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Stoke-on-Trent Safeguarding Children Board

CHILDREN IN SPECIFIC CIRCUMSTANCES

CHILDREN MOVING ACROSS BOUNDARIES

Section D 02

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D02 Children Moving Across Boundaries



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01 Summary

The vulnerability of children/young people living in families who frequently change their address is well-established. There are however other populations of children/young people who are to varying degrees also deemed as Children in Need in requiring robust information exchanges between authorities. The Placement of Children (General) Regulations, for example, requires authorities to notify other local authorities of children/young people who are placed in their area as Children in Care. This requirement clearly extends beyond the “need to know”, having due regard to responsibilities for wider safeguarding responsibilities in certain circumstances.

Lord Laming’s Report highlighted how unstable the lives of some children/young people can be whose families live in a sequence of addresses including temporary accommodation. They include children/young people for whom the narrow child protection threshold may not necessarily apply or indeed for whom concern around significant harm may not have been identified.

02 Scope

While this Protocol may not address every case example, it is intended to provide a framework in establishing respective responsibilities on behalf of all Children in Need, including those in need of protection, who move in planned or unplanned circumstances across local authority boundaries.

For the purposes of these procedures the terms ‘originating authority’ refers to the authority where the family previous lived, and ‘receiving authority’ to the authority to which the family has moved.

03 Guiding Principles

The guiding principles of this policy are:

- To ensure that the child's/young person's welfare is paramount
- To re-evaluate risk as a child's/young person's circumstances change
- The expectation that there will be discussions between managers within respective authorities, and that these agreements will be confirmed in writing.

04 Case Responsibility

Case Responsibility Following Move

The responsibility for the provision of services to Children in Need rests with the local authority in which the child/young person is living, regardless of whether the residence is regarded as temporary or permanent by either professionals or family.

Specific qualifications and exceptions apply when the child/young person is:

- Subject to a Care Order or an Interim Care Order in the originating authority
- Accommodated by the originating authority
- Subject to a Child Protection Plan in the originating authority

05 Subject of Statutory Order

Child/young person subject to a statutory order in the originating authority

Attribution of Responsibility

Children subject to a Care Order or an Interim Care Order remain the responsibility of the originating authority until:

- the order expires, or
- is discharged, or
- a transfer of responsibility is otherwise agreed.

Where a Care Order is in force, the receiving authority may (and this must be confirmed in writing by a Children Social Care first line manager or above) agree to provide required services on behalf of the originating authority, but the legal responsibility remains with the originating authority.

Responsibility to Provide/Obtain Information

In cases where the originating authority is aware in advance of a child's/young person's move, the social worker in the originating authority must, prior to the child's/young person's move (and in addition to informing relevant agencies within

the originating authority) inform the receiving Children's Social Care of the child's/young person's placement.

It is the responsibility of health and education agencies in the originating authority, prior to the child's/young person's move, to provide information to their colleagues in the receiving authority.

If this information has not arrived by the time the child/young person moves, it is the responsibility of the receiving agencies (once they become aware of the child's/young person's arrival) to request the information.

06 Accommodated Child

Child/young person Accommodated by the Originating Authority

Vulnerable Children and Corporate Parenting Responsibility

An Accommodated child/young person remains the responsibility of the originating authority until:

- The child/young person is discharged from accommodation or
- Agreement is reached, and confirmed in writing by a first line manager from Children's Social Care in the originating authority, that the receiving authority will accommodate the child/ren/young person/people.

Responsibility to Provide/Obtain Information

The social worker in the originating authority must, prior to the child's/young person's move (and in addition to informing relevant agencies in the originating authority), inform the receiving Children's Social Care of the child's placement.

Where this has not arrived by the time the child/young person moves, it is the responsibility of the receiving agencies to request the information.

07 Subject of CP Plan

Child/young person who is the subject of a Child Protection Plan in the Originating Authority

(NB The following paragraphs do not apply where the child/young person is also a Child in Care who has been placed in the area of the receiving authority, in which case the designated manager for Child Protection and the relevant agencies in the receiving authority must be informed but the child/young person will continue to be the responsibility of the originating authority.)

Vulnerable Children and Corporate Parenting Responsibility

The responsibility for a child/young person made the subject of a Child Protection Plan remains with the originating authority until the receiving authority's Transfer Child Protection Conference and acceptance of the case.

