



**MIDLOTHIAN COUNCIL EDUCATION AND
CHILDREN'S SERVICES**

CHILDREN AND FAMILIES SOCIAL WORK

**LOOKED AFTER AND ACCOMMODATED CHILDREN
AND YOUNG PEOPLE PROCEDURES**

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Midlothian Council Education and Children's Services – Children & Families
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1. Introduction

Midlothian Council is committed to achieving the best outcomes for its Looked After & Accommodated Children and Young People. It recognises that children and young people need secure and nurturing care giving where they can grow and develop with confidence.

Midlothian Council intervenes in the lives of children only where this is necessary to safeguard and promote their welfare. Ideally, all children and young people should live with their families of origin, however sometimes this is not in the best interests of children as difficulties within the family may mean that the care of the child is not of a quality that the child requires to keep him/her safe and nurtured.

This policy applies to all looked after Midlothian children whether placed with kinship carers, a family recruited by the Council or another agency, or a residential unit or school.

2. Principles underpinning the Policy

In all planning and decision making, the welfare of the child throughout his/her life will be the paramount consideration. All reviews will consider the child's short and long term needs.

Every child has a right to be brought up in a physically safe and emotionally secure family setting that will provide him/her the opportunity to fulfil his/her potential into adulthood.

Every child should be brought up with their siblings unless there are clear indications that this would not be in the best interests of one or all of the children.

Every child not brought up in their family of origin should grow up with knowledge of their origins and have opportunities for information and/ or contact that meets their changing needs.

Every child's wishes and feelings will be sought and taken account of in the decisions taken, having regard to the child's age and maturity.

Every child's ethnicity, religion, culture and language will be considered at all stages in planning for his/her future.

Every child should have a sense of stability and permanence and should be secured through successful re-integration to birth parents or legally secured with permanent carers.

Decisions about permanency for children should be made in good time and based on a thorough assessment of the child's needs in collaboration with the child, his/her family and other partners to the child's plan.

Wherever possible and in their best interests, children should be legally secured out with the public care system.

3 Legislative and Procedural Framework – Reviews for Looked After and Accommodated Children

These procedures should be read in conjunction with the following:

- Section 31 of the Children (Scotland) Act 1995 which places a duty on Local Authorities who are looking after children to review their CYP Plans at intervals prescribed by the Secretary of State. The Act empowers the Scottish Government to make regulations governing the timescales, the manner of the Reviews, their content and their role relevant to other forums e.g., Children's Hearings.
- [Regulation 45](#) of the Looked After Children (Scotland) Regulations 2009 which outlines the Local Authority's duties in relation to reviewing children and young people whom we have placed in kinship, foster or residential care.
- [Midlothian Council Permanency Policy](#)
- [Midlothian Council Adoption and Permanence Policy](#)
- [Midlothian Council Adoption – Decision Making and Legal Processes](#)
- [Throughcare and After care Procedures](#)
- [Midlothian Council Kinship Care Policy](#)
- [Midlothian Council Children's Champion Scheme Policy](#)

The legal status for children and young people for whom Reviews must be held include:

- Section 25 of the Children (Scotland) Act 1995. **Child placed in residential, kinship or foster care.**
- Section 70 of the Children (Scotland) Act 1995 **where a condition of residence exists accommodating the child away from home.**
- Section 18 of the Adoption (Scotland) Act 1978. **Child freed for adoption.**
- Section 80 Adoption and Children (Scotland) Act 2007 – **Permanence Order which includes children previously subject to a Parental Responsibility Order**
- Section 83 Adoption and Children (Scotland) Act 2007 – **Permanence Order with authority to adopt**

4 Accommodating a Child or Young Person – Guidance for Social Worker

Gatekeeping Group

Wherever possible children and young people should be accommodated on a planned basis. When consideration is being given to a child or young person needing to be accommodated away from their family of origin, including kinship care, then a referral must be made, on Frameworki, to alert the Gatekeeping Group.

The Gatekeeping Group, which covers both East & West, meets every second Monday, from 9-10am, in Dalkeith Social Work Centre. The Gatekeeping Meeting is chaired by the Service Manager (East) & is attended by the Resources Manager, the Manager of Residential Services & the Team Leader, or a deputy, from the Family Placement Team.

The referral to the Gatekeeping Group should present a clear picture of 'why we are here', with a coherent Care Plan in which the purpose of any additional support or placement is clear & what the desired outcomes are for the child. The referral should outline all the interventions & support which the child & family have been offered, such as Family Group Meetings, in order that the Gatekeeping Group is then able to discuss what additional support may be available, such as Residential Services outreach support, which can only be accessed via the Gatekeeping meeting, or respite.

If a child or young person does require to be placed away from his/her family of origin then priority will be given to finding a **kinship care** placement with extended family members or the family of a friend. Only after careful consideration of all possible kinship possibilities have been exhausted will the Gatekeeping Group consider foster care or residential options.

The Aims and Function of the Midlothian Gatekeeping Group is attached as Appendix 1.

Emergency Placement

Best outcomes for children are achieved when they are appropriately matched with placements and move on a planned basis. However, in circumstances when it is necessary to accommodate a child or young person on an emergency basis to safeguard their immediate care and protection, the following steps should be taken:

- Agreement of Service Manager and/or Resource Manager to be sought.
- Care Placement Referral and Risk Assessment Forms to be completed in Framework, indicating an emergency placement required.

Most emergency placements are made under S25 of the Children (Scotland) Act 1995 or are the result of a decision made at a Children's Hearing.

