



North Yorkshire Safeguarding Children Partnership

Out of Authority Looked After Children Protocol

Practice Guidance

North Yorkshire Safeguarding Children Partnership

North Yorkshire Out of Authority Looked After Children Protocol

Title	Out of Authority Looked After Children Protocol
Version	1.3
Date	11/11/2019
Author	James Parkes, NYSCB - Policy and Development Officer Heather Pearson, NYCC - Safeguarding Unit Manager

Update and Approval Process			
Version	Group/Person	Date	Comments
0.1	NYSCB	02/08/2017	Approved by NYCC, NYP and Health
1.0	NYSCB	26/02/2018	Approved at NYSCB Practice and Development Subgroup – Baseline from 0.1
1.1	NYSCB Policy and Development Officer	27/07/2018	
1.2	NYSCP Policy and Development Officer Emma Phillips	18/09/19	Update NYSCP
1.3	NYSCP Business Unit	11/11/2019	Updated following NYSCP launch

Issue Date	11/11/2019
Review Date	11/11/2021
Reviewing Officer	NYSCP Policy and Development Officer

Contents

1. North Yorkshire Context.....	3
2. Introduction to Out of Authority Looked After Children (OOALAC)	3
3. What North Yorkshire County Council will provide	3
4. Duty to consult and notify.....	4
4.1 Health	4
4.2 Education.....	5
4.3 Police.....	5
4.4 Notification.....	6
4.5 Notification Internal Process	6
5. Emergency Placements	6
6. Missing from Home and Care	7
7. Private Children’s Residential Home Providers.....	7
8. Information Sharing Arrangements	8
9. Escalation Process	9
10. Definitions	11
11. Useful Links	11

1. North Yorkshire Context

North Yorkshire is England's largest rural county, across the county there are a number of large towns but the majority of the county's schools are in rural areas centred on market towns.

The County Council website can be accessed here: www.northyorks.gov.uk

There are a number of looked after children placed in North Yorkshire by other local authorities. North Yorkshire County Council (NYCC) would like to notify you about key contacts, resources and facilities available to Looked after Children and young people placed in the County.

2. Introduction to Out of Authority Looked After Children (OOALAC)

The statutory guidance for Out of Authority Looked after Children: Supplement to The Children Act 1989 Volume 2: care planning, placement and case review guidance and associated regulations strengthen responsibilities of local authorities to notify other local authorities if they place a looked after child within their area. It also requires children's homes to notify their host local authority when a child is placed with them by another local authority¹.

Where a child who is not looked after is placed in a health or education placement for three months or more, or with that intention, the placing authority also has a duty to notify the host local authority prior to placement or as soon as practicable thereafter.

The host local authority supported by relevant agencies in both the host and home authority must ensure that education and health partners are provided with information about placements of looked after children into / out of their area.

3. What North Yorkshire County Council will provide

NYCC will provide a "Local Offer" for Looked after Children who are placed within the County of North Yorkshire. This includes the contact details and arrangements for universal, targeted and specialist services available and key contacts within North Yorkshire.

The NYCC Local Offer can be accessed here: <http://cyps.northyorks.gov.uk/local-offer-looked-after-children>

When North Yorkshire County Council places children outside of their local authority it is expected that staff will follow the steps outlined in this protocol and liaise with the host authority to identify and local variations.

¹ Children and Families Act 2004 (The Children Act Guidance and Regulations Volume 2 – Care Planning, Placement and Care Review updated July 2014 and amended regulations 2014)

4. Duty to consult and notify

There will be circumstances where a distant placement will be the most suitable for a child, such as where the child concerned has complex treatment needs that cannot be met by services within the area of the responsible authority. There will also be children who require an out of authority placement to ensure they can be effectively safeguarded. Such placements will require effective planning, engagement and information sharing with the services likely to be responsible for meeting the child's needs in the future.

