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**Practice Guidance Note for Social Work Staff – Children Staying Overnight in the home of a Personal Assistant**

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**Kent County Council Disabled Children’s Service.**

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**N.B This Guidance Note is to be used in conjunction with ‘Parents’ Guidance for Overnight Stays by a child or young person in the home of a Personal Assistant’, and you need to familiarise yourself with this document.**

This practice note gives guidance on how to respond to a request from a family for a child or young person to stay overnight in the home of a Personal Assistant who is employed through a direct payment provided by KCC. It can also be used to inform a response to any family who requests advice on a private funding arrangement of this nature, where the family are not in receipt of a direct payment but employ a Personal Assistant (PA) using their own financial resources.

A care arrangement of this nature may be a good alternative to other overnight care options for disabled children and young people in Kent who require overnight care and instead of a stay in an overnight short break unit or short break foster care. The welfare of the child/young person is paramount, and in supporting this arrangement you must be certain that it is an appropriate element of a care plan for meeting their assessed needs.

Any arrangement of this nature can only be agreed by a Disabled Children and Disabled Young People’s Decision-Making Panel: you cannot agree to the request, but you can make a recommendation to the DCYPS Panel.

This arrangement cannot be used for children under the age of eight years unless the Personal Assistant is also a registered childminder or a foster carer.

**You must ask the child or young person if this is what they want and tell them about other options for overnight care.**

1. If the DCYPS Panel agree in principle to your request, you must issue the parent/carer with a copy of ‘Parent’s Guidance for Overnight Stays by a child or young person in the home of a Personal Assistant’, and ensure that they know and understand its contents, including ensuring that the PA’s contract of employment allows for this arrangement. (If the Panel does not approve the recommendation, then you should inform the parent/carer of the right of appeal – use the Panel Appeal Process).

2. You must visit the home of the Personal Assistant with the parent/carer to ascertain if it is a safe environment for the child/young person. To guide you, you must use the “Safe Care” home assessment procedures that KCC’s Adoption and Fostering services use.

3. You must check how long the child/young person has known the Personal Assistant. This arrangement will only be agreed if there is evidence of an established relationship between the PA and the child or young person and that the PA can demonstrate a good understanding of their needs.

4. You must check with the Direct Payments Support Service to ensure that the Personal Assistant has the appropriate enhanced and lists check under the Disclosure and Barring Service.

5. Where this has been carried out, the Direct Payment Support Service must also be asked to check everyone living in the PA’s home over the age of 18.

6. You need to ensure that the child has an up-to-date communication passport, and you must see this.

7. A child/young person’s stay with their PA would normally be for a short time (1-3 nights) but you should discuss any proposed arrangements with the child/young person/parent. A child cannot stay in any overnight short break provision for more than 75 nights in any 12-month period without it changing their legal status.

This includes all settings – KCC unit, private or charitable, NHS or independent healthcare setting, Foster Care, etc.

8. You must review this arrangement with the child/young person/parent/carer after the first stay, and thereafter at least six-monthly intervals as part of the regular review process, or if needs or family circumstances change eg the child or young person’s needs change significantly, the PA moves home, someone else joins the PA’s household.

If you update the assessment and are of the view that overnight stays are no longer appropriate, then you should return to the Decision Panel for confirmation and recording and notify the DPSS for a change in costings.

Flow chart

1. Following assessment or review, consider whether overnight care is required for the child/young person
2. If overnight care is required and the parent/PA would like to consider overnight care in the PA’s home, the PA is willing to care for the child/young person and the child/young person agrees to this, Social Worker seeks approval from their Manager/Supervisor in the first instance.
3. If agreed that this is appropriate and would meet the child/young person’s needs, complete referral to Decision-Making Panel
4. If agreed by Panel, Parent and Social Worker arrange to visit the PA’s home.
5. Social worker completes the Health and Safety checklist of the PA’s home.
6. If parent is happy to proceed, Social Worker notifies Panel so that the arrangement is recorded, requests Safeguarding checks for any other adults in the PA’s home by the Direct Payment Support Service and notifies the agreed frequency so that a set-up or revised costing and financial agreement can be drawn up.
7. Social Worker ensures that the Guidance has been completed and arranges a review date with the parent following the child/young person’s first stay.
8. If the overnight stays in the PA’s home stop for any reason, Social Worker notifies the DPSS in order to revise the costings/make a reclaim.