When a child is placed on an emergency basis the social worker must ensure that the following forms are completed prior to the child being placed. Copies should be given to the carer.

- Essential Core Record and Placement Agreement
- A copy of the most recent CYP Assessment and Plan and Risk Assessment and matching Forms should be given to the carers

LAAC Nurse notified - Under the Looked After Children (S) R 2009, we have a duty to notify the Health Board (the LAAC nurse) when we place a child with kinship carers, foster carers or in residential care. As part of the 'We Can & Must Do Better' requirements to improve health outcomes for Looked After Children & Young People the NHS Lothian Health Trust has a vital role to play in ensuring LAAC access appropriate support for their emotional, mental & physical needs. Using the Frameworki document "Notifying Change of Placement or Legal Status" the child's social worker will complete this on the same day as the move, will save on Frameworki & send an electronic copy to: RHSC.VulnerableChildrensTeam@nhslothian.scot.nhs.uk

Any subsequent change of address should also be notified immediately to the LAAC nurse using this system, whether to a different placement, or in the case of a return home to notify Health to enable them to fulfil their role as safeguarding partners. It is also required to complete "Notifying Change" form for a change in legal status, as this affects who can give legal consent to treatment.

Appendix 2 is the "Notification of Placement" (3008) which is in use up until 14th May 2013. As from 15th May 2013 social workers will use "Notifying Change of Placement or Legal Status" document, which is on Frameworki.

After Placement (as soon as possible)

Please ensure completion of the following paperwork

- Essential Background Record
- Day-to day Placement Arrangements (for initial planning meeting)
- Immediate Care Plan
- Notification of Placement to Both Parents
- Notification of Placements to Health/ Education/ Local Authority Social Work
- Notifications of Termination to Both Parents (1164)

- Notifications of Termination to Health/ Education/ Local Authority Social Work (1168)

Notification to LAAC Administrator

When a child or young person become looked after and accommodated it is the child's social worker's responsibility to record this in the child's case notes on framework and to attach a case note alert to the responsible LAAC Administrator so that s/he can update the child's LAAC episode on framework. The social worker must ensure that a LAAC Review is convened within 6 weeks of the child becoming looked after and accommodated. The date for this should be agreed with the relevant locality senior support assistant.

Procedures for situations where children are accommodated as a decision of a Children's Hearing can be reached by following this link. It is important to remember that the responsible LAAC administrator should receive a case note alert in all circumstances where a child or young person becomes looked after and accommodated.

<http://intranet/services/webinfo/WebInfoPDF.asp?blobid=12977>

Placement Agreement Meeting (held within 72 hours of admission)

The CYP Plan will be agreed immediately that a child/young person has become accommodated at the Placement Agreement Meeting held within 72 hours of this event. This meeting will agree the purpose of the placement and the roles and responsibilities of all the partners to the child's plan, including birth family members. For foster and kinship placements this document is the placement agreement for the placement in respect of the individual child. This meeting is chaired by the allocated Social Worker's Team Leader and minuted by the Social Worker on the Day to Day Arrangement/Placement Agreement Form in Framework.

If a residential placement has been made on an emergency basis the Placement Agreement Meeting must consider whether foster care or kinship placement would be more appropriate. If the placement has been with foster carers on an emergency basis, the regulations require the meeting to consider whether a kinship placement would be more appropriate.

The placement agreement meeting should consider whether or not there are any health and safety issues that require the risk assessment to be updated. In the case of a foster placement, the meeting should also consider whether is necessary for the Family Safer Caring Policy to be updated to reflect the changes.

5 Purpose of Reviews

Reviews are the mechanism through which the Education and Children's Service undertakes its statutory obligation to establish, examine, confirm or modify CYP Plans for children who are looked after and accommodated by Midlothian Council. They are part of a continuous process of planning for children in such circumstances and are therefore intended to assist and complement other decision-making forums. The guiding principle in all child care decisions is that the best interests of the child are paramount. Whilst Education and Children's Service staff are committed to working in partnership with all relevant individuals concerned with a child, Education and Children's Service, as the agency responsible for carrying out the LAAC Review has an obligation to ensure that decisions are made in the child's best interests.

The aims and process of LAAC Reviews need to be clear and accessible to children, young persons and families. **Review practice must aim to avoid delay and drift.**

The overall objectives of the LAAC Review will be:

- to provide an opportunity to assess the child's short and longer term needs and circumstances at regular, prescribed time intervals
- to consult formally with parents and children
- to assess the effectiveness of current plans as a means of securing the best interests of the child;
- to provide an opportunity to oversee and make accountable the work of professional staff involved;
- to agree future plans for the child which may include preparation for ceasing to be looked after and accommodated and the requirement to complete Pathways views, assessment and plan.

Reviews are primarily concerned with key decisions that establish the direction of the case and how this will be achieved. The main purpose of Reviews being to achieve permanence for children and young people either through rehabilitation home to their birth parents, or within extended family or an alternative family or care based setting. Every LAAC Review should consider the issue of permanence and there should be explicit discussion about the importance of achieving permanency for children and young people. The review should outline the preferred route to permanency and what needs to happen for this to be achieved.

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In carrying out a review we are required to consult and take into account the views of–

- the child, taking account of the child's age and maturity;
- the kinship carer, foster carer or manager of any residential establishment where the child has been placed
- any person with any parental responsibilities or parental rights in respect of the child;

Regulation 44 of the Looked After Children (Scotland) Regulations 2009

We are also required to assess-

- the child's needs and how those needs are being met;
- the child's long term needs and how those needs are being or can be met;
- whether the child's welfare is being safeguarded and promoted;
- the child's development;
- whether the accommodation is suitable for the child;
- the child's educational needs and whether those needs are being met.
- to consider any written reports

Regulation 44 of the Looked After Children (Scotland) Regulations 2009

6 Time Intervals for Reviews

As outlined above, at the point where a child or young person becomes accommodated, the Social Worker must ensure that this event is recorded in a case note on the child's record in Frameworki and that an alert is sent to the responsible LAAC Administrator.

