



East Midlands Regional Protocol

Notification process by local authorities when looked after children are placed within other local authorities in the East Midlands

This protocol indicates the actions to be taken when a local authority places a looked after child within another local authority boundary within the East Midlands region

Status of this document	Version 2 draft
Originally written by Leicestershire/East Midlands 2 Group	February 2015
Updated	December 2017
Updated by	Kathryn Higgins, Designated Nurse for Looked After Children, Nottinghamshire 5 CCGs/Nottingham City CCG
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The term "looked after children" has been used throughout the document as this is used in the Statutory Guidance (2015). It is acknowledged that the term "children in care" is interchangeable and preferred by young people and may feature in other local policies.

1. Regional Protocol

All authorities in the East Midlands have agreed to this standardised procedure for the notification of placements of looked after children and then any subsequent change in circumstances including moving out of the authority.

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

The corporate parenting responsibilities of local authorities include having a duty under section 22(3)(a) of the Children Act 1989 to safeguard and promote the welfare of the children they look after, including eligible children and those placed for adoption, regardless of whether they are placed in or out of authority or the type of placement.

This includes the promotion of the child's physical, emotional and mental health and acting on any early signs of health issues.

The local authority that looks after the child must arrange for them to have a health assessment as required by *The Care Planning, Placement and Case Review (England) Regulations 2010*.

Looked-after children should never be refused a service, including for mental health, on the grounds of their placement being short-term or unplanned.

CCGs and NHS England have a duty to cooperate with requests from local authorities to undertake health assessments and help them ensure support and services to looked-after children are provided without undue delay.

Local authorities, CCGs, NHS England and Public Health England must cooperate to commission health services for all children in their area.

“Too often, local authorities failed to notify other agencies properly when a looked after child had moved into their area. Children who live out of area but in an adjacent authority often benefit from pre-existing close collaboration between agencies”

(OFSTED 2013)

The following definitions apply for the protocol:

- The 'originating local authority' is the local authority which initially took the child/young person into care.
- The originating clinical commissioning group (CCG) is the CCG for the child's registered GP at the point they were taken into care. Or, if not registered with a GP, the CCG for the geographical area in which they were living.

“Who pays? Establishing the responsible commissioner” (Department of Health 2007)

- The 'receiving local authority' is the local authority to which the child or young person has been placed.
- The receiving CCG is the CCG for the child's registered GP for their new placement. Or, if not registered with a GP, the CCG for the geographical area in which they are now living.

4. Notification from the originating local authority to the receiving local authority when children and young people are transferred across local authority boundaries

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 (for example – see section 5). The form is then sent securely to the nominated point of contact person in the receiving local authority where the child will reside.

The nominated point of contact person (in the receiving local authority) 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 (in the receiving local authority) 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 receiving local authority (e.g. supervision of the placement), then a direct request should be made to the receiving local authority.

Health notifications – see section 6

5. Placements where the originating local authority requests that a receiving 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 (receiving local authority), it is possible to negotiate for the receiving 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 receiving 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 receiving 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 receiving 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 receiving 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?
- Have the Police and/or Youth Offending Service been informed of any risks?

6. Notification to health 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 (DH & DfE 2015) and Department of Health Guidance “Who Pays? Establishing the Responsible Commissioner” (2007) the local authority has a duty to inform the originating CCG of its intention to place a child out of the local authority area.

When a child starts to be looked after or changes placement, the local authority must, before the placement is made, notify the child’s GP, parents (except when clearly inappropriate) and those caring for the child.

The originating local authority will notify the CCG via the Designated Nurse for LAC when a child or young person starts to be looked after, changes placement or ceases to be looked after. This should be no later than 5 days when this is an emergency placement. There is an NHS England directory of secure contact details for Designated Professionals for children in care

Information sharing about children and young people will:

- Contribute and enable CCGs and health provider organisations 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 and enable the safeguarding of children and young people in care with partnership working promoting multi-agency decision making. It must be acknowledged that children placed away from home often have an increased risk of CSE, missing episodes, criminality and complex behavioural issues
- Assist commissioners in planning for the needs of looked after children and young people, and provide local data sets to contribute to relevant strategic planning.

7. Health Assessments for Children in Care placed out of area (OOA)

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 originating NHS provider who will forward the request to the relevant receiving NHS provider*.

For a health assessment to be completed the correct consent is required for not only undertaking the assessment but for sharing the information.

Essential documentation required:

- Consent to undertake the consultation (e.g. CoramBAAF from IHA C/YP Part A (pg1-2) to include: Name and contact details of current GP, social worker and carer
- Consent to view and share health information on the child/young person (e.g.

