

Children looked after

Placement of Children Subject to a Care Order with Parents

**Procedure required by the Care Planning, Placement and Case
Review Regulations 2010**

**West Sussex County Council
Children's Services**



Version: 3
Effective from: 01 Nov 2010
Revised: 01 April 2014
Next review date: 01 April 2016

Placement of Children Subject to a Care Order with Parents

Placement of Children Subject to a Care Order with Parents

Procedure Required by the Care Planning, Placement and Case Review Regulations 2010

Contents	Page
1. Legal Context	3
2. Decision Making and Authorisation	3
3. Assessment of Parents Suitability to Care for the Child	4
4. Placement of Child with Parents Before Full Assessment Completed	6
5. Process	7
6. Notifications	8
7. Care Planning	9
8. Supervision of Placement	9
9. A Series of Short Term Placements	10
10. Termination of Placements	10
Appendix A Assessment of Parent as Carer Report Format	11
Appendix B: Agreement with Parents	13
Appendix C Application to Nominated Officer for Agreement for Placement	15

Placement of Children Subject to a Care Order with Parents

1. Legal Context

- The Children Act 1989
- Care Planning, Placement and Case Review Regulations 2010 – Main provisions contained in Part 4 regulations 15 to 20 and Schedules 2 and 3
- Statutory Guidance

Scope

These regulations and this procedure relate to any child who is subject to a care order/interim care order where the child subject to the order will spend a period of more than 24 hours in the care of a parent. Placing a child subject to a care order with their parent under these regulations enables the Local Authority to continue to share parental responsibility for the child whilst enabling the child to live with their parent. The procedure only applies to any placement that meets the following criteria:

- The child is subject to a care order or interim care order;
- The placement is for 24 hours or more;
- The placement is with a parent, other person with parental responsibility or any person who had a residence order in respect of the child immediately before the interim care order/care order was made.

2. Decision Making and Authorisation

The decision to make a placement can only be made by the Nominated Officer. This is a senior officer of the Local Authority that looks after the child, nominated in writing by the Director of Children's Services, for the purposes of the Care Planning, Placement and Case Review Regulations 2010. In West Sussex this is the 'Principal Manager Care Management'.

A decision to place the child with the parents must not be put into effect until it has been approved by the Nominated Officer and the Placement Plan has been prepared apart from in the circumstances set out below.

A child must not be placed with parents if that would be incompatible with an order as to contact under Section 34 Children Act 1989.

During the course of a Looked After Review, it may be considered that rehabilitation to a parents care under these regulations may be appropriate. Where it is decided that such a placement is the most appropriate way to discharge the local authorities responsibilities

Placement of Children Subject to a Care Order with Parents

under the Children Act 1989 the review should also consider whether the care order is still required.

However the Looked After Review can only recommend that the responsible team give consideration to such a placement.

The Nominated Officer must be satisfied that:

The child's wishes and feelings have been ascertained and given due consideration;

The 'Assessment of Parents' Suitability to Care for the Child' has been completed;

The placement will safeguard and promote the child's welfare;

The Independent Reviewing Officer has been consulted.

It is not ordinarily expected that the local authority, upon making an initial application for a care order or interim care order, will simultaneously be seeking to place the child at home subject to the 2010 Regulations. In such circumstances it may be more appropriate to seek an alternative order e.g. supervision order. .

In certain circumstances this may however be appropriate. Alternatively it may emerge as the most appropriate care plan during the course of care proceedings or the court may indicate this is the approach they would like the local authority to adopt. In these circumstances the social worker and line manager must seek the Nominated Officer's approval in the manner detailed below. It will not be possible for a social worker and team manager at court to agree to any placement under these regulations without the Nominated Officers approval.

All parties should, however, be aware that should the Nominated Officer decline to approve such a placement then it cannot be effected under these regulations.