Placement Agreement Meeting (held within 72 hours of admission)

The CYP Plan will be agreed immediately that a child/young person has become accommodated at the Placement Agreement Meeting held within 72 hours of this event. This meeting will agree the purpose of the placement and the roles and responsibilities of all the partners to the child's plan, including birth family members. For foster and kinship placements this document is the placement agreement for the placement in respect of the individual child. This meeting is chaired by the allocated Social Worker's Team Leader and minuted by the Social Worker on the Day to Day Arrangement/Placement Agreement Form in Framework. If a residential placement has been made on an emergency basis the Placement Agreement Meeting must consider whether foster care or kinship placement would be more appropriate. If the placement has been with foster carers on an emergency basis, the regulations require the meeting to consider whether a kinship placement would be more appropriate.

The placement agreement meeting should consider whether or not there are any health and safety issues that require the risk assessment to be updated. In the case of a foster placement, the meeting should also consider whether it is necessary for the Family Safer Caring Policy to be updated to reflect the changes.

LAAC Reviews

Regulation 45 of the Looked After Children (Scotland) Regulations 2009 states that the first LAAC Review must be held within six weeks of the child being placed away from home, thereafter a second Review must be held within three months of the first Review and subsequent Reviews held every six months. It is good practice to have a LAAC review within three months of the second review to ensure that planning for the child that is consistent with the principles of the permanence policy is in place.

Where a child is subject to a Permanence Order, and is placed in a permanent placement, the child and carer should come to an agreement about the frequency of the reviews with the Council. In practice the timing of the Reviews will also be determined by the particular needs and circumstances of the individual case.

LAAC Reviews should happen within these timescales and the Council has a legal duty to conform to this. Permission to postpone a LAAC Review must

be given by the Service Manager and the reasons for the postponement recorded in the child's case notes.

Referral to Reporter

A Review must also be carried out

- (a) prior to a decision by the local authority to refer the child's case to the Principal Reporter under section 73(4) of the 1995 Act as amended by the 2007 Act;
- (b) prior to an application by the local authority for a permanence order; and
- (c) where practicable, under any other circumstances when a Children's Hearing is convened under the 1995 Act to consider the case of a child.

The recommendations and decisions of the most recent LAAC Review remain relevant until the subsequent review. Therefore, additional Reviews, prior to the Children Hearing, will only be necessary if significant change is recommended to the current CYP Plan.

7 Reviews, Reports, Minutes, CYP Plan and Admin Arrangements

Reviews and Reports

The social worker should update the child's CYP assessment and submit this along with an updated CYP plan to the Review. In preparing a CYP assessment report for a LAAC Review the social worker should ensure that they reflect the progress made in relation to the plan since the last Review.

CYP assessment and plan should be submitted to the relevant locality administrator 7 days before the Review to allow for it to be circulated in advance to participants. In reality this means that the Reports should be completed well in advance of this date to allow time to share the CYP assessment and plan with the child and their family and carers and for any agreed amendments to be made prior to it being circulated.

There are certain topics that **must** be discussed at the Review as these are set out in 45(5)(b) of the Looked After Children (Scotland) Regulations 2009. These issues should be covered by the social worker in the CYP assessment.

45(5)(b) to assess–

- (i) the child's needs and how those needs are being met;
- (ii) the child's long term needs and how those needs are being or can be met;
- (iii) whether the child's welfare is being safeguarded and promoted;
- (iv) the child's development;
- (v) whether the accommodation is suitable for the child;
- (vi) the child's educational needs and whether those needs are being met.

Child Seen - The Social Worker should ensure that they record how often they have seen the child since the last Review and the Chair should ensure that the child has been seen in line with Midlothian Council policy of children being seen by their social worker every six weeks. Any exceptions should be minuted with reasons. If the situation requires a lower level of visiting e.g. child subject to Permanence Order and settled with permanent carers, this should be reflected in the Child's Plan. Notwithstanding this all Looked After and Accommodated children should be seen by their social worker at least every three months.

Family Meeting – consideration should be given to the need for a family meeting if not already done so.

Planning for Permanence – Every LAAC Review needs to address the issue of permanence and how this will be achieved. This may include discussion about the progress of the CYP Plan and the need to rule out rehabilitation to birth parents if there is evidence to suggest that they will be unable to provide the child with a permanent home throughout their childhood and into adulthood. **See below under 'Reviews of cases being referred to Permanence Panel' for additional guidance in these circumstances**

Decisions and Recommendations to be included in update of CYP Plan -
The Review should conclude by highlighting the decisions and recommendations and agreeing how these will be incorporated into the updated CYP Plan. This should be an explicit list of the decisions and recommendations of the LAAC Review – in particular there should be an emphasis on permanence planning, what needs to be achieved by when and by whom.

Additional Support for Learning – The Education (Additional Support for Learning) (Scotland) Act 2009 deems all Looked After children to have ASN unless the education authority determines otherwise. The LAAC review at 6 weeks will monitor whether an assessment has been undertaken in accordance with this act and whether the child or young person has additional support needs.

Date for next Review – agree date and time for next review in line with statutory time intervals, consideration should be given to convening an early review if this will prevent drift and will still provide realistic, child-centred timescales for necessary work to be completed.