CoramBAAF consent form)

- The CoramBAAF consent form also has a section for a birth parent to consent to view and share their health information, which is ideally shared in the CoramBAAF Parental Health form (questionnaire). This is desirable from both parents to enable a high quality health assessment
- Copies of previous statutory health assessment reports. (Includes previous IHA and RHA reports if this is not their first period as a child in care)
- Most recent SDQ if applicable (children between 4 and 17 years – see Statutory Guidance 2015)

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 originating health provider will send a reminder in line with local policy. Any concerns identified will be escalated in line with local policy via the Designated LAC professionals.

**Currently the local provider in Derbyshire passes the request onto their CCG for processing.*

8. Process if no notification has been made by the originating local authority

In the case of no notification being received by the receiving local authority there should be a review and escalation in line with local policy.

In the case of no notification being received by the CCG where the child/young person has been identified by an alternative route (e.g. identified by health provider) escalation will be undertaken by the Designated Nurse for LAC in the receiving CCG as per local policy. The originating Designated Nurse for LAC will be informed to escalate with the originating local authority following local policy.

9. Change in circumstances or end of placement

All changes in circumstances should also be notified to the receiving local authority and the receiving CCG - the form at Appendix 1 must be used.

This includes

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

It may be necessary at times for local authorities, health providers and Designated Professionals for looked after children to conduct data cleansing activities and this will require liaison and cooperation.

10. Safeguarding

Safeguarding is everyone's responsibility and a looked after child is subject to the same safeguarding procedures as a child who is not looked after.

The receiving 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 the

originating authority the receiving local authority should consult the originating local authority.

Only when the receiving 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 receiving local authority.

Where a Section 47 Enquiry is to be conducted in the receiving local authority the 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 in the receiving local authority they will be expected to respond to the presenting needs of the child. 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 receiving 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 receiving 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 receiving 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 receiving local authority will of course be able to work in partnership with the originating local authority and the receiving local authority to secure the immediate safety of a child.

Appendix 1:

LOCAL AUTHORITY NOTIFICATION OF PLACEMENT OR CHANGE OF PLACEMENT OF LOOKED AFTER CHILDREN PLACED OUT OF AREA

This includes notifications of children who move back to originating local authority or cease to be looked after

Name of Local Authority child is being placed with (receiving authority)					
CHILD / YOUNG PERSON DETAILS					
Family Name of Child		First Name/s of Child			
Date of Birth		Gender		Religion	
Ethnicity		Nationality		First language	
Country of birth		Other Language		Interpreter required	
GP practice address (at time of entry into care)					
Child's Legal Status (sate order currently in place)					
Name and address [inc. postcode] of Parent(s) / Person(s) with Parental Responsibility					
Name and contact details of child's IRO					
ORIGINATING LOCAL AUTHORITY DETAILS					
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					
PLACEMENT DETAILS (in receiving authority)					
Placed with (establishment / foster carer / organisation)					
Name, address [inc. postcode] and telephone number of placement					
Start date of placement					
Is this a series of planned short breaks		YES <input type="checkbox"/>	NO <input type="checkbox"/>	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				

SAFEGUARDING AND SOCIAL CARE INFORMATION

	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			
Have the Police and/or Youth Offending Service been informed of any risks?			

EDUCATION INFORMATION

Name, address [inc. postcode] and telephone number of school or educational provision (originating local authority)			
Name, address [inc. postcode] and telephone number of school or educational provision (receiving local authority – if known)			
Does the child have an EHCP?			
Which local authority will maintain the EHCP?			

HEALTH INFORMATION

Originating CCG (if known)			
Does the child have additional needs arising from a physical or learning disability?			
Services/teams involved and contact details			
Does the child have additional needs arising from .emotional needs, mental ill-health or risk taking behavior?			
Services/teams involved and contact details			
Has the originating CCG (Designated Nurse LAC) been notified?			
Has the receiving CCG (Designated Nurse LAC) been notified?			
Date and type of last statutory Health Assessment (HA)			
Contact details of person/NHS provider who completed last HA			

Please refer to NHS England Directory of contact details for CCGs and providers here

**YOUTH OFFENDER INFORMATION**

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 receiving authority been notified?			

HAS THE PLACEMENT HAD THE FOLLOWING INFORMATION?

CurrentRiskAssessment			
CurrentPathwayPlan			
Police – risk assessment			
Other – please give details			

END OF PLACEMENT

Reason placement ended			
End date of placement			
End of placement address (i.e. from within placing authority)			
Receiving local authority notified and date			
Receiving CCG notified and date			
Originating CCG notified and date			