3. Assessment of Parents Suitability to Care for the Child

Before deciding to place a child who is the subject of a care order/interim care order with parents, the Local Authority must:

- Consider whether, in all the circumstances and taking into account the services to be provided by the Local Authority, the placement will safeguard and promote the child's welfare and meet his/her needs set out in the Care Plan; and
- Review the child's case;

Placement of Children Subject to a Care Order with Parents

- Assess the suitability of the parents to care for the child, including the suitability of the proposed accommodation and all other members of the household over 18;
 - Take into account:
- a. The parents' capacity to care for children and, in particular in relation to the child:
- To provide for the child 's physical needs and appropriate medical and dental care;
 - To protect the child adequately from harm or danger, including any person who presents a risk of harm to the child;
 - To ensure that the home environment is safe for the child;
 - To ensure that the child's emotional needs are met and he/she is provided with a positive sense of self, including any particular needs arising from religious persuasion, racial origin, and cultural and linguistic background, and any disability the child has;
 - To promote the child's learning and intellectual development through encouragement, stimulation and the promotion of educational success and social opportunities;
 - To enable the child to regulate his/her emotions and behaviour, including by modelling appropriate behaviour and interactions with others;
 - To provide a stable family environment to enable the child to develop and maintain secure attachments to the parents and other persons who provide care for the child.
 - The parents' state of health (physical, emotional and mental). This now includes the parents' medical history, including current or past issues of domestic violence, substance misuse or mental health problems;
- b. The parents' family relationships and the composition of the parents' household, including:
- The identity of all other members of the household, their age and the nature of their relationship with parents and one another, including any sexual relationship; their relationship with any parent of the child;
 - Other adults who are not members of the household but are likely to have regular contact with the child;
 - Current/previous domestic violence between household members including the parents.
- c. The parents' family history, including:

Placement of Children Subject to a Care Order with Parents

- The particulars of the parents' childhood and upbringing, including the strengths and difficulties of their parents/carers;
 - The parents' relationship with their parents and siblings, and their relationships with each other;
 - The parents' educational achievement, including any specific learning difficulty/disability;
 - A chronology of significant life events;
 - Other relatives and their relationships with the child and parents.
- d. Criminal offences of which the parents have been convicted or cautioned;
- e. Parents' past and present employment/sources of income;
- f. The nature of the neighbourhood and resources available in the community to support the child and parents.

The assessment should include any available information about the parents' previous experiences of looking after children. Where a parent has other children who have been the subject of care proceedings or social work involvement earlier case records should be explored to ascertain the circumstances which led to social work involvement and any indication that the capacity of the parent to bring up children has changed.

The assessment must take account other members of the parents' household the details to be considered are set out clearly in Schedule 3 of the Regulations.

4. Placement of Child with Parents Before Full Assessment Completed

Where the Nominated Officer considers it necessary and consistent with the child's welfare, the child may be placed with parents before the full Assessment of Parents' Suitability to Care for the Child (see Section 3,) has been completed. This may for example be necessary where a foster placement breaks down whilst a return home is being considered and a move to another foster placement is not in the child's best interests.

In those circumstances the following work must be undertaken before the placement can take place:

- Arrangements must be made for the parents to be interviewed to obtain as much of the assessment information required by Schedule 3 as can be readily ascertained at that interview;
- The proposed accommodation should be visited by the Social Worker;

Placement of Children Subject to a Care Order with Parents

- Practitioners should also seek to meet with all other members of the household before placing the child. This is particularly relevant to identifying issues such as domestic violence and substance misuse which may impact on the child's safety.
- The placement agreement should be completed with the parent ;

After placement:

- The assessment and the review of the child's case must be completed within 10 working days of the child being placed ;
- The decision on placement must be made and approved within 10 working days of the assessment being completed; and
- If the decision is to confirm the placement, the Placement Plan will be reviewed (and if appropriate amended);
- If the decision is not to confirm the placement, the placement must be terminated.

The Social Worker will ensure the parent(s) and other people living in the parent's household sign the "Consent to Enquiries" form. This enables background checks to be carried out, which will help to gather information from other agencies about the suitability of the proposed placement.

5. Process

The team responsible for the welfare of a child subject to an interim care order/ care order should consider at the Looked After Review if a placement with parents may be appropriate. In exceptional circumstances this may be at a planning meeting convened by the Team Manager. In this case it is appropriate to seek the views of the IRO prior to the meeting being held. It is essential that all relevant people are invited to this meeting, and that if relevant people are unable to attend, that their views are sought.

If the Statutory Review or Planning Meeting agrees that a placement with parents is appropriate for the child a recommendation can be made to apply for approval of such a placement by the relevant Nominated Officer. The Review /Planning Meeting decision should not be viewed as a decision that the placement has been agreed.

The Team Manager will advise the Nominated Officer that a request for approval of a placement of a child with a parent under the Care Planning, Placement and Review Regulations will be sought.