After the Review

In accordance with Regulation 45(6) of the LAC Regulations, following a Review we must –

- (a) record in writing–
 - (i) information obtained in respect of the review;
 - (ii) details of the proceedings at any meeting arranged by the authority at which the child's case is considered in connection with any aspect of the review of that case; and
 - (iii) details of any decisions or arrangements made in the course of or as a result of the review; and
- (b) revise the child's plan (CYP) prepared under regulation 5 to take account of the outcome of the review.

Minutes

Reviews will be minuted by the relevant locality admin worker. The responsibility for ensuring the minute is accurate lies with the chair of the Review. The expectation is that the administrator will have a maximum of 7 days to produce the draft minute and the final minute will be circulated no later than 14 days after the date of the Review.

The minute pro-forma is attached as appendix 3.

8 Kinship Care

Midlothian Council Kinship Care Policy and Procedure should be read in conjunction with this and can be found by following this link

<http://intranet/services/webinfo/WebInfoPDF.asp?blobid=21232>

The role of the Local Authority is to assess and support placements of Looked After Children with kinship carers in terms of the Looked After Children (Scotland) Regulations 2009. At the same time Local Authorities have a duty to make assessments in respect of children in need and children at risk, within the broader context of the principle of minimum necessary intervention needed to safeguard the welfare of children.

Definition of a Kinship carer

For the purposes of this procedure, regulation 10 of the 2009 looked after children regulations provide a broad definition of a kinship carer as:

- a person related to the child by blood, marriage or civil partnership with no restrictions on closeness of that related status.
- a person known to the child and with whom the child has a pre-existing relationship. This could include close friends or people who know the child well through regular contact and can be seen as part of the child's network.

The two main legal bases for kinship care placements are:

1. Where the Council is providing accommodation for a child under Section 25 of the Children (Scotland) Act 1995
2. When a child who is subject to a supervision requirement with a condition of residence with kinship carers.

Some children may be subject to a Permanence Order and placed with kinship carers. In all these circumstances the kinship carers must be assessed under the terms of the Looked After Children (Scotland) Regulations 2009 and kinship carers must enter into an agreement with the Council.

Allowances

Kinship carers of looked after children will be paid an allowance equivalent to the fostering allowance. Kinship Carers are paid under Section 50 of the Children Act 1975 and should be eligible to claim Child Benefit. Where child benefit is claimed, the allowance will be less Child Benefit. It is important that all kinship carers are referred to the Citizens Advice Bureau for advice on

benefits. Some kinship carers may be better off not receiving an allowance from the Local Authority.

Where the Local Authority has facilitated a kinship care placement for a child who is not looked after, and assesses under Section 53 of the 1995 Act that compulsory measures are necessary in respect of the child, the child will be referred to the Children's Reporter in accordance with normal practice and procedures. In these circumstances the Local Authority will assess the kinship carers and they will receive the allowance. The assessment should be completed within 12 weeks.

Assessment of Carers

Appendix 4 has process maps of the Kinship Care Assessment Process for Planned Placements, Emergency Placements and Permanent Placements. Carers should be assessed within 12 weeks of the child being placed with them.

The guiding principle in undertaking the assessment of kinship carers is that the welfare of the child should be of paramount concern and that the child should be at the centre of all assessments. Within the Guidance to the 2009 Regulations it is noted that the model of assessment in kinship care should be to bring together the threads of the child's needs and the capacity of the kinship carer(s) to meet those needs. Therefore a clear assessment of the child's needs is fundamental to the process and the child's social worker is responsible for ensuring this is in place. *The Kinship Care assessment should refer to this assessment throughout.*

Research highlights that some potential kinship carers may be resentful or questioning about the need for the assessment and therefore the way in which the assessment is undertaken is crucial. Where kinship carers, children and other significant persons are active participants in the assessment, the process is welcomed by kinship carers and is protective for the child.

The assessment will be considered by the Agency Decision Maker for approval. Following approval of the placement by the Agency Decision Maker, the carer must sign a Kinship Carer Agreement (See Appendix 4). All kinship care placements for Looked After Children will be reviewed in accordance with Looked After Children (Scotland) Regulations 2009.

Police checks

When police check is carried out before placing child with family/friend in emergency this is normally done by e-mail to police. The original request as well as the Police reply should be recorded on Frameworki. Recent SCR action underlines importance of including any aliases/other names used by person when requesting police check & this now must be recorded, as well as police reply.

Role of Kinship Care Social Worker

It will be the role of the Social Worker undertaking the assessment of the kinship carer to identify support needs of carers.

The Kinship care Social Worker or another member of the Family Placement Team will undertake an assessment of kinship carers in some cases where permanence has been recommended and where there has not already been an assessment. This assessment will address the kinship carers capacity to meet the permanent needs of the child. The assessment will focus on the kinship carer's capacity to meet the child's longer term needs.

Where the LAC Review recommends that the most appropriate legal route will be a Permanence Order or Adoption, the children will be referred to the Adoption and Permanence Panel.

Looked After Child Reviews

For as long as any child placed with a kinship carer is looked after, the child will have a CYP Plan that will be reviewed in accordance with statutory timescales. The Reviewing Officer needs to check at 6 week Review that the kinship care assessment is underway.

The LAAC Review also has a role in overseeing the quality of the care offered by kinship carers by considering the child's needs and how these are being met by the carer. Any support or training needs should be highlighted and referred to the kinship care social worker.

