www.childrenscommissioner.gov.uk/wp-content/uploads/2020/04/cco-parents-digital-safety-wellbeing-kit.pdf</p> <p>Children's guide to staying safe online (PDF) https://www.childrenscommissioner.gov.uk/wp-content/uploads/2020/04/cco-childrens-digital-safety-wellbeing-kit.pdf</p>
<p>Notification of Serious Events</p>	<p>Covid19 is a notifiable disease</p> <p>https://www.gov.uk/government/news/coronavirus-covid-19-listed-as-a-notifiable-disease</p> <p>Notifying Ofsted</p> <p>You only need to notify Ofsted about incidents that the regulations require you to tell them about. They do not need you to tell them about anything else. However, they do expect you to risk assess and carefully record any steps you are taking in running your services.</p> <p>https://www.gov.uk/guidance/ofsted-coronavirus-covid-19-rolling-update?utm_source=4f233d07-f952-458e-9379-0d33a80c9d8c&utm_medium=email&utm_campaign=govuk-notifications&utm_content=immediate</p>

	<p>RIDDOR reporting of COVID-19</p> <p>You must only make a report under RIDDOR (The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013) when:</p> <ul style="list-style-type: none"> • an accident or incident at work has, or could have, led to the release or escape of coronavirus. This must be reported as a dangerous occurrence. • a worker has been diagnosed as having COVID 19 attributed to an occupational exposure to coronavirus. This must be reported as a case of disease. • a worker dies as a result of occupational exposure to coronavirus. This must be reported as a work-related death due to exposure to a biological agent. <p>https://www.hse.gov.uk/news/riddor-reporting-coronavirus.htm</p>
<p>Staffing Levels, Rotas and Handover</p>	<p>Coronavirus (COVID-19): Guidance for Children’s Social Care Services</p> <p>https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-for-childrens-social-care-services/coronavirus-covid-19-guidance-for-local-authorities-on-childrens-social-care</p> <p>In considering how to keep residential settings safe from coronavirus (COVID-19) providers should recognise that staff are working under challenging conditions and support them to continue to deliver the most appropriate care that they can. This could, for example, include, if possible, reducing the number of hours staff work in one shift, or providing more time away from the home</p> <p>Where a provider has an immediate or impending staffing shortage, which may lead to the closure of a home, they should discuss that as a matter of urgency with the relevant placing local authorities. Ofsted should also be notified, and they may share this information with DfE.</p>
<p>Preparation for Leaving Care/Moving to Another Placement</p>	<p>Coronavirus (COVID-19): Guidance for Children’s Social Care Services</p> <p>https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-for-childrens-social-care-services/coronavirus-covid-19-guidance-for-local-authorities-on-childrens-social-care</p> <p>How should local authorities meet their responsibilities to care leavers?</p> <p>Local authorities must continue to meet their statutory responsibilities towards care leavers such as providing</p>

personal advisers, or preparing and reviewing pathway plans. Personal advisers should proactively reach out to care leavers during the pandemic, including care leavers aged over 21 who are eligible for support up to age 25, but who were not accessing support before the pandemic.

Local authorities should be clear about what additional support is available to care leavers - over and above their existing published local offer - to help them overcome any additional challenges they face due to coronavirus (COVID-19), including access to discretionary funding if needed.

Given the financial vulnerability of many care leavers during this period, local authorities should make arrangements for discretionary payments to be authorised and paid to care leavers at short notice if necessary and with minimal administrative burdens. Other forms of financial support for care leavers including setting up home allowances should continue to be available during the coronavirus (COVID-19) pandemic.

Are personal advisers still expected and able to visit care leavers?

The Government encourage personal advisers to keep in touch with young people in the most effective way for the individual young person, including through technology such as phone or video. Face-to-face visits will be necessary to provide the right help to some young people and these should continue, taking account of **Working Safely During Coronavirus (COVID-19)** to protect staff and the care leavers they are visiting. (<https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/homes>)

Personal advisers should carefully assess what is the right level and frequency of contact with each care leaver, taking into account each young person's particular circumstances and levels of vulnerability. They should always consider the individual wishes and feelings of care leavers.

Should children in care and care leavers continue to move into independent living when they turn 18? Can care leavers still be moved between different accommodation settings if necessary?

Young people who have left care, or are just about to, are especially vulnerable right now. All decisions about their future should be carefully considered in the light of the pandemic and with an overriding objective of supporting them during this period and minimising any additional stress for them. In particular, the Government expect local authorities to take account of coronavirus (COVID-19) when making decisions about leaving care, and to ensure that no one has to leave care during this period. As set out in Regulation 39 of the Care Planning Regulations, when considering ceasing to look after a young person, local authorities should carry out an assessment, including ascertaining and giving consideration to the young person's wishes and feelings. The same principle should apply to young people who are in Staying Put arrangements and in relation to decisions about care leavers who were due to make a planned move into new accommodation.

While young people will still be able to move out of care into suitable accommodation, where this happens the move should be right for that young person and take account of their wishes and feelings.

Care leavers can also be moved between different accommodation settings, provided that the move is in accordance with the wishes of the young person and that the local authority is assured that the setting they are moving into is safe in relation to risk factors arising from coronavirus (COVID-19).

What are you doing to ensure care leavers don't experience loneliness and isolation during this period?

During the summer term, devices were provided to local authorities and academy trusts to support families, children and young people most in need who did not have access to them through another source, such as their school. Laptops, tablets and 4G wireless routers were provided for care leavers, children and young people with social workers and disadvantaged year 10 pupils.

The government has published [Guidance on Supporting Children and Young People's Mental Health and Wellbeing](https://www.gov.uk/government/publications/covid-19-guidance-on-supporting-children-and-young-peoples-mental-health-and-wellbeing)
<https://www.gov.uk/government/publications/covid-19-guidance-on-supporting-children-and-young-peoples-mental-health-and-wellbeing>

	<p>The Government has also provided funding for three care leaver charities (Become, Drive Forward Foundation and the Care Leaver's Association) to provide extra support to help care leavers to reduce loneliness and isolation and their impact on young people's emotional health and well-being.</p>
<p>Monitoring and Review</p>	<p>The Regulations continue the suspension of the minimum intervals for inspection, including of children's homes, residential family centres and holiday schemes for disabled children until 31 March 2021.</p> <p>Coronavirus (COVID-19): Guidance for Children's Social Care Services https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-for-childrens-social-care-services/coronavirus-covid-19-guidance-for-local-authorities-on-childrens-social-care</p> <p>The Secretary of State has agreed that Ofsted will undertake assurance visits in relation to children's social care establishments and agencies during an interim period from September 2020 until the end of March 2021 and minimum inspection intervals for these settings will remain suspended until April 2021.</p> <p>See also Ofsted: Coronavirus (COVID-19) Rolling Update https://www.gov.uk/guidance/ofsted-coronavirus-covid-19-rolling-update</p>
<p>Regulation 44 Inspections</p>	<p>Coronavirus (COVID-19): Guidance for Children's Social Care Services https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-for-childrens-social-care-services/coronavirus-covid-19-guidance-for-local-authorities-on-childrens-social-care:</p> <p>Effective quality assurance checks and visits should continue to be carried out, to ensure that the care provided is safe and staff feel supported. Independent person visits under regulation 44 of the Children's Homes (England) Regulations 2015 and face-to-face contact with families are still permitted and should still be prioritised. The use of virtual visits should be the exception and can be used as a result of public health advice or when it is not reasonably practical to have a face-to-face visit. Any activity carried out remotely should be recorded.</p>