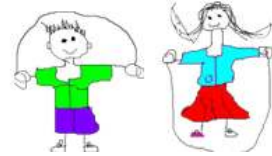




*Working Together
to Safeguard Children*



Bedfordshire Local Safeguarding Children Board

Protocol for the transfer of Child In Need and Child Protection cases between Local Authorities

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1. Introduction

1.1 This protocol is about children in need, including those in need of protection who move between local authorities. It is not about children who go missing from home, with their parents or missing from care.

1.2 The basic principle that underpins these arrangements is that these are vulnerable children in need of multi agency services and that the information about their needs should be available in whichever authority they reside. *It applies to those cases where there is significant involvement by more than one agency.* Timescales actions and responsibilities are set out under specific headings. The expectation is that professionals from all agencies will notify and discuss with their counterparts at the earliest opportunity and that written or electronic information will follow in a timely manner commensurate with the needs of the child /young person

2. Children to whom this protocol applies

2.1 When a child in need or in need of protection moves between local authorities it is essential the area holding the information regarding the child and its family notify the recipient authority in the following circumstances, and in accordance with existing information sharing protocols.

- Currently subject of a child protection plan or has been in the last six months and continues to be subject of a child in need plan.
- Currently subject of section 47 enquiries or section 37 of the Children Act 1989.
- Children subject of Police Protection, Emergency Protection Order or a Prohibited Steps Order.
- Children who have been formally assessed as children in need under section 17 of the Children Act 1989 and are the subject of a child in need plan
- Currently subject of an Initial or Core Assessment.
- Children who are Looked After whether subject of a Care Order or Interim Care Order, or accommodated under section 20 or currently subject of Interim Care Proceedings.
- Children who are privately fostered.
- Unborn Children who are subject to enquiries under section 47.
- Any child for whom any agency has assessed a risk of significant harm.

Specific responsibilities for all agencies.

3. Children subject to a child protection plan

3.1 Children Services - Social Care

3.1.1 Working Together 2006 sets the legal framework for these arrangements.

3.1.2 The transferring authority must provide the receiving authority with the child protection plan and all reports from the previous conferences 14 days prior to the move when this is planned.

The receiving authority should be provided with details of each agency's named staff in order that reports can be requested for a transfer in conference along with details of the agency contacts in the receiving in authority

A transfer in conference date within 15 working days of the date of the move should be given in writing by the receiving authority to the transferring authority. Acceptance of the transfer should be in writing and this is the responsibility of the relevant team manager.

3.1.3 In the case of an unplanned move information must be shared on the same working day once the move is known, an address is known or a specific area can be identified.

Children subject to a child protection plan moving into Bedfordshire

3.1.4 In cases of planned and unplanned moves of a child/ren subject to a child protection plan, when the notification of the move by the originating authority is received by the Conference and Review Service, acknowledgement of receipt of the information will be sent to the originating authority and a copy of the notification and will be sent to the relevant Team Manager Children's Social Care. In addition the Conference and Review Service will arrange for the child/children's name to be placed on Bedfordshire's Temporary Record of child subject to a child protection plan.

3.1.5 When an operational team receives information that a child subject to a child protection plan in another authority has moved into Bedfordshire, the case details should be passed to the Family Support Team in the relevant area and the team manager FST should :

- ensure that there is an exchange of information including written information with Children's social Care in the child's originating authority (refer to 3.1.7). This should include details of those agencies in Bedfordshire who have or are likely to be involved with the child/family i.e. new school, GP practise.
- notify the Conference and Review Service of the need to place the child's name on the temporary record of children subject to a child protection plan
- assist with any enquiries about protecting the child which need to be made in the new area
- make any enquiries as necessary to satisfy themselves that the child is adequately safeguarded in his/her new situation;

- discuss and confirm in writing with the social worker/team manager in the originating authority area agreed actions and monitoring arrangements between authorities;
- where requested convene and prepare for a transfer in child protection conference within 15 days of being notified of the move by:
 - (i) seeking the attendance of the originating authority at the transfer in conference
 - (ii) obtaining a report for the conference from the originating authority
 - (iii) obtaining details of each agency's named staff in order that reports can be requested and invitations to the conference issued.

