Children’s Social Care

UNREGULATED PLACEMENTS PROCEDURE
### DOCUMENT RECORD

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<th>Issue No.</th>
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<th>Review date</th>
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Appendix 1 – Template for Unregulated Placement Risk Assessment
Appendix 2 – Template for Information Sharing Protocol
Appendix 1 – Template for Concerns Decisions Meeting
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Appendix 3 – Template for management report on unregulated placements
1. **Scope**

1.1 The procedure supports the LBL Unregulated Placements Policy and is itself supported by Practice Guidance.¹

1.2 This procedure covers the use of unregulated placements available for children and young people in care, the need for adequate checks prior to approval and the importance of understanding procedures for inspection and addressing concerns.

1.2 The scope of this document covers the following:
- Responsibilities of Children’s Social Care (CSC) staff regarding unregulated provision;
- Clarity of required checks, approvals and monitoring of placements;
- Completion of Unregulated Placement Risk Assessment
- Assurance that contracts with unregulated provisions are fully understood and adhered to;
- Existence of information sharing protocols with all relevant partners to ensure the optimum provision for children and young people;
- Action to be taken where there is concern regarding the level of care or safety at the child or person’s accommodation.

2. **Roles and Responsibilities:**

2.1 As a corporate parent, the London Borough of Lambeth (LBL) has a range of responsibilities for the children in our care. Children’s Social Care staff in specific roles have the following responsibilities:

2.2 **Strategic Director, Children’s Social Care** has responsibility for the strategic overview for the safeguarding of children and young people looked after by the London Borough of Lambeth. They have specific responsibility for approving unregulated placements for children under 16 years of age. If the Strategic Director is not available, this can be delegated to the Director, CSC, where needed, in discussion with another Strategic Director.

2.3 **Director** will deputise for the Strategic Director and has day to day operational responsibility for CSC, ensuring adequate management processes are in place for CSC to carry out their safeguarding responsibilities. The Director will also have oversight of relevant policies and procedures, will monitor performance with the management team and has overall responsibility for the management of placements of children and young people. Where the Strategic Director is not available, the Director will approve unregulated placements for children under 16 years of age as at 2.2 above. In addition, the Director can approve placements involving parents with regulations and will sign such placement off for the AD, Corporate Parenting.

¹ LBL documents re Unregulated Placements stored at: https://lambeth.sharepoint.com/sites/ChildrensSocialCarePracticeandResources
2.4 **Assistant Directors** have specific responsibilities to support staff in their management and decision-making processes in managing unregulated placements for children and young people and operational monitoring of all cases. They will implement this policy for the Director when not available and have responsibility for approving placements for young people over 16 years. Specifically, the AD, Corporate Parenting will agree any placements involving parents with regulations – this agreement will be signed off by the Director, they additionally have responsibility for ensuring internal reporting requirements. It is essential that all placements outside the borough’s framework have AD oversight as a minimum.

2.5 **Service Managers/Team Managers/Social Workers/Personal Advisers**, have overall responsibility for safeguarding of LBL children and young people and specific responsibilities for unregulated placements as detailed in section 3 of this procedure.

2.6 **Independent Reviewing Officers** have specific oversight responsibilities for children and young people under 18 years and these are detailed in section 3 of this procedure in relation to unregulated placements.

2.7 **Local Authority Designated Officer** (LADO) has specific responsibilities for dealing with allegations involving staff and carers of LBL children and young people and liaising with LADOs in other boroughs/councils as required. The LADO also has responsibility specific to unregulated placements as detailed in section 3 of this procedure.

2.8 **All Employees** have a duty to alert LBL managers of any concerns relating to the safeguarding of children and young people in Lambeth. This responsibility brings many staff into contact with unregulated placements where the safety of our children and young people must always be a priority.

3. **Process**

3.1 It is essential that LBL procedures seek to ensure that all children and young people in their care have the right to live in high-quality placements. These placements must be regarded as their home, for whatever length of time they are there.

3.2 This procedure will address the way in which unregulated placements are approved and how they are subsequently monitored.

3.3 This procedure will address the process to be followed where there is any concern about the level of care or safety in a child or young person’s new home.
3.4 **Placements, Checks, Approvals and Monitoring:**

The most common form of unregulated provision is **supported living**. This is accommodation where children and young people are visited and receive some support as they progress towards independence.

3.4.1 LBL recognises unregulated provision as a steppingstone to independence and it will only be considered, in the circumstances, when it is in the best interests of the individual child or young person.

3.4.2 In the absence of Ofsted regulation, LBL, as the corporate parent, will ensure that all placements are safe and suitable for the specific child and, recognising this, will make the best decision achievable for each child. This decision is key to the safe placement of the child or young person and will consider proportionality, impact and unintended consequences.