Records

Each kinship carer must have their own case record on Framework. This will be destroyed 25 years following the termination of the placement of the child with the carer. The record must contain:

- The assessment
- A record of the Agency Decision and notification to the Kinship Carer
- Details of visits to the kinship carers and support provided

Permanence Planning

"Permanence means belonging to a family and achieving lasting and fulfilling relationships that develop throughout childhood and into adulthood. This will be achieved by:

- Successful re-integration into the birth family; or
- Placement with extended family or friends; or
- Adoption by another family; or
- Permanent placement with a foster carer."

Midlothian Council Permanence Policy

Link to policy...

<http://intranet/services/webinfo/WebInfoPDF.asp?blobid=19047>

It is essential that robust and flexible planning is in place from the outset for Looked After and Accommodated Children. As outlined above, the Child's Plan will have been agreed at the Placement Agreement Meeting. There should be a robust, well supported plan in place for the child, with explicit outcomes and time scales specified, by the first LAAC Review at the latest.

The plan for many children when they become looked after will be rehabilitation to parents or, if this proves impossible, to wider family or friends. However, for a small number of children, rehabilitation to parents will be immediately or quickly ruled out. For instance, this may be because rehabilitation has failed previously, because one or more adults within the family are acknowledged to be too dangerous for children to live with, because there is sufficient existing evidence to suggest that rehabilitation home would not be achievable or because there is no one with parental responsibilities. For these children, planning for permanence away from birth parents should start as soon as they become looked after.

By the 3 month Review, if the child has not yet returned to his/ her parents, this Review is crucial for evaluating the effectiveness of the plans that are in place and, where necessary, revising or strengthening them. In some cases, progress towards rehabilitation has been so poor, or additional risks to the child have been identified, that a decision to pursue permanence away from birth parents will be made at this Review. In other cases, progress towards rehabilitation has been good and a short time scale for a return home can be set. In a small number of cases, the likely outcome will be less clear.

The statutory requirement would be to hold a Review 6 months from the second Review but, where uncertainty about rehabilitation remains, **a further Review must be organised to take place no more than three months after the second Review**. If rehabilitation home has not been achieved by this Review, a plan for permanence away from birth parents should be developed.

Consequently, excepting some older children, if rehabilitation has not been achieved or is not imminent, a permanence plan must be put in place at or before the Review that will take place when a child has been accommodated for 7.5 months.

Once it is clear that a return to birth parents is unachievable within time-scales that are appropriate for the child, planning and the necessary actions to achieve permanence away from home must be progressed speedily. Serious consideration needs to be given to the possibility of the child being placed within a kinship placement, if a family meeting has not been convened previously then this should be considered at this stage. The appropriate legal route to permanence should be recommended if rehabilitation home is ruled out. (See appendix 5).

Throughout the planning process the central aim will be to achieve the best possible outcome for the child/young person, being mindful of the child's needs for long term security and to have his/her needs met in the context of the Getting It Right for Every Child principles: to be safe, healthy, active, nurtured, achieving, respected, responsible and included. At all stages, parents will be engaged with the process of care planning but the primary focus will be on meeting the child's needs.

Parallel Planning

Under this process parental assessment with a view to rehabilitation is undertaken alongside the assessment of any family member who can offer a permanent home, and an exploration of alternative "stranger" families or alternative care placements. The child remains accommodated on a non-permanent basis while these explorations are simultaneously carried out. Should rehabilitation home not succeed, a suitable permanent alternative option will hopefully have been identified to allow for a swift move towards placement.

9 Reviews of Cases Being Referred to the Adoption and Permanence Panel

All children will be referred to the Adoption and Permanence Panel where the LAAC review is recommending the application for Permanence Order or Adoption. The LAAC Review must have ruled out the possibility of rehabilitation to parents care before the child's case is referred to the Permanency Panel. Where a LAAC Review has come to the view that Adoption or a Permanence Order is in the child's best interests, the Minute must detail the consideration of a number of matters:

- By this stage in the process there should already have been a full exploration of extended family members ability or otherwise to offer a permanent placement. The minute should reflect either that no family member is available to offer permanent care or that the plan reflects the intention to secure permanence for the child in a kinship placement.
- The Minute should state clearly why the recommended plan is best for the child.
- It should deal specifically with the question of future contact between the child and the birth parents.
- Post-permanence contact plans (letterbox and/or face to face) should be discussed and recommendations made on the basis of available information - whether the plan is for contact or not.
- The Minute should record the thinking and reasoning given to all the alternatives to achieving permanence and should state what is the recommended legal route and why. (see appendix 5).
- It should also deal with the question of siblings – are siblings being placed together for adoption? If not, why not?

There are certain matters that the Local Authority must take into account when making a permanence plan for a child. Appendix 6 summarises these matters in bullet points so that LAAC Review chairs can ensure each bullet point is discussed at the Review and thereafter expressed in the Minute. This note is also relevant to Social Workers preparing Reports for the LAC Review when permanence plans are recommended.

The policy Adoption – Decision Making and Legal Processes is relevant and can be reached by the following link...

<http://intranet/services/webinfo/WebInfoPDF.asp?blobid=19054>

10 Throughcare and After Care

There are key principles to remember when considering future planning for young people in care.

As a young person approaches 16 (or beyond) they may wish to begin preparing to leave care, or it may be obvious the placement has reached a point where it is no longer viable. At this time a referral to throughcare and after care (TC and AC) on framework i should be made. It is better for TC and AC to know as soon as possible about any likely care leavers as vacancies in accommodation change constantly and planning ahead with matching is often possible

The Pathway Views should be introduced as soon as a young person begins to speak about moving on. (NB However, if a young person is to remain on a Supervision Requirement or is subject to a Permanence Order TC and AC will not become involved until these statutory orders are nearly ceased). Support to complete the Views should be offered .They are designed to be completed over a period of 6-8 weeks. Under no circumstances should a young person be given the whole of the views to complete on their own unless requested by them.

