

Protecting 'Looked After' Children

1. Introduction

This paper has been developed to provide guidance on protecting and safeguarding children who are 'Looked After'.

- 1.1 The needs of the child or young person is central to all such planning processes. Avoiding unnecessary duplication or subjecting young people to different types of meetings should be kept to a minimum. Ensuring comprehensive plans for the looked after child that incorporates safeguarding arrangements will lessen feelings of confusion on the part of the young person strengthen the planning process and clarify actions to be taken by a multi-disciplinary involvement.
- 1.2 All key agencies working with children and young people together with the Regional Child Protection Committee (RCPC) seek to protect and promote the welfare of children. These Agencies will work in partnership with children young people, families and carers to achieve this.
- 1.3 There are two multi-agency processes, which are:

The Child Protection Process (CP)

The child protection process has been established to ensure the safety and welfare of the most vulnerable children and young people living in the community considered to be at risk of significant harm.

The Looked After Process (LAC)

The Looked After Review process has been established to ensure that children 'Looked After' by Trusts, have all aspects of their needs regularly reviewed and provisions made to meet these needs, which includes the safety and protection of the child.

- 1.4 Both these processes establish multi-agency protection/care plans with clear expectations of better outcomes for the child. Where the two processes apply the situation can become confusing and difficult for children and their families to understand. Good planning should seek to ensure that only those processes that are of immediate significance to the plans for the child are in operation at any one time.

2. Guiding Principles

- 2.1 Good practice would indicate that children who are Looked After need not be subject to a separate Child Protection Plan. The LAC processes should be sufficiently robust to address the Child Protection needs of the child/young person.

- 2.2 The duplication of meetings is not in the best interests of the child or their family and should be avoided.
- 2.3 When a child is Looked After and subject to statutory reviews, consideration of Child Protection and safeguarding issues should be routinely addressed at the looked after review and accounted for in the Care Plan agreed at the Review. The UNOCINI Looked After Pathway Assessment encompasses risk assessment and promotes the consideration of an appropriate plan to meet the overall needs of a child or young person including their need for protection. This forms the main basis of the discussion and decision making around Child Protection and safeguarding issues in the course of the Looked After Review.
- 2.4 Protecting Looked After Children who place themselves at risk as a consequence of their behaviours can and should be managed through the LAC process. If required a risk management meeting may be convened between planned LAC Review of Arrangements to ensure issues of risk are addressed and managed.
- 2.5 Staff must take cognisance of the duty to investigate under Article 66 of the Children NI Order 1995; Regional Child Protection Policy Procedures; and Protocol for Joint Investigation, but this does not necessarily require convening a Child Protection case conference or placing the child/young person's name on the Child Protection Register.
- 2.6 Whilst a Child Protection Conference or placing a child's name on the Child Protection Register may not necessarily be required it is of utmost importance that staff adhere to procedural requirements in line with legislation and guidance as referenced. This will particularly be the case where there is the potential for or suspicions of -
- Organised abuse
 - Children at risk of sexual exploitation
 - Children who pose sexual risk or violent young people.

In all circumstances there should be robust risk assessments to inform future planning.

3. Dual Processes

- 3.1 A child might be subject to dual processes in exceptional circumstances which include:
- Prior to a Looked After Child being discharged from Care to the care of their parents or family members, consideration should be given to convening a Child Protection Case Conference. This decision should be discussed and agreed at the LAC Review.

- Consideration should be given to convening a Child Protection Case Conference if a child is admitted to care on an emergency basis and a multi disciplinary assessment, including an assessment of risk, has not yet taken place.
- 3.2 In **exceptional** circumstances when a Looked After Child is also subject to Child Protection processes both systems must be coordinated. The dual status arrangements should be for the minimum possible period of time and should not ordinarily exceed a maximum of 3 months.

4. Implementation

- 4.1 This guidance requires to be taken into account in all child protection case conferences held in respect of Looked After Children which are held post 1 September 2010. The Case Conference will take account of the individual circumstances and as appropriate take a decision that the safeguarding issues are to be taken into account within the LAC Review process and appropriately reflected within the Care Plan. The documentation available to the LAC Review and minutes of the LAC Review must clearly evidence that safeguarding issues have been afforded due consideration and that risks have been assessed and that actions are contained within the Care Plan to ameliorate or manage such risks.
- 4.2 Where a child becomes looked after and is on the Child Protection Register the next or a reconvened Child Protection Case conference will take account of the individual circumstances and determine that the LAC Review process will take account of safeguarding issues and that these are appropriately addressed within the Care Plan.

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