3.4.3 In considering an unregulated placement, LBL will have regard to proportionality, impact and unintended consequences. These considerations will be recorded on an Unregulated Placement Risk Assessment (Appendix 1)

3.4.4 In adhering to statutory guidance, LBL will ensure that the child or young person’s needs are matched to the services provided by the placement and that the accommodation is suitable. Ofsted will inspect LBL’s performance on meeting these statutory duties.

3.4.5 Suitable accommodation is:
- Suitable for the child in light of his/her needs, including health needs;
- One in which LBL has satisfied itself as to the character and suitability of the landlord or other provider;
- Complies with health and safety requirements related to rented accommodation;
- Where reasonably practicable, takes into account the child or young person’s education, training and/or employment needs.

3.4.6 Matters to be considered before placing a child or young person in unregulated accommodation include:
- Facilities and services provided;
- State of repair;
- Safety;
- Location;
- Support;
- Tenancy status;
- Financial commitments for young person where appropriate;
- Financial resilience check;
- Consultation with host authority where appropriate.
3.4.7 In respect of the child or young person, LBL will consider:
- Their views about the accommodation;
- Their understanding of their rights and responsibilities in relation to the accommodation;
- Their understanding of funding arrangements where appropriate.

3.4.8 LBL will require all providers to maintain up to date Disclosure and Barring Service (DBS) checks on all their members of staff.

3.4.9 All providers will be required to ensure all their staff receive relevant, updated training such as safeguarding, health and safety, first aid, General Data Protection Regulations (GDPR), etc.

3.4.10 All providers will develop, and submit to LBL, policies and procedures to support safeguarding issues, including:
- safer recruitment
- missing persons
- child sexual exploitation
- serious youth violence
- safer caring, including self-harming, anti-bullying, etc.
- mental health
- substance/alcohol abuse

3.4.11 LBL will ensure that the requirements of this procedure are evident in the agreed contract with the provider prior to any placements being made and that an Information Sharing Protocol is in place (Appendix 2).

3.4.12 All such placements involving children under 16 years of age will be authorised by the Strategic Director, or, in their absence, the Director in consultation with another Strategic Director.

3.4.13 Circumstances arise where children are placed with parents with regulations in place, such as a Care Order, Interim Care Order or following Remand to Local Authority Accommodation. These can be planned and unplanned placements and arise due to a lack of suitable alternative accommodation or the lack of engagement of the child or young person to accept any other option.

3.4.14 Such placements must be authorised by the Assistant Director, Corporate Parenting, will comply with The Placement of Children with Parents, etc Regulations 1991² and with the remaining requirements for supported living in this section. The AD, Corporate Parenting, will convene a planning meeting to ensure a decision is made in the best interests of the child and plans are implemented to achieve regulated provision. All such placements must be signed off by the Director.

3.4.15 In rare circumstances it may be necessary to place a **child under 16 years in semi-independent living arrangements**. Such circumstances occur where the child has serious and complex needs and regulated providers (on LBL framework) cannot be found which are suitable. Such a placement may be the only option. This can only be authorised by the Strategic Director, or the Director in their absence in consultation with another Strategic Director. The AD, Corporate Parenting, will authorise a care plan and arrangements to secure a regulated placement. Compliance with the remaining elements of this procedure will be sought.

3.5 **Addressing Concerns**

There are a wide variety of circumstances where staff may have a concern regarding unregistered placements of a child or young person. In all cases where an issue cannot be resolved, it must be escalated for advice and/or action. Specific issues will be addressed as follows:

3.5.1 All staff concerned about alleged abuse on the part of parents, carers or professionals working with the young person will discuss this immediately with their Team or Service Manager (TM/SM). The TM/SM must inform an Assistant Director. Senior managers will provide guidance as to appropriate action. This may require a referral to the LADO and the LADO of the area where the placement is located. The Lambeth LADO will require all the papers relating to the out of area LADO investigation to make sure our young people are fully protected. There will need to be a discussion as to whether immediate removal of the young person is necessary with the TM and SM. It is the responsibility of the local LADO to decide if other placing local authorities need to be informed and it is up to other local authorities to decide what they want to do with their young people placed in the semi-independent provision. Twice yearly visits by an LBL Independent Visitor (IV) – to be increased if concern substantiated.

3.5.2 Where a Social Worker (SW) or Personal Advisor (PA) has concerns about the home environment, they will inform TM and SM, the ARTs TM and IRO (if the child is under 18). If the decision is made to leave the child in the home, a Concerns Discussion Meeting (CDM) must be set up within 10 working days and the CDM template completed (Appendix 3). The meeting must be attended by the SW/PA, the TM, ARTs TM, IV and IRO (if young person is under 18) as well as the manager of the semi-independent provider. A copy of the completed CDM should be given to the agency and kept in the young person’s records. IV visits to be increased if of sufficient concern.