Placement of Children Subject to a Care Order with Parents

The relevant Team Manager will ensure that the Social Worker completes the required report for approval by the Nominated Officer.

These include the following

- Appendix A : Assessment of Carer Report
- Appendix B: Agreement with parents detailing the proposed placement, monitoring plans and any additional conditions.
- Appendix C: Application to Nominated Officer for Agreement of Placement with Parents under Care Planning, Placement and Case Review Regulations 2010.

This information, together with electronic case files, will be reviewed by the Team Manager and Service Manager and then sent to the Nominated Officer for approval.

The Nominated Officer will make a decision within 5 working days of receipt of the information. However this may be a provisional decision if the results of background checks have not been received at that time.

Dates of decisions should be clearly recorded in the case file, case notes and file chronologies.

6. Notifications

The Social Worker should ensure that all relevant parties are notified in writing of the placement. Notification of the decision by the Nominated Officer should be made by the social worker to:

- The child.
- His/her parents.
- IRO.
- Local Education Authority, where appropriate.
- Relevant health personnel.
- Relevant local authority if the child is placed outside of West Sussex.

The letter should make clear the child's legal status and the fact that the Local Authority will continue to share parental responsibility for the child. . Where this placement is in another local authority area the child's social worker should ensure the ART Service undertakes the relevant notifications to that local authority.

Placement of Children Subject to a Care Order with Parents

7. Care Planning

Placement of a child with parents under these regulations may often take place as part of a rehabilitation plan. It is therefore expected that if the placement continues, and the plan is for the child to remain with his or her parents, that consideration will be given to the making of an application for discharge of the Care Order.

The Team Manager should ensure that relevant care planning processes are followed and care planning documentation is updated to reflect the plan.

Discharge of the care order can only be achieved by an application to the court, and approval for such an application by Children's Social Care can only be given by a Nominated Officer after a Planning Meeting has been held.

8. Supervision of Placement

When a placement is made under these Regulations, the Local Authority continues to share parental responsibility for the child, and, the child remains Looked After. All the statutory monitoring mechanisms for Looked After Children continue to apply. Looked After Reviews and Statutory Visits are still required.

Looked After Reviews are required to take place at the following intervals:

- Within 20 working days of the start of the placement;
- Within 3 months of the first review;
- Thereafter at 6 monthly intervals.

In order to ensure that the first review can take place within 20 working days of the child's placement with their parent the Social Worker should contact the IRO once the decision has been made to apply for approval of the placement.

The Looked After Review for a child placed with parents will be conducted in the same way as for a child in a local authority placement. All relevant paperwork and documents should be completed in the usual way by the Social Worker - Statutory Visits should take place at the following intervals:

- Within one week of the start of the placement;
- Every 6 weeks for the first year;
- Thereafter, at intervals of not more than 6 weeks (3 months if the placement is intended to last until the child is 18).

Placement of Children Subject to a Care Order with Parents

If the child is placed with parents pending full assessment (Section 4), social work visits must take place at least once a week until the first Looked After Review, thereafter at intervals of not more than 6 weeks.

If the child is placed with parents under an interim care order, a visit should take place once a week until the first Looked After Review and, thereafter at intervals of not more than 4 weeks.

Statutory visits to a child placed with parents should be treated in the same way as for a child in a local authority placement, and should be recorded within case files as an episode. Case oversight and the level of supervision required for the social worker should reflect both need and the level of concern and be discussed and agreed in formal supervision sessions that are recorded on frameworki.

Any significant event, such as a change in the people in the household, or the child experiencing or being at increased risk of significant harm the social worker must, within five working days notify the Nominated Officer and Independent Reviewing Officer in writing in the form of an addendum to the Appendix C Report.

9. A Series of Short Term Placements with Parents

If approval is given for a child to be placed with a parent a series of short-term placements with parents e.g. weekend stays can be treated as one placement. If this is planned the application to the Nominated officer for approval should clearly set out the anticipated schedule of stays. Further approval may be needed if the schedule of stays changes significantly.

10. Termination of Placements

If it is decided that the placement is no longer in the child's best interests, Children's Social Care have a duty to terminate the arrangement. This should be the subject of a specially arranged Looked After Review, and should be treated where possible like the breakdown of a local authority placement.

If the situation is an emergency, the Team Manager can take the decision to remove the child from the placement immediately following consultation with the Service Manager.