Regulation 11, requires the responsible authority to consult with the host local authority when they are considering making a distant placement, this needs to be in good time to enable a thorough assessment of appropriateness². The child's named Independent Reviewing Officer (IRO) must be consulted before any final decision is made about making an out of authority placement, whether distant or not, to enable the IRO to discuss the proposed arrangements with the child and where appropriate the child's relatives or parents. Where a responsible authority is considering a placement in a residential children's home it should take into account the information in the home's Statement of Purpose.

North Yorkshire's Multi agency Screening Team will provide local information and intelligence around the potential placement, seek information from Police, health and Local Authority Partners within the Multi-Agency Screening Team. This does not mean they will veto over the responsible authority's placement decisions but allow local discussion and information sharing to take place via the Multi-Agency Screening Team. To speak directly with the Multi-Agency Screening Team phone 01609 780780 or email children&families@nothyorks.gov.uk.

4.1 Health

When a Looked after Child is being placed out of area, it is the responsible authority who must ensure that the child's health needs can be met at the proposed placement.

To do this they need to;

1. Establish what the child's health needs are and what is required to meet these needs.
2. Where the child will require specialist health services such as CAMHS or other specialist paediatric services, the responsible authority should consult with the Clinical Commissioning Group (CCG) that commissions secondary healthcare in the host area to establish whether the placement is appropriate and able to meet the child's needs.
3. Where the child has complex needs the responsible authority can have a discussion with the Designated and Named Professionals for looked-after children in the host area authority who will be a valuable source of advice and information.

If the child is to be accommodated in a children's home that offers specialist health care such as therapeutic care, the responsible authority must be confident that the professional care provided will meet the assessed health needs of the individual child.

² The Children's Homes and Looked After Children (Miscellaneous Amendments) (England) Regulations 2013 – Part 3

The responsible authority, as a corporate parent should work with children's home staff to secure the health services that each child needs. In particular, social workers and other relevant officers in the authority responsible for a looked-after child should work with the home to:

- Agree the specific responsibilities of the home towards supporting the health needs of every child at the time the placement is made.
- Ensure that these responsibilities are recorded in the child's placement plan. This must include recording permission from a person with parental responsibility for the child for staff to administer first aid and non-prescription medication, and clearly agreed responsibilities for the administration of prescription medication.
- Be confident that staff in the home have sufficient understanding of relevant local health provision, including the functions of the Designated Doctor and Designated Nurse for Looked after Children in their area, and can support children to navigate these services, advocating on their behalf where necessary and appropriate.
- Should share the plan with the responsible CCG, the host CCG and the local Named Nurse for Looked after Children to clarify that what is proposed can be provided locally.

Staff in residential settings should also support the child to register with a GP and Dentist locally and to access statutory health assessments and any medical appointments necessary to meet their identified health needs.

When a child/ young person attends for an Initial Health Assessment, they **must** be accompanied by a worker who has all the relevant background information to share with the paediatrician undertaking the health assessment.

The worker accompanying the young person must be aware of the importance of the health assessment, and the significance sharing relevant information has in ensuring a meaningful and comprehensive assessment is undertaken.

Designated Nurses – tel 01609 767619

Specialist Nursing Team for Looked after Children - tel: 01423 542367 e: ny.lacnurses@nhs.net

4.2 Education

Consideration should always be given to securing appropriate education at the same time as planning a new care placement. It is inappropriate, except in exceptional emergency circumstances, to place a child in North Yorkshire without arranging a school admission at the same time.

To contact North Yorkshire County Councils, Virtual Head Teacher you can email virtualschool@northyorks.gov.uk or phone 01609 533231

4.3 Police

North Yorkshire Police will share police information and intelligence in respect of out of

authority looked after children with their home police force. The home force will then share with the respective social worker.

All out of authority looked after children placed in North Yorkshire will be flagged with a 'LAC flag' on the North Yorkshire Police NICHE system.