3.5.3 Where an IRO/IV has concerns about the home environment, they will inform TM, SM, young person’s SW, their TM, SM. If the decision is made to leave the child in the home, a Concerns Discussion Meeting will be arranged. A CDM must be set up within 10 working days and the CDM template completed (Appendix 3). The meeting must be attended by the
TM, ARTs TM, IV and IRO as well as the manager of the provider. A copy of the completed CDM should be given to the agency and kept in the child’s records. The IRO will provide a copy to the agency manager and place a copy on Mosaic. A copy must also be sent to Commissioning if the semi-independent provider is on Lambeth’s preferred provider framework. IV visits to increase if sufficient concern.

3.5.4 A CDM will be chaired by the SM for the child. Attendees will share the concern, ascertain evidence and impact on the child / young person. Professional judgement will be used to decide if steps should be taken to make improvements in the interest of placement stability or whether the young person needs to be removed from the placement. If a young person is removed due to concerns about standards of care being substantiated and the agency is on Lambeth’s Preferred Provider Framework a copy of the concerns and decisions for removal will be provided to the Commissioning Team by the SM.

3.6 Notification to Parents

Parents who share parental responsibility should always be informed by letter (Appendix 4) if their child or young person has been removed from their placement. The new placement address does not have to be provided in all instances. This issue must be considered on a case by case basis, be subject of discussion and evaluate the safety of the child or young person.

4. Monitoring, Review and Evaluation

4.1 Monitoring will be carried out through performance data (Appendix 5) provided by the AD Corporate Parenting to the Strategic Director and the rest of the senior management team – weekly for under 16-year olds, monthly for 16-18-year olds.

4.2 The AD, Corporate Parenting will submit a quarterly report electronically to the Lead member for Children’s Social Care.

4.3 This procedure will be reviewed annually following approval.

5. Associated policies and documents

Lambeth Unregulated Placements Policy
National Minimum Standards for Fostering Services 2011
Independent Person Visits and Reports (Regulation 44)
National Minimum Standards for Children’s Homes
Care Leavers (England) Regulations 2010
The Placement of Children with Parents, etc Regulations 1991
6. Appendices

Appendix 1 - Template for Unregulated Risk Assessment
Appendix 2 - Template for Information Sharing Protocol
Appendix 3 - Template for Concerns Decision Meeting
Appendix 4 - Template Letter – Notification to Parents
Appendix 5 - Spreadsheet – Reporting data re unregulated placements
## Appendix 3

### Concerns Decision Meeting

<table>
<thead>
<tr>
<th>Name of Child / YP</th>
<th>Mosaic ID</th>
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<tbody>
<tr>
<td>Name of SW/PA</td>
<td>Name of Service Manager</td>
</tr>
<tr>
<td>Name of Provider</td>
<td>Address of Placement</td>
</tr>
<tr>
<td>Date of CDM</td>
<td>Attendees</td>
</tr>
<tr>
<td></td>
<td>Details of Concerns and impact on child / young person</td>
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<tr>
<td></td>
<td>Decisions with rationale</td>
</tr>
<tr>
<td>Consultation with birth parents or those with PR be consulted</td>
<td>Not applicable</td>
</tr>
<tr>
<td></td>
<td>Please say who will do this and by when</td>
</tr>
<tr>
<td>prior to the move</td>
<td></td>
</tr>
<tr>
<td>View of young person</td>
<td></td>
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<tr>
<td>Inform Commissioning</td>
<td></td>
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<tr>
<td>Following consultation with AD decision to inform Ofsted</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>No</td>
</tr>
<tr>
<td>Review meeting?</td>
<td>Not required</td>
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To:

Dear X and X

I am sorry to tell you that we have had to move (name of child or young person) from his / her current placement. We were concerned about (delete which are not applicable) the physical condition of the accommodation and furnishings and the quality of care or support provided to (insert name of child).

We expect carers to meet our high standards and when they do not do so for whatever reason we take the matter very seriously. We are keen to minimise disruption to (name of child) and have made arrangements so that (name of child or young person) can continue to go to his current school/college. (Do not name the current school/college if this is going to young person at risk).

Name of Child will also remain with the current GP and be able to meet up with friends.

Or

We have carefully considered benefits of accessing good quality care against the disruption that inevitably comes with changing schools, GPs and moving away from friends.

If parents were consulted include what their view was and say why it was listened to or not listened to

We know that (name of child or young person) has said that … include what their view was and say why it was listened to or not listened to

We have concluded that on balance it is best for (Name of child or yp) to move to a placement where the care is of the high standard that we require. The reasons are set out below:-
Delete if parents / carers cannot be informed of placement details

(Name of Child) has moved to (insert address). The main carer is (insert name and contact details). Please feel free to contact them if you would like to know how (name of child) is settling in.

If you have any questions please do not hesitate to contact me. My contact details are XXX.
Kind Regards

Insert Signature etc