Children subject to a child protection plan moving from Bedfordshire to another area

3.1.6 When a child subject to a child protection plan moves from Bedfordshire to another local authority area the key worker should:

- make contact with Children's Social Care in the receiving authority and ensure that all the information in relation to the child and their family is exchanged;
- clarify with the social worker/ team manager in the receiving authority any action which needs to be taken to protect the child and who is responsible for the action;
- confirm in writing expectations regarding the managements of the case pending a transfer in child protection conference.
- notify the named senior manager in Conference and Review service in order for a notification to be sent tot the receiving authority requesting that the child's name is placed on their record of children subject to a child protection plan:
- notify all agencies in Bedfordshire who have contact with the child of the move so that they can notify their colleagues in the receiving area of the child's move;
- request that a transfer in conference be convened in the receiving authority
- prepare a report for the transfer in conference in the receiving area and attend the conference.

3.1.7 In ALL circumstances set out above the following information should be shared

- Any current assessment including risk assessments, Private Fostering assessment and core assessment.
- Previous child protection conference minutes
- The current child protection plan.
- Subject to the court's permission any legal orders including interim orders.
- Subject to the court's permission any court reports including section 7 or 37 reports.
- Subject to the court's permission any expert reports in private law proceedings.
- An evaluation of the implications of the move including the effect on risk increase/decrease as a result of the move.

- Any identified special needs including health and education

3.1.8 In all cases where a child subject to a child protection moves between local authority areas the named senior manager responsible for keeping records of children subject to child protection plans in each local authority must be notified by the key worker in their authority on the day of the move and they in turn should inform the named senior manager in the receiving area. This should be followed up in writing within 3 working days.

3.1.9 It is the transferring area's responsibility to ensure the child protection plan continues to be implemented until formal transfer has been agreed at a transfer in conference. This includes core group activity and key worker responsibility. Actions on behalf of the transferring authority may be agreed but this must be at team manager level and recorded by both authorities.

3.2.0 Any changes to the child protection plan should only reflect the necessary changes required to safeguard the child in their new situation and as a result there should be no significant change in the child protection plan and its implementation until the receiving local authority has held a transfer in conference.

Movement of children subject to a child protection plan between local authority areas where the move is considered to be temporary

There are occasions when a child subject to a child protection plan moves temporarily into another local authority area and it is anticipated at the outset that the duration of their stay will be time limited and short term.

In these circumstances it is the responsibility of the transferring authority to inform the receiving authority of the move.

The receiving authority has a duty to satisfy themselves that the child is adequately safeguarded in their area. These enquiries will be undertaken by the Intake and Assessment Team in Bedfordshire on receipt of the information that a child subject to a child protection plan is temporarily resident in their area.

It is the responsibility of the receiving authority to include the child's detail on their record of children subject to a child protection plan. In Bedfordshire this is the responsibility of the Conference and Review Service. When the notification is received first by the Conference and Review Service, a copy of the notification will be sent to the relevant Team Manager Intake and assessment for further enquiries to be made. If the information is received in the first instance by the Intake & Assessment Team, the team manager will forward a copy of the notification to the Conference and Review Service for the child's details to be recorded on the temporary record.

The decision in respect of whether to hold a transfer in child protection conference will be the subject of negotiation between the transferring and receiving in authorities based on good practice. Such discussions will need to take account of:

- The particular circumstances of the child/family
- The child protection plan
- The anticipated duration of the stay
- The practicalities of ongoing involvement by the originating authority.

In ALL cases where a child is subject of a child protection plan:

- A child may be included on the records of children with a child protection plan in more than one authority area where there is a perceived risk in each of these areas
- A move out of an area does not lead to the child protection plan being discontinued until a decision is taken to do so at a transfer in conference
- Where it is felt that a transfer in conference is inappropriate the relevant manager for the receiving authority in consultation with their counterpart in the originating authority must record this decision on the case file.
- In circumstances where a child is both looked after and subject to a child protection plan, the transferring authority retains responsibility for the looked after status. However the receiving authority should determine whether there may be safeguarding concerns in the receiving authority and where this is the case a transfer in child protection conference should be considered.