4.4 Notification

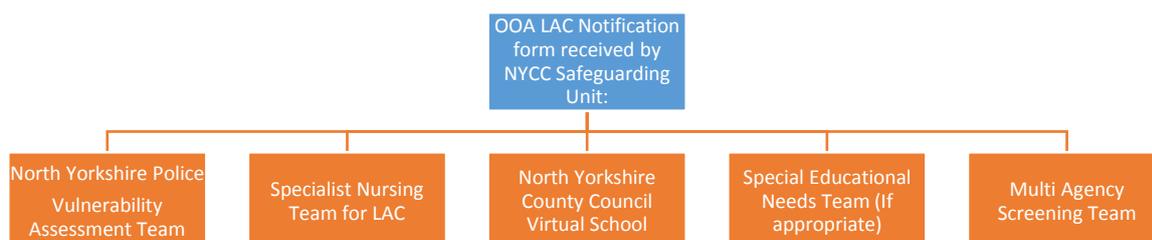
Following the initial consultation with relevant local services and prior to the looked after child being placed in North Yorkshire the North Yorkshire County Council out of Authority Looked after Children [notification form](#) must be used for all notifications of Looked after Children to be placed in North Yorkshire. Once completed this should be sent to ooalac@northyorks.gov.uk. Notifications **must** highlight any specific risks or vulnerabilities to assist services in North Yorkshire to respond effectively.

It is also particularly important that changes of address and notifications of all Looked after Children leaving North Yorkshire should also be sent to ooalac@northyorks.gov.uk to ensure accurate records can be maintained.

If you need to contact North Yorkshire County Councils, Children and Families Team please call the Customer Resolutions Centre on 01609 780780 or for emergencies outside of office hours call the Emergency Duty Team on 01609 780780. Email contact can be made via children&families@northyorks.gov.uk

4.5 Notification Internal Process

Once a notification form is received by North Yorkshire County Council's, Safeguarding Unit via ooalac@northyorks.gov.uk the information will be shared with the following organisations for information /action.



5. Emergency Placements

An emergency placement occurs only when it is necessary to place a child without notice in order to safeguard their welfare and ensure their safety. In the case of a placement made in an emergency, the responsible authority must notify North Yorkshire County Council using the process as outlined in section 4. The approval of the Director of Children's Services from the responsible authority is still required and s/he must be satisfied that the child's wishes and feelings have been ascertained and given due consideration and that the placement is the most appropriate placement available consistent with the Care Plan.

North Yorkshire County Council expects all responsible authorities to ensure the host authority is notified verbally either by contacting the Multi-Agency Screening Team during office hours or the emergency duty team 01609 780780 out of hours.

Following an emergency placement North Yorkshire County Council require a fully completed notification form submitted within one working day of the placement move as outlined in Section 4 of this procedure.

6. Missing from Home and Care

Within North Yorkshire there is a Missing from Home and Care Join Protocol which has been agreed by North Yorkshire Police, North Yorkshire County Council and The City of York Council which outlines the process for dealing with Missing Children.

The Missing from Home and Care Join Protocol can be found here:

www.safeguardingchildren.co.uk/professionals/practice-guidance/ Where an Out of Authority Looked after Child goes missing from home or care the responsible authority have a duty of care to undertake the missing from home or care return interview within 72hrs. The return form must be sent to both North Yorkshire Police and the Safeguarding Unit via missingfromhome@northyorkshire.pnn.police.uk / ooalac@northyorks.gov.uk.

7. Private Children's Residential Home Providers

The Children's Homes and Looked after Children (Miscellaneous Amendments) (England) Regulations 2013 introduced changes to the Children's Homes Regulations 2001 and the Registration Regulations. Regulation 31(1A) and (1B) of the Children's Homes Regulations 2001 introduced a requirement for providers or managers to ensure that premises used for the purposes of a children's home are appropriately and suitably located so that children cared for by the home are:

- effectively safeguarded, and
- able to access services to meet the needs identified in their care or placement plans

Where an Out of Authority Looked after Child is accepted for placement within a Private Residential Children's Home in North Yorkshire we ask that the Registered Manager notifies North Yorkshire County Council by sharing the [Out of Area Looked after Children Notification Form](#) which should be sent to ooalac@northyorks.gov.uk without delay in accordance with Regulation 41.³

To assist with quality assurance of Out of Area Looked After Children North Yorkshire County Council require the Registered Manager to provide a monthly Admission and Discharge list which should be sent to ooalac@northyorks.gov.uk at the end of each calendar month.