It is the responsibility of the originating social worker to ensure a core group is convened within five working days of the child/young person moving to another authority or from when the originating authority became aware of the move.

The receiving authority should record the names of the child/ren/young person/people as being the subject of a Child Protection Plan under a 'temporary' category from the actual date of the move or when informed (if this is later).

All temporary Plans will be reviewed on a monthly basis in consultation with the relevant managers, as necessary, to ensure progress.

Only when written agreements are communicated between first line managers in Children's Social Care can a receiving authority implement the Child Protection Plan on behalf of the originating authority from the date of the move. Where agreement cannot be reached the originating authority retains responsibility for 15 working days after notification is provided to the receiving authority.

The Transfer Child Protection Conference should be convened by the receiving authority within 15 working days of being notified of a child/young person who is the subject of a Child Protection Plan in another authority having moved into its area.

Only when a decision has been made by the receiving authority in a Child Protection conference as to whether the child/young person should be subject to a Child Protection Plan, can the management responsibility be transferred, and the child/young person will no longer be subject to a Child Protection Plan in the originating authority.

The originating authority must be informed in writing of the outcome of the Transfer Child Protection conference before authorising the removal of the child's/young person's name from the list of children/young people who are the subject of a Child Protection Plan.

Responsibility to Provide/Obtain Information

If a worker from any agency discovers that a child/young person who is the subject of a Child Protection Plan is planning to move, or has moved, from/into the area they should inform the child's/young person's keyworker immediately, and confirm this information in writing on the same day.

The child's/young person's keyworker must inform all other professionals involved in the case as well as the independent Conference and Review Manager. If the move has occurred already, the keyworker should complete this task immediately. If the move is to be within the next 14 days, the keyworker should complete this task within one working day.

The designated manager for Child Protection in each authority should take responsibility for the overall inter-authority agreements and in confirming agreements in writing.

Relevant background information will be sent by the relevant person in the originating authority to his/her counterpart in the receiving authority, including a copy of the Child Protection Plan and the last Child Protection conference minutes. Copies of any such written communication will be circulated to members of the core group.

The designated manager for Child Protection in the receiving authority will then ensure that written notification of the child's/young person's arrival is sent to key agencies – Children's Social Care, health, education and the Police.

It is the responsibility of each agency in the originating authority to try to ascertain that:

- Its reciprocal agency in the receiving authority receives detailed information and is made aware of the need to fulfil its role in the Child Protection Plan
- The keyworker is informed of the name and details of relevant professionals in the receiving area
- The keyworker is notified of any factors affecting the Child Protection Plan.

The Children's Social Care line manager in the originating authority must ensure that:

- Contact is made with agencies in the receiving authority to ensure that the level and type of service being provided satisfies the requirements of the Child Protection Plan
- The Conference and Review Manager is informed of developments in terms of transfer arrangements
- A report is provided together with representation for the keyworker at the Transfer Child Protection conference
- When case responsibility is to be transferred, the keyworker must inform all agencies of the arrangements so that staff can transfer records and attend and provide information to the receiving authority's Transfer Child Protection conference.

Prior to the Transfer Child Protection Conference, Children's Social Care in the originating authority must ensure that the receiving authority has sufficient relevant information to clarify details of the case responsibility for the child/young person and the Child Protection Plan.

Role of Transfer Child Protection conference

The Transfer Child Protection conference may recommend that although case responsibility is transferred to the receiving authority, joint work may continue for an agreed time limited period with relevant professionals from agencies in the originating authority.

Families should be made aware that information will be shared with Children's Social Care in the receiving authority.

When a planned transfer of responsibility for a case is being arranged, a representative of Children's Social Care in the originating authority must be invited to attend the Transfer Child Protection conference, along with any other significant contributors to the Child Protection Plan.

Each relevant partner agency from the originating authority must ensure that the Transfer Child Protection conference has all the relevant information required to make fully informed decisions in developing a robust Child Protection Plan.

Exceptional Retention of Child Protection Responsibilities by the Originating Authority

Where the Child Protection Plan specifies a move out of an authority for a defined and time limited period, the originating authority should retain case responsibility, but may require the assistance of the receiving authority to carry out aspects of the Child Protection Plan.

Examples of these circumstances are where:

- An assessment is taking place in another authority, which will inform where the child/young person will be placed permanently
- The child/young person temporarily stays with friends/family in another authority
- There is a time limited placement in a mother and baby unit in another authority
- A parent is supported for a time limited period to live with a specified person – e.g. relative or friend in another authority.