Movement between authorities of a child subject to section 47 Enquiries

3.2.1 Where a child moves during the course of section 47 enquiries the enquiries/investigation should be completed by the authority that commenced the enquiries, unless practicalities such as geographical distance make this difficult.

3.2.2. The receiving local authority must be notified of the enquiries as soon as the move is known and be involved in any subsequent strategy discussions to determine the way forward. Ownership of the enquiries to a managed and reasonable conclusion thus remains with the originating authority. If the outcome of the enquiry is that the child is at risk of ongoing significant harm then this will be acted on by the receiving authority, and a child protection conference should be convened within 15 working days of the last strategy discussion.

3.2.3. The transferring authority will provide a report on the outcome of the enquiries to the receiving authority promptly so that timescales for holding a child protection conference where necessary can be maintained. In practice most of this communication will be by telephone but it must be followed up in writing. None of the above precludes the receiving authority from making ongoing enquiries to ensure that the child transferring to their area is appropriately safe and protected.

3.2.4 The family must be notified of the above actions within appropriate S47 enquiries timescales and be provided with the details of a named lead professional during the transfer period by the transferring authority.

3.2.5 In all cases where there are concerns about a child's welfare there is a duty to share information between agencies in relation to the safeguarding/child protection concern.

3.2.6 In addition are some circumstances in which particular information must be shared when there are ongoing section 47 concerns. These are:

- Any adult who has been subject to MAPPA arrangements and where there are current child protection concerns in relation to this person.
- any person who poses or is deemed to pose a risk to children and young people.

3.3 Health

3.3.1 Information regarding children who meet the criteria outlined at the beginning of this protocol must be transferred between Health Trusts in a timely and appropriate manner.

3.3.2 If a child's name is subject to a child protection plan, they are subject to a court order or a child in need plan, the records or information should be transferred directly to the office of the designated/named professional in the relevant trust. The caseload holder/trust/department in the receiving Authority should be notified by the Named Nurse for Safeguarding Children within the relevant Trust at the earliest opportunity by telephone of the family's move. Colleagues in other agencies and health trusts who have contact with the family should be informed of the move and up to date information by the Named Nurse for Safeguarding Children within the relevant Trust. Practitioners from the original area may be asked to provide a report or attend a transfer-in conference, this should be discussed and an agreement reached regarding a response that best meets the needs of the child/family.

3.3.3 Where the child is not subject to section 47 enquiries or a court order, but receiving services under section 17, information should be shared following normal information sharing agreements, see information sharing protocol at www.bedfordshirelscb.org.uk.

3.4 Children Services - Education

3.4.1 Any information relating to a child that meets the criteria described at the beginning of this protocol must be transferred between schools or other education settings in a timely and appropriate manner. If a child's name is subject to a child protection plan, they are subject to a court order or a child in need plan, the child's academic and all other records must be transferred to the new school. This is the responsibility of the Governing Body of the school. However, in practice it is likely to be the Designated Teacher for Child Protection, usually Head teacher or Deputy Head teacher. Under, [The Education \(Pupil Information\) \(England\) Regulations 2005](#), amended October 2007, Common Transfer Files (CTF), the usual school records, must be transferred within 15 days;

- after the pupil ceases to be registered at the original school.
- of a request for records being received from a new school.

If other education services information is to be provided, in the first instance the Principal Education Welfare Officer should be contacted..

3.4.2. Depending on the admission arrangements, contact should be made with the relevant admission service to ensure the child is registered at an appropriate school immediately. This is the responsibility of the original school

If this is unsuccessful, the original school must refer the child as part of the Missing Child procedures to their Education Welfare Officer (EWO). The EWO will contact the new authority, where known, and obtain information on the child's admission to the new school. If the admission to the new school is delayed the receiving in Local Authority (LA) should confirm they will track the child into education. This will be by either their EWS or Children Missing Education Coordinator (CMEC).