The Child's social worker, should provide an up to date care-plan where possible, at least 4 weeks before the young person ceases to be looked after (hence this may occur in the case of a young person who has already left care but has now ceased to be subject to a supervision requirement). This enables TC&AC Team to plan transitions with the social worker to give effect to the Throughcare element of the work, including accommodation, planning and finance.

When the young person reaches 16 or over and ceases to have looked after status TC and AC will become the lead workers and convene a review within 6 weeks.

Referral

Referral to TC and AC must be made at least six months before a young person ceases to be looked after (any category). TC and AC will take the lead role after the young person reaches sixteen and ceases to be looked after (see Appendix 8 – Time Line).

Transition and Transfer Arrangements

The Throughcare and Aftercare Team will

- meet with the allocated social worker to discuss the young person's current situation and relevant prior history information
- arrange an introductory visit with the social worker to the young person
- arrange to meet with any other key staff and carers, if necessary.

Consent forms for information sharing will be discussed with and signed by the young person and respective rôles and ongoing involvement will be clarified and agreed. Agreement will be reached on the completion of the Care Plan and in particular, during the initial meetings:

- the timescales for completing the Pathway Views and Pathway Assessment will be agreed and
- agreement will be reached with the young person about who they would want involved in supporting them in completing these.
- The young person should be advised of their right to appoint or have appointed a Young Person's Supporter.

Pathway Views, Assessment and Plan

Consent to share information

If not already obtained, written consent should be sought from the young person for the sharing of information relevant to the assessment and plan using the Young Person's Agreement Form.

Young Person's Views

The young person's views are a crucial part of the assessment and planning process and as such these must always be sought [Reg 3 (1) (a)]

The Young Person will be involved in the planning process as soon as possible so that time deadlines can be met. Foster Carers or Residential staff can complete views with the young person if so wished.

If not already dealt with, agreement must be reached with the young person about whether they want a Young Person's Supporter to assist them and if so who this will be. (see procedure on appointing Young Person's Supporter)

Timescales for completion, which fit in with the Regulations, should be agreed.

Young Person Assessment

The views of relevant person should be sought in carrying out the assessment. Agreement for who should be involved should be sought from

the young person and their views taken into account in the decision making process [Reg 8 (6)].

A written record will be kept of all information obtained during the Assessment and a note kept of the deliberations of any meetings held in this respect [Reg 8 (5)].

It is expected that the Care Assessment will be completed prior to the young person leaving care. In all cases it should be completed by this time but where this is not possible then it must be completed within three months of the young person ceasing to be Looked After [Reg 9 (a)].

A written copy of the Assessment must be provided to the young person. Those involved in contributing will be given a copy of those parts of the assessment that directly concern them and other parts as appropriate and agreed with the young person [Reg 3 (4) (a)].

Care Plan

The Care Plan will record the actions to be taken as a result of the Young Persons Views and the Care Assessment [Reg 10 (1) (2)].

The Plan must identify how needs will be met, who will be responsible and the timetable for actions [Reg 10 (4) (a) (b)].

Those who were consulted in the Assessment may be involved in drawing up the Plan where appropriate. It is important that they are involved if they will be expected to provide support or services described in the Plan [Reg 10 (6)].

Young people's views will be sought in drawing up the Plan and their views noted in the Plan [Reg 10 (2)].

The Plan will be recorded in writing. Young people must receive a copy of all the Plan. Those involved in contributing to agreed support or services will receive a copy of those parts of the written plan that directly concern them and other parts as appropriate and agreed with the young person.

The Plan must be completed within 21 days following assessment [Reg 11 (1)].

Appendix 7 – Checklist for chairs of LAC Reviews for Young People preparing to leave care.

Policies and procedures can be found by following these links...

<http://intranet/services/webinfo/webinfodetails.asp?id=24151&L=Y>

11 Children's Champion Scheme

Midlothian Council Children's Champion scheme should be considered in situations where CYP plans for looked after children and care leavers cannot be progressed in the best interest of the child due to structural or organisational issues.

These can include but are not restricted to areas of tension such as:

- Needs led care planning v Resource led care planning
- Care v Control
- Children's Rights v Parent's Rights
- The identified need for the Council to provide a work placement

In these circumstances the Social Worker would attempt to find a path through the tensions that would facilitate the best outcomes for the child or young person but in some cases this is not possible. The social worker may then consider referring the child or young person to the Children's Champion Scheme.

A number of senior officers in Midlothian Council can act as a Children's Champion, in doing so they will:

- Track how the child/young person are doing by asking the questions any good parent would
- Assure themselves that the appropriate nature and level of provision is in place and establish whether any additional provision may be needed to achieve the best possible outcome for the child/young person
- Maintain confidentiality : Securely hold information within the council

The chair of the Looked After Child Review will have an important role in identifying child/young person who should be offered a referral to the Scheme.

Appendix 9 outlines the process of what happens when a looked after child is referred for a Champion.

13 Attendance and Participation

LAAC Reviews seek to achieve recommendations and decisions in the best interest of the child through working in partnership with relevant individuals and services. Each child's situation is unique and therefore there is no prescriptive list of who should attend or who should participate through another means, such as providing a report. A small group of people, each of whom is familiar with the child and his or her parents, is most likely to facilitate confident participation. Social Workers should note the required areas a review has to cover in Regulation 45(5)(b) in considering who to invite. Carers and relevant education staff should always be invited.