Another exception, which may justify individual arrangements, is when a family constantly moves and no one authority is able to adequately monitor the welfare of the child. The vulnerability of children/young people in these circumstances can be acute, requiring astute collaboration between authorities in taking necessary action.

Whenever any of the above circumstances apply, the keyworker must:

- Agree with her/his first line manager that the originating authority should, in the best interests of the child/young person, retain case responsibility
- Inform the independent conference and review manager who will in turn request that the child/young person is placed on the list of children/young people who are subject to a Child Protection Plan on a temporary basis in the receiving authority
- Provide the receiving authority with written information on the child/young person and the Child Protection Plan and the level of participation required of Children's Social Care in the receiving Authority in implementing the plan
- Ensure that contact is made with agencies in the receiving authority to ensure that the level and type of service to be provided satisfies the requirements of the Child Protection Plan.

Both Children's Social Care first line managers must:

- Confirm in writing their agreement to case responsibility being retained by the originating authority for a specified period

- Ensure that the arrangements made satisfy the requirements of the Child Protection Plan.

The designated manager for Child Protection in the receiving authority should place the child/young person's name temporarily on the list of children/young people who are the subject of a Child Protection Plan.

In cases where agreement cannot be reached on managing children/young people temporarily in the receiving area regarding children/young people who are subject to a Child Protection Plan, the originating local authority must continue to support the welfare of the child/young person until a resolution is agreed.

08 Other Services

A Child (Not the subject of a Child Protection Plan or Child In Care) in Receipt of Services from Originating Authority

Children's Social Care Authority Responsibility

Where a child and/or family in receipt of Children's Social Care support move to another authority, it is the responsibility of the originating authority to notify the receiving authority in writing of their circumstances and any ongoing need for services.

In response to notification by the originating authority of an ongoing need for services, the Children's Social Care of the receiving Authority should undertake an initial assessment within seven days of the family's move (or upon receipt of notification that the family have moved).

The originating authority may retain case responsibility for a limited period unless a decision is taken to close the case or the receiving authority agrees in writing to provide a service.

The Children's Social Care in the receiving Authority will be responsible seven days after notification of the move (or later if agreed) for making a decision on the eligibility for service provision based on an assessment of need.

Exceptional Arrangements

The only exception to the above is where the originating authority provides a copy of a Child in Need Plan which includes an intention to continue to offer a service for a defined period in excess of seven days e.g. subsistence payments, housing costs, completion of a core assessment.

In these circumstances the receiving authority should undertake an assessment prior to the date on which those services are due to cease.

Examples of circumstances suitable for this exception are where:

- The originating authority is providing a time limited service which requires consistent professional input.
- A core assessment is being completed.
- A family constantly moves and no one authority is able to effectively assess the individual needs of the child/ren.
- The originating authority is providing a specified package of support such as housing/subsistence for a defined period – e.g. family are ‘over-stayers’ within the terms of immigration legislation or subject to Benefit/Housing restrictions under ‘habitual residence’ regulations, or housed by Children’s Social Care Services having been deemed ‘intentionally homeless’.
- Any Section 47 Enquiry which may arise in respect of the child/family is the responsibility of the authority in whose area the alleged abuse has occurred.

Once such enquiries have commenced, the originating authority ceases to have responsibility for the child/family other than in respect of funding of the original Child in Need Plan.

Responsibility to Provide/Obtain Information

Where a Child in Need is receiving services, but is not a Child In Care or subject to a Child Protection Plan, the originating Children’s Social Care Services Authority must (in addition to informing relevant agencies in the originating authority) inform the receiving Children’s Social Care Services Authority in writing of the Child in Need Plan, with the intended date of the move and details of the child/ren’s identified needs.

If the originating authority was unaware of the move before it occurred, the notification must occur immediately following its discovery.

The receiving authority is responsible for seeking full information from the originating authority, including information from other agencies, where appropriate.

It is the responsibility of health and education authorities in the originating authority to provide information to their colleagues in the receiving authority. Where this has not arrived it is the responsibility of the receiving agencies to request the information in writing.

Where a housing authority has been involved in the move of the child/ren and family, the originating housing authority must inform Children’s Social Services in the originating and receiving Authority, the education service and the local Primary Care Trust.