

## **Protocol for the Identification, Assessment and Approval of Connected Persons**

### **Definition of a connected carer**

For the purposes of this protocol, a 'connected person' means a relative, friend, or other person connected with a looked after child. A person in the last category may be someone who knows the child in a more professional capacity such as a childminder, a teacher or a youth worker although they are not exclusive categories.

Our interpretation of this definition (as approved by Her Honour Judge Hughes) is

**“someone who can demonstrate an established relationship with the child or in the case of a very young child and newborn babies, their primary care giver. They should have knowledge of the family circumstances, an appreciation as to the reasons for the Local Authority’s involvement and the ability and willingness to care for the child to the exclusion of the parents (save for authorised contact) throughout the child’s minority. They must be prepared to work with the Local Authority to safeguard the child’s welfare and to implement the child’s care plan.”**

### **Purpose of protocol**

- 1.) Local Authorities should adopt a consistent approach to the identification, assessment and approval of connected persons so that timely decisions can be made for children and young people for whom we are all responsible to secure permanency at the earliest opportunity.

### **Context for the protocol**

- 2.) Good planning for permanency requires us to consider options for permanency from the very first contact with a child or young person and their family. The goal of permanency planning should be to provide a child with a safe, stable environment in which to grow up.

The report [‘Making Not Breaking’](#) (The Care Enquiry April 2013) concluded that:

“... ‘Permanence’ for children means ‘security, stability, love and a strong sense of identity and belonging’. This is not connected to legal status, and one route to permanence is not necessarily better than any other: each option is the right one for some children and young people.”

[The Children Act 1989 guidance and regulations Volume 2: Care Planning, Placement and Case Review](#) [updated June 2015] provides the following definition at paragraph 2.3:

“Permanence is the long-term plan for the child’s upbringing and provides an underpinning framework for all social work with children and families from family support through to adoption. The objective of planning from permanence is therefore to ensure that children have a secure, stable and loving family to support them through childhood and beyond and to give them a sense of security, continuity, commitment, identify and belonging”.

Permanence, therefore, is a framework of physical, emotional and legal circumstances that give a child a sense of identity, security and commitment.

The Guidance is issued and to be read with reference to:

- [The Children Act 1989](#) and associated Regulations and Guidance
- [The Care Planning, Placement and Review \[England\] Regulations 2010](#) [as amended]
- [The Special Guardianship Regulations 2005](#) [as amended]
- [The Fostering Services \[England\] Regulations 2011](#) [as amended]
- [The Children Act 1989 guidance and regulations Volume 1: Court Orders and Pre-Proceedings](#) [updated April 2014]
- [The Children Act 1989 guidance and regulations Volume 2: Care Planning, Placement and Case Review](#) [updated June 2015]
- [The Children Act 1989 guidance and regulations Volume 4: Fostering Services](#) [updated July 2015]
- [Special Guardianship Guidance](#) [December 2005]  
<https://www.gov.uk/government/publications/special-guardianship-guidance>
- [Human Rights Act 1998](#);
- [The Adoption and Children Act 2002](#);
- [Children Act 2004](#);
- [Children and Families Act 2014](#);

## The Process

3.) By the time of the second Child Protection Case Conference, where there is a strong possibility a child may be unable to remain with their birth parent/s the expectation is that one of the recommendations is to progress to a Family Group Conference (FGC). For those children and young people not subject to child protection plans, the recommendation to progress to an FGC should be made in the following situations:

- For children subject to a Sect.20 placement-1<sup>st</sup> Statutory Looked After Review
- For relinquished children-either as part of the pre-birth assessment or following completion of the Child and Family assessment
- For children subject to a child in need plan-these are to be agreed on a case by case basis.

4.) In planning for the FGC, the child's social worker or FGC co-ordinator will share in advance with identified proposed connected persons relevant information relating to the expectations and commitment required to be a temporary or long-term foster carer, a Special Guardian or in considering a Child Arrangement Order so that those attending the FGC are fully informed of the requirements of them before they put themselves forward as a possible alternative carer.

5.) The outcome of the FGC should determine, in the event a child being unable to remain with their birth parents, who are the most suitable and naturally connected people to offer long-term care to the child. The FGC should ask all identified proposed connected persons to confirm that they fully understand the implications of being considered as an alternative carer and that any required support requirements are addressed at the earliest opportunity. The FGC should ensure that all identified connected persons are considered and the rationale for not proceeding to a viability assessment in respect of any of them should be clearly recorded in the FGC minutes.

- 6.) It is highly likely that this process may identify more than one potential connected person. This is most likely to be the case where two or more children are being considered or where both paternal and maternal connected persons are wishing to be considered as a carer. Whilst ideally only one viability should be completed, there will be occasions where two viabilities are required. However, the purpose of the FGC is to explore what support family members and friends can offer to parents and also to explore in detail who is the most suitable connected person to offer alternative care, This should ideally be agreed by all attendees at the FGC, consideration should also be given to how the other connected persons can provide support to that potential primary placement, for example overnight stays under delegated authority. Ultimately, the child can only live with one person.
- 7.) Viability assessments should be completed by a qualified social worker. The fostering social worker will take responsibility for the overall completion of the viability assessment. The Fostering Services [England] Regulations 2011 will be adhered to.
- 8.) If the viability assessment is negative, this should be read and counter signed by the relevant team manager and the outcome should be shared with the connected person.
- 9.) If the viability assessment is positive and recommends either progression to a full fostering assessment, this should be read and counter signed by the Team Manager.
- 10.) Once the positive viability assessment has been signed off, arrangements for the full assessment to be undertaken. A provisional fostering panel date must then be booked to prevent any unnecessary delay in care planning.

11.) At the midway point in the assessment, there should be a liaison meeting between the child's social worker and the assessing social worker to determine if the assessment is going well. If the assessment is not progressing well and the recommendation is not to continue, the assessing social worker should advise the connected person as soon as possible and write a 'Brief Report' for the fostering panel [this report may also be required to be provided to the Court /parties if the children are the subjects of proceedings] recommending that the assessment ceases. This course of action should be communicated to both Legal Services and CAFCASS if there are current court proceedings. If the midway point identifies that the assessment is looking favourable, this will progress to presentation at the planned fostering panel.

12.) The outcome of assessments will be shared with connected persons by the assessing social worker. All completed assessments will be presented to the pre-booked fostering panel and connected persons will be invited to attend. If the recommendation is positive, this will be referred to the ADM for the decision regarding suitability to foster. If the recommendation is negative and the decision by the ADM is not to approve, the connected person is issued with a qualifying determination. The connected person then has 28 days in which to accept or challenge the qualifying determination. If after 28 days the connected person has not challenged, the decision not to approve is final. If they do decide to challenge, they can either ask for their case to be re-considered by the fostering panel or refer themselves to the IRM, connected persons can only choose one route. The final decision from either route remains with the ADM.

***N.B*** *In exceptional circumstances where an emergency placement is needed under Regulation 24 of the Care Planning, Placement and Review [England] Regulations 2010, approval must be given by the relevant Agency Decision Maker prior to any placement being made pending completion of assessment . The Agency Decision Maker must have available all relevant information to enable them to make an informed decision.*

*If the Regulation 24 placement is agreed and signed, this should be immediately referred to the fostering service which will then make arrangements for the full assessment to be undertaken. A provisional fostering panel date must then be booked to prevent any unnecessary delay in care planning.*