Children and young people should be helped to participate in the Review, and it is the responsibility of the child's Social Worker to ensure the child and the parents have the opportunity to discuss, and consider reports, prior to submitting them to locality senior support worker for distribution. The child's Social Worker should discuss with the child and their parent who is to be invited to the Review. If either party expresses concerns the Chair should be informed.

Should special arrangements be required to enable a child, parent or other attendee to participate at a Review the Chair should be notified.

Children and Reviews

The United Nations Convention on the Rights of the Child (*UNCRC*) provides all children and young people with the right to express a view on matters affecting them and for these views to be taken into account in decisions being made. One of the over-arching principles of the Children (Scotland) Act 1995 is the obligation on the Local Authority to ascertain and take into account, as far as reasonably practicable, the wishes and views of the child.

Children's participation at Reviews will depend greatly on age, level of understanding and other variables. All children twelve years and over should be invited to attend their Reviews and the attendance of younger children should be considered in the light of their age and understanding". The Review Chair can exclude children from all or part of their own Reviews where their presence is likely to disrupt the Review, or where it is in their own interests to be excluded. Whether or not the child attends the Review, the obligation on the local authority to take into account the views of the child still applies.

LAAC Reviewing Officers are committed to promoting the participation of children and young people in their Review. The invite letter that is sent to the young person will include the option for them to meet with the reviewing Officer who will chair the Review. This can happen before or after the Review or both before and after the Review if the young person would find this helpful. The option to meet along with a support person will be included.

A 'Having Your Say' proforma is available for each child for every Review. This is only one means by which a child's views can be elicited. Staff and carers need to encourage and facilitate children to express their views and feelings in a way comfortable to them. The child may wish support from a family member or friend and this would need to be arranged well in advance of the Review. The Who Care's Worker, can act either as a support for the child or represent the child's views at the Review if the child wishes.

Children subject to a permanence order and placed permanently with a family may find the review process intrusive. The Regulations allow for this in terms of frequency of reviews and arrangements for reviews should allow as much flexibility as possible as to whether the children attends, how his or her views are obtained and venue.

Whilst the Children (Scotland) Act 1995 encourages the participation of children and gives consideration of their views, the Child's Plan remains the responsibility of adults.

Parents and Reviews

Parental involvement in Reviews is part of the partnership process, and the Local Authority has a statutory obligation to establish the parent's view and give consideration to their opinions when forming decisions relating to children looked after by the Local Authority.

Efforts should be made to enable parents to participate in the Review both in person and writing. Inevitably there will be occasions when this cannot be achieved for reasons such as risk posed by the parent. In such circumstances consideration will be given to convening the Review in more than one part to enable parental attendance.

The attendance of the child's or parent's legal representative is not appropriate at the Review. The decisions and recommendations made at the Review will subsequently be discussed in the legal forum of the Children's Hearing and/or the Court. Parents and children can share the Review minute with their legal representative.

Other Participants and Reviews

To inform the Review process and support good care planning, reports from other professionals involved with the child should always be requested. These may include Health Visitors, Social Work Assistants, Family Centre Staff, Psychiatric and Psychological staff.

In particular, given the importance of education in the life of every child, a report from a child's teacher should always be requested. Education reports should provide a clear picture of the child's ability and attainment, any factors impacting upon the child's performance, the schools contact with the child's

family and any additional supports the child may require. See Section 7 for specific requirements under for Additional support for learning.

Service Planning

The LAAC Reviewing Officers will play a role in gathering information from children, young people and their parents and carers that will contribute to service planning. This will be a part of a range of means by which children are enabled to participate in planning.

The LAAC Reviewing Officers will also ensure that Looked After and Accommodated Young People are aware of the specific participation group: KICK (Kids in Care Krew) which forms part of the Midlothian Youth Platform.

Appendix 1

The Aims and Function of the Midlothian Children and Families Gatekeeping Group

Aim of the Group

The overall aim of the Gatekeeping Group is to promote better outcomes for every child & young person where accommodation is being considered. The Gatekeeping Group provides additional scrutiny that all possible support can be accessed, including Residential Services provision of outreach & respite.

Children and young people are entitled to grow up as part of a loving family which meets their needs throughout their childhood and beyond. Wherever possible children should be looked after within their own social network and the Gatekeeping Group will always consider a kinship care option before considering alternative family based care and residential services for children & young people who cannot remain with their family of origin.

Wherever possible placements for children should be made on a planned basis to ensure that children are matched with the appropriate carers or resource. The role of the Gatekeeping Group is to ensure that sufficient assessment has been undertaken in respect of a child or sibling group to place them in an appropriate substitute care setting which will meet their needs.

The substitute care setting may be a residential care setting in Midlothian, a foster placement or a kinship care placement. Children may also be referred for respite care for support to meet their needs.

Composition & frequency of Gatekeeping Group

The Gatekeeping Group, which covers both East & West, meets fortnightly on a Monday, from 9-10am, in Dalkeith Social Work Centre. The Gatekeeping Meeting is chaired by the Service Manager (East) & is attended by the Resources Manager, the Manager of Residential Services & the Team Leader, or a deputy, from the Family Placement Team.

Referral Process

Where a social worker, in consultation with their Team Leader and other professionals, assesses that it is in the best interests of a child or sibling group to be accommodated while a period of further assessment and interventions are carried out, the social worker, with the agreement of their Team Leader, should make a referral to the Gatekeeping Group on Frameworki. It is essential that the referring social worker presents a care plan in which the purpose of the placement is clear and what the desired outcomes are for the child.

