

## Guidance for schools on social care processes when a child comes into local authority care.

### Background information on how a child becomes looked after by or in the care of the local authority:

Children come into the care of or become looked after by the local authority either in an emergency or in a planned way. When children come into care in a planned way they would have already been matched with a carer. Wherever possible a child will remain at their school and this would have been part of the consideration in matching. If the planned placement is the child's long term placement it can be more likely that the child will move schools at this point. Children who come into care in an emergency are placed with emergency carers that are available; this can sometimes be outside of Bristol and therefore a distance from their school.

### The legal status of children who come into the care of the local authority:

Some children become looked after under Section 20. This means that the parent(s) with parental responsibility has given permission / agreement for the local authority to 'look after' their child. The parent retains all of the parental responsibility and continues to be responsible for the decision making in relation to their child. They would have signed a medical consent form to cover emergency medical intervention and may also have signed to allow the foster carer to be responsible for routine medical intervention and consent required by the school for trips etc. Often in situations where a child is looked after under Section 20 the parent(s) would have signed a partnership agreement with children's social care to agree to certain boundaries and behaviour, one of these may be that they are not to attend or attempt to remove the child from the school. Some of these children may also be subject to court proceedings though not subject to any orders.

When the local authority assesses children to be at risk of significant harm it will apply to the court (after all other avenues of protection have been exhausted) for a court order with a view to removing the child from the parent's care. When planned the social worker will complete a detailed court report with a request for an Interim Court Order, which if awarded means the local authority share parental responsibility with the parent and will make decisions in the best interests of the child, the child will become 'cared for' by the local authority. Court proceedings will continue and can involve a number of professionals to carry out a variety of assessments including parenting, psychological, psychiatric and risk. Court proceedings can be quite protracted and take up to a year to arrive at a final hearing and a final decision about a child's permanency. Following the final hearing the judge may decide to award the local authority a full Care Order, a Placement Order (adoption), no order and the child returns home, the judge can also award other orders such as a Special Guardianship Order to a family member, friend or carer, this would give the carer parental responsibility shared with the parent(s).

The local authority can also apply to the court for an Emergency Protection Order when they need to protect a child at immediate risk of harm. A child can also come into care when the police use their powers of protection in situations where a child is at risk of immediate harm.

Sometimes when a child lives with their relatives they may, or may not be, looked after. If this is a private arrangement they are not classed as "looked after" by the Local Authority. If the carer has been approved by the Fostering Panel as a Kinship Carer they are "looked after".

A child is placed in respite care if the family needs short-term support for any reason. This is often used for families whose children have complex needs. If a child is placed in respite care for more than 120 days in one year they are deemed "looked after" by the Local Authority. Respite care is sometimes referred to as 'short break'.

**Note:** *the term 'come into care' or 'cared for' will be used to describe both children looked after under Section 20 and children cared for who are subject to court orders. This will be the same for references to 'looked after children'.*

#### The processes a social worker follows when a child comes into local authority care:

When a child comes into care in a planned way the social worker will initially write a report, for a panel (known as Access to Resources Panel - ARP), about why the child requires a placement and the care of the local authority. The social worker should also complete an assessment of the child's needs to present with this report. If the panel agree the child should be cared for by the local authority the social worker then completes a referral to the 'family finding team' who will match the child with an appropriate foster carer or residential unit; this referral will detail the child's needs, which will include where they attend school and planned contact with their family. The social worker will then complete the 'placement information record'; this is a detailed document primarily for the foster carer and will detail the child's needs, routines, likes and dislikes, any behavioural difficulties, health and educational needs. It is this form that includes parental authorisation for emergency medical treatment and routine dentist and optician appointments.

As soon as the social worker is aware of a placement being found they are required to update this information on the data base and send a referral to the reviewing service. Every child who is cared for or looked after by the local authority requires an independent reviewing officer to review and oversee their case and the corporate parenting of the local authority. Each child needs to have a looked after child review, chaired by an independent reviewing officer, within 20 working days of coming into care (a further review in three months and thereafter six monthly). The social worker, prior to this review is required to complete a Care Plan for the child and a review report, this is quite a lengthy report covering the child's developmental needs, parenting capacity, contact, the placement, analysis and recommendations. The social worker needs to send out letters to all relevant people / agencies informing them that the child is now looked after and request a health assessment from health. The social worker needs to ascertain the views of family members and the

wishes and feelings of the child. Following consultation with the independent reviewing officer the social worker invites the relevant people to the looked after child review.

Three days prior to the child's 'looked after review' taking place the independent reviewing officer should have been given a copy of the child's PEP. Therefore the PEP needs to be carried out, written up and distributed within 17 working days of the child coming into care. The independent reviewing officer requires a PEP three days before each of the child's review.

Throughout the above the social worker supports and prepares the child for coming into care and where possible introduce the child to their foster carer(s) prior to them moving. The social worker is likely to be supporting the parent(s) also. The social worker is responsible for settling the child into their new placement and visiting regularly to support the child.

The social worker is required to arrange contact with the child and his/her parent(s) and is likely, in the early stages of a placement, to be transporting and supervising this contact. The social worker may also be transporting to and from school (if the child is not placed near his/her school) until a referral to transport is made and implemented.

If the local authority has requested a planned placement in preparation for securing a court order to remove the child they will also be writing reports for court evidencing why they require an order and court care plans showing the court what their plan for the child is should the order be secured.

When a child comes into care in an emergency / unplanned way the processes are exactly the same apart from requesting a placement from the panel (ARP), but the social worker will be required to write a report for the following panel meeting.

Given the pressure of work on a social worker at the time a child first comes into care it is often difficult for the social worker to concentrate on ensuring that the first PEP is held. It would be appreciated if the designated teachers could support our practice by helping to arrange the PEP meeting. The HOPE Virtual School lead should be invited to the first PEP.