North Yorkshire's District Council Planning Departments will notify the North Yorkshire Safeguarding Children Partnership via nyscp@northyorks.gov.uk of all new planning applications for a private residential children's home and new providers will be approached by the North Yorkshire Safeguarding Children Partnership with a view to signing up to this protocol and supporting procedures. Any new applications will be subject of discussion at

³ The Children's Homes (England) Regulations 2015

local MACE meetings - <https://www.safeguardingchildren.co.uk/professionals/practice-guidance/> and relevant safeguarding information provided to the Planning Department to assist in the processing of the application.

OfSTED will notify North Yorkshire Safeguarding Children Partnership, Partnership Manager via nyscp@northyorks.gov.uk of any applications for registration of a new private residential children's home within North Yorkshire.

A list of private residential children's home providers with residential settings in North Yorkshire have signed up to this and supporting protocols will be held by the OOA LAC Coordinator.

8. Information Sharing Arrangements

The North Yorkshire Safeguarding Children Partnership recognise the importance of effective information sharing arrangements between placing local authorities, residential settings and local safeguarding partners in order to ensure that all children in North Yorkshire are safe.

All North Yorkshire Safeguarding Children Partnership partners are committed to sharing relevant information with the placing local authority and residential setting in order to support them discharge their legal duties. However, to do so the placing local authority and residential setting need to ensure that robust information sharing arrangements are in place.

When a child is placed in a private residential setting within North Yorkshire there is an expectation that the placing responsible authority will ensure that the child's Care and Placement Plans include arrangements for the dissemination and collation of relevant safeguarding information to and from North Yorkshire Safeguarding Children Partnership partners within North Yorkshire. This is to ensure that local partners can effectively contribute to the safeguarding of the child whilst placed in North Yorkshire.

Placing responsible authorities and/or residential settings should contact the North Yorkshire's Multi Agency Screening Team to discuss urgent safeguarding concerns by either speaking directly with the Multi-Agency Screening Team phone 01609 780780 or email children&families@nothyorks.gov.uk, or alternatively out of hours using the Emergency Duty Team 01609 780780 or email EDT@northyorks.gov.uk.

Residential Children's Homes and Foster Carers need to ensure they work with the responsible authorities to ensure information is appropriately shared to safeguard the children in their care.

Registered Managers are invited to attend the Multi-Agency Child Exploitation (MACE) and Contextual Safeguarding Practitioner Group Level 2 within their locality. MACE Level 2 meetings discuss perpetrator, hot spots and community intelligence. To be added to the attendance list or to speak with the Chair we ask that contact is made via nyscp@northyorks.gov.uk or call 01609 535123 asking to speak to somebody in relation to MACE. Additional detail regarding MACE and Contextual Safeguarding can be found [here](#).

Registered Managers are invited to organise and manage monthly meetings with North Yorkshire Safeguarding Children Partnership partners to ensure that there is effective local information sharing in place relating to specific issues regarding the setting and/or specific placements with regards to VEMT.

All requests for North Yorkshire Safeguarding Children Partnership information required by Registered Managers for Safe Area Reports under Regulation 46 are required to be sent to

nyscp@northyorks.gov.uk in order that these can be co-ordinated by North Yorkshire Safeguarding Children Partnership partners. The requests will be subject of discussion at local VPG Tier 2 meetings in order to provide an appropriate and meaningful response. The reviews should consider the following:

- whether the location of a home represents a risk that children will be targeted for sexual exploitation.
- whether the location of the home influences the potential that a vulnerable child could be a victim of violent crime.
- whether there is a likelihood of children becoming drawn into gang crime or anti-social behaviour in the local area.
- the appropriateness of the local neighbourhood as a location to care for vulnerable children with experiences of trauma, abuse and neglect.