Sometimes the allocated Social worker is likely to be the first professional to have details of a new family address and in which LA this is. They too should contact the receiving LA admissions team if a new school is not identified quickly.

3.4.3. If it becomes known that a child has moved into another authority, without a recent education history, the child must be tracked through the Department of Children, Schools and Families (DCSF) School 2 School (s2s) web site. The receiving school is responsible for obtaining the education records of a new pupil to their school by:

- searching the s2s for records,
- contacting the previous school, if known,
- consulting with their EWS or CMEC as appropriate.

3.4.4. If the child becomes a child missing from education within Bedfordshire, that is 'whereabouts' unknown, the original school should make the appropriate referrals to the EWS & CMEC. Whereupon, if the child is not found schools will be given permission to remove the child from the school roll and they can then enter the child's details on the CTF on the s2s and the DCSFs Missing Child database.

4. Children in need or the subject of an initial or core assessment

4.1 Children Services - Social Care

4.1.1 The principle that underpins these arrangements is that information is only shared when this has been explicitly agreed with the parents/carers and child where appropriate. The exceptions are:

- When the outcome of the initial/core assessment is to move into section 47 enquiries on account of concerns regarding the child's welfare.
- When a court requests a report in private law proceedings and the child moves before the assessment has started. All previous information held by the transferring authority will be made available to the receiving authority. Court timescales must be adhered to.
- Where it is in the best interests of the child to do so in order to prevent significant harm.

4.1.2. When a child moves during the completion of an initial or core assessment the authority that commenced these assessments should make every attempt to complete these as far as is practical. However there will be occasions for practical and pragmatic reasons, when there will be a need for manager to manager discussions between authority areas to ensure that the assessment is completed. Where appropriate and where it is clear that further social care intervention will be required, the completion of the assessment would trigger a formal referral to the receiving authority if this has not already been undertaken. There should be clear and recorded decisions as to how the case should be managed before lead responsibility is relinquished. And decisions in respect of transfer should be put in writing by the transferring authority and the transferring authority should expect confirmation of receipt and acceptance of the case by the receiving authority.

4.1.3 Information to be shared between authorities in the above circumstances should be relevant and proportionate and in line with data protection requirements and information sharing protocols.

5. Children who are subject of ongoing care proceedings or for whom a Care Order has been made and they are placed at home.

5.1 Children Services – Social Care

5.1.1 The information that must be shared between Local Authorities is contained within statutory regulations and these must be followed. Where a child is subject of ongoing proceedings and the child lives outside of the authority that has conduct of the proceedings, the local authority where the child is resident must be informed. This applies in all cases whether the child is with family members or alternative carers. No reports in proceedings can be shared without the court's permission.

5.1.2 Information that must be shared in all circumstances:

- Notification of any child subject of a care or supervision order where the proceedings have concluded.
- Notification of any child subject of an interim order including an emergency protection order or a child subject of a section 8 order.
- Any known injunctions or bail conditions that pertain to the child subject to the proceedings or the carer of the child or any member of the child's family.
- Any child who is subject to the no order principle.
- Any findings of fact against an adult in care proceedings.
- Any identified special needs, including Health and Education.

It is the responsibility of the transferring authority (social worker) to ensure that information and requests for services in the receiving authority are made promptly

6. Looked After Children

6.1 Children Services - Social Care

6.1.1 For any Bedfordshire 'looked after' child placed outside Bedfordshire the following must be undertaken

- On receipt of BIC 244 and BIC 500 from the social worker to Conference and Review Service formal notification, in writing by the Conference and Review Service will be sent to the authority where the child is placed with details of the case accountable worker and their manager. This includes agency placements between Local Authorities.
- In addition notification of the child's move is sent to named health professional at Bedfordshire PCT and named education professionals within Bedfordshire

6.1.2 For looked after children placed by another local authority in Bedfordshire, on receipt of the notification by Conference and Review Service, the child's details and placement details are entered on SWIFT and the notification is distributed to named professionals with Health and Education within Bedfordshire.