When the placement has been terminated, the Social Worker should ensure that all relevant agencies are notified (including the local authority in which the child is placed) and that the Nominated Officer is also informed.

Placement of Children Subject to a Care Order with Parents

Appendix A - Assessment of Parent as Carer Report Format (Schedule 3 of the Regulations)

The parents' family history, including:

- The parents' childhood and upbringing, including the strengths and difficulties of their parents/carers;
- The parents' relationship with their parents and siblings, and their relationships with each other;
- The parents' educational achievement, including any specific learning difficulty/disability;
- A chronology of significant life events;
- Other relatives and their relationships with the child and parents.

Criminal offences of which the parents have been convicted or cautioned;

Parents' past and present employment/sources of income;

The parents' capacity to care for children and, in particular in relation to the child:

- To provide for the child 's physical needs and appropriate medical and dental care;
- To protect the child adequately from harm or danger, including any person who presents a risk of harm to the child;
- To ensure that the home environment is safe for the child;
- To ensure that the child's emotional needs are met and he/she is provided with a positive sense of self, including any particular needs arising from religious persuasion, racial origin, and cultural and linguistic background, and any disability the child has;
- To promote the child's learning and intellectual development through encouragement, stimulation and the promotion of educational success and social opportunities;
- To enable the child to regulate his/her emotions and behaviour, modelling appropriate behaviour and interactions with others;

Placement of Children Subject to a Care Order with Parents

- To provide a stable family environment to enable the child to develop and maintain secure attachments to the parents and other persons who provide care for the child.
- The parents' state of health (physical, emotional and mental). the parents' medical history, including current or past issues of domestic violence, substance misuse or mental health problems;

The parents' current family relationships attach genogram and the composition of the parents' household,

- The identity of all other members of the household, their age and the nature of their relationship with parents and one another, including any sexual relationship; their relationship with any parent of the child;
- Other adults who are not members of the household but are likely to have regular contact with the child;
- Current/previous domestic violence between household members including the parents.

The nature of the neighbourhood and resources available in the community to support the child and parents.

In relation to other members of the parents' household, the assessment must take account of the above considerations except (d), (f) and (g).

The assessment should include any available information about the parents' previous experiences of looking after children. Where a parent has other children subject to care/adoption orders, earlier case records should be explored to ascertain the circumstances which led to social work involvement and any indication that the capacity of the parent to bring up children has changed.

Placement of Children Subject to a Care Order with Parents

Appendix B: Agreement with Parents

Name of Child

Date of Birth

Address

Legal Status

Name of parent/s with whom child will reside/visit

Address

Local Authority

Date from which placement or arrangement will start

Name of Social Worker

Parties to the Agreement

1.

Name of Parent

WSCC Children and Young People's Services

2. Child's Current Circumstances – *brief explanation*

3. Reasons for proposed placement Goals and Conditions of Agreement - *clear expectations and timescales.*

4 Contact by other parent/family or friends - *any contact arrangements including permission for child stay elsewhere*

Placement of Children Subject to a Care Order with Parents

5. Responsibility to notify any Change in Circumstances - *address, members of household, etc*

6. Support to be provided

7. Supervision arrangements Frequency of social worker, family aide visits, etc

8 Contingencies /Alternative care arrangements –*if parent is not able to care for child*

9. Review Arrangements

Signed Parent/s

Signed Social Worker

Signed Team Manager

Signed Service Manager

Placement of Children Subject to a Care Order with Parents

Appendix C Application to Nominated Officer for Agreement for Placement With Parents under the Care Planning, Placement and Case Review Regulations 2010

Name of Child: Date of Birth:

Date of care order

Reason for child coming into care and the plan for the child at the time

Name and Address of Proposed Carer

Proposed Date of Placement

Child's wishes and feelings

The Assessment of Parents' Suitability to Care for the Child;

Consultation with Key People:

(a) Others with Parental Responsibility

(b) Views of IRO and date summary of last review

(c) Synopsis of Views of other Professionals e.g. School/ Health/Specialist /Police services/ Probation

Risk Analysis and management

b) What is working well / Strengths

c) What are we worried about

d) What needs to happen to ensure the placement will safeguard and promote the child's welfare; Is this in the Placement Agreement

Recommendation by Team Manager

Signed: Date:
Team Manager

Endorsement by Service manager :

Signed: Date:
Service Manager