All Out of Authority Looked after Children remain the responsibility of the placing Local Authority. Any local North Yorkshire Safeguarding Children Partnership partner with information relating to a safeguarding concern or risk to any specific out of area placed child or children should notify the relevant responsible authority for that child without delay. The information should also be shared with the North Yorkshire Multi Agency Screening Team in order that local risk determination can take place.

9. Escalation Process

Any professional who has concerns regarding a placement provider, responsible authority or relating to the management of the setting should escalate this through their own agency child safeguarding lead who should in turn raise this formally to the North Yorkshire Safeguarding Children Partnerships Partnership Manager via nyscp@northyorks.gov.uk or by calling 01609 780780.

If a partner agency identified significant concerns regarding a provider, concerns must be raised without delay to Ofsted as the regulator. It is important to note that if there is a concern relating to the welfare or safety of a child this should be referred to Customer Resolution Centre directly <http://www.safeguardingchildren.co.uk/worried-about-child>.

To effectively manage concerns that have been raised to North Yorkshire Safeguarding Children Partnership with regards to Out of Authority Looked after Children the escalation process below will be followed.

Escalation Process:

Identification of concern	<ul style="list-style-type: none">•Concerns regarding a provider should in the first instance be addressed directly with them.•If concerns are not resolved with the provider the concerns should be raised with the NYSCB Business Unit
Review	<ul style="list-style-type: none">•NYSCP Business Unit to review the concerns identified•Where appropriate seek views from local partnership•Timescale - no longer than 14 working days from the concern been raised
Collate concerns	<ul style="list-style-type: none">•NYSCP Business Unit to create a report based on the review and views where appropriate from Partners•If information obtained by partners is considered to have significant concerns, Ofsted will be contacted.•Timescale - No longer than 5 working days from receiving the information
Consider concerns	<ul style="list-style-type: none">•NYSCP Executive to consider the report provided by the NYSCB Business Unit and agree appropriate actions•Timescale - No longer than 5 working days from receiving the report
Meeting with the provider	<ul style="list-style-type: none">•NYSCP Executive to meet with the provider and discuss concern and provide recommendations•Timescales - No longer than 5 working days from Executive meeting
Review	<ul style="list-style-type: none">•NYSCP Executive to review and identify an lessons learnt•Timescales - NYSCP Business Unit to feed in to the next NYSCP Practice Development Subgroup

10. Definitions

Subject	Definition
Out of Authority	This is any placement not in the local authority's geographical boundaries. These will be placements in local authorities which have a geographical boundary with the home local authority
At a Distance	This is any placement not in the local authority's boundaries and also not within any of the bordering local authorities. Distance such as 20 miles from the local authority no longer applies and should not be used.
Looked After Children	A child is 'looked after' if they are in the care of the local authority for more than 24 hours
NYSCP	North Yorkshire Safeguarding Children Partnership www.safeguardingchildren.co.uk
Host authority	The local authority for the area in which the child is placed or is to be placed where this is different from the responsible authority.
Nominated officer	A senior officer of the responsible authority, nominated in writing by the Director of Children's Services, for the purposes of approving placement decisions made under the Care Planning Regulations.
Placement provider	A foster carer; registered person for a children's home; or the person responsible for the child's accommodation where they are placed in other arrangements. Connected persons may also be placement providers, as are parents, if the child is placed under Part 4, Chapter 1 of the Care Planning Regulations.
Responsible authority	The local authority which looks after the child.

11. Useful Links

NYSCP Vulnerability Checklist - [NYSCP Vulnerability Checklist](#)

MACE and Contextual Safeguarding Practice Guidance - [MACE and Contextual Safeguarding Practice Guidance](#)

NYP Partnership Information Sharing Form - [North Yorkshire Police Partnership Information Sharing Form](#)

North Yorkshire's Universal Referral Form - [Universal Referral form](#)

OOALAC Notification Form – [OOALAC Notification Form](#)