Social Workers should refer to the Gatekeeping Group for consideration of:

- A Foster Placement by completing the Care Placement referral form and risk assessment on Framework.

- A Midlothian Residential Care Placement by completing the Care Placement referral and risk assessment form on Framework

Social Workers should also discuss the referral with the Family Placement Team duty worker. The Team Leader for Family Placement collates all the referrals for discussion at the Gatekeeping Group by obtaining a report from Framework 'FPT Referral for Screening Decision'.

The Family Placement Duty Worker will ensure that any appropriate referral forms are passed to the Residential Service.

Outcomes

The outcome of the Gatekeeping Group discussion will be notified to the Social Worker through an acknowledgement on Framework. Where additional information is required a colleague input request will be sent.

If a placement is identified a member of the Family Placement Team or a worker from the Residential Care Service will contact the social worker directly.

While a social worker may make a referral for substitute care, the Gatekeeping Group may also consider other options for the child or young person. For example, other interventions such as outreach or parenting supports. This will be noted in the screening decision and the social worker will be advised through the acknowledgement on Framework.

If a social worker disagrees with a recommendation or decision made by the Resource Group, he or she should discuss this first with their Team Leader and then contact the chair of the Gatekeeping Group.

Emergency Placement

Best outcomes for children are achieved when they are appropriately matched with placements and move on a planned basis. However, in circumstances when it is necessary to accommodate a child or young person on an emergency basis to safeguard their immediate care and protection, the following steps should be taken:

- * Agreement of Service Manager and/or Resource Manager to be sought.
- * Care Placement Referral and Risk Assessment Forms to be completed and the outcome Emergency referral screening decision selected.

Midlothian Council Education and Children's Services – Children & Families
Social Work Services

To

LAAC Nurse
10 Chalmers Crescent
EDINBURGH
EH9 1TS

Date of Referral

Midlothian



Notification of Placement

Looked After Children (Scotland) Regulation 2009

** delete as appropriate*

Child Concerned

First name Birth Surname Known as Date of birth Gender

Home address				ID Number
Post Code	Tel.			
Any restrictions about the child's parents, etc. knowing about the placement? If yes, specify				

Placement details (if move/change of placement end date of previous placement) / /)

Legal basis of placement			
Date placement started		Date placement ended	/ /
Placement address			
Post Code	Tel.		

Responsible persons/carers at placement address

Title	Initials/First Names	Surname	Designation/Relationship to child

Midlothian Council Education and Children's Services – Children & Families
Social Work Services

This authority's contact details

	Title	Initials/First Names	Surname	Designation/
Allocated Social Worker				Social Worker
Office address				
Post Code	Tel.			
Social Worker's Manager	Title	Initials/First Names	Surname	Designation/

Other details

School to be attended from placement			
School attended before placement, <i>if different</i>			
General Practitioner while at placement			
General Practitioner before placement, <i>if different</i>			
	Details	Comments	
Child's name on Child Protection Register?	attached?		
Child has additional support needs?			
Child has special Health needs?			
Parental Responsibilities held by			

Other relevant information

--

Signed		Date	
Name		Designation	

**Arrangements to Look After Children
(Scotland) Regulations 2009,
Regulations 13, 29, 34, 40**

Notification of Placement/Termination

Child Concerned

** delete as
appropriate*

First name Birth Surname Known as Date of birth Gender

Home Address			ID number	
Postcode			Tel.	

Checklist for Notifications

Person/Agency	To be notified	Notified	Comments
For ALL accommodated children			
	<input type="checkbox"/>	<input type="checkbox"/>	
		EBR pages <input type="checkbox"/>	
Pupil Support Department		<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
Community Child Health, 10 Chalmers Crescent		<input type="checkbox"/>	
Parent or relevant person (who have not already received care plan & where it is not against child's best interests to disclose child's address etc)	<input type="checkbox"/>	<input type="checkbox"/>	Name & address
In Addition for children accommodated in another authority only			
Other authority social work department	<input type="checkbox"/>	<input type="checkbox"/>	add authority name & contact if known
Other authority education department	<input type="checkbox"/>	<input type="checkbox"/>	
Other health authority	<input type="checkbox"/>	<input type="checkbox"/>	
Current or last school (Including letter requesting information/assessment and a copy of a disc with the EBR pages)	<input type="checkbox"/>	+ request for information <input type="checkbox"/>	

Notification of Placement should be made to:-

- Birth Parents and other relevant people (unless already received care plan or such particulars should not be given out in the interests of the child)
- Health Board covering the location of the placement; & Education Dept covering the location of the placement;
- Other Local Authority Social Work Department (if placed outwith Midlothian).

If the child/young person has **significant medical needs** then the **Health Board and the Education Authority** must be notified before the placement starts. The Education Authority must be notified before placement (normally through the receiving school) if the child/young person has **special educational needs**.

The health board must be informed if the child is below compulsory school age

In all other cases, if the placement is intended or is likely to last more than twenty eight days, then all the above people and agencies must be notified as soon as is reasonably practicable.

Date Received by Support Services / /

Minute of Looked After Child Review

Appendix 3

This minute is to be read in conjunction with reports submitted by:.

Client Name

Date of birth

Legal Status

Is child on the Child Protection Register?

If Yes, category(s)

Review Type

Date of Completion of Report

Name of Lead Assessor

Planned Date of Review

Planned Time of Review

Actual Date of Review

Actual Time of Review

LAAC Review Venue

Next LAAC Review

Next LAAC Review Venue

Details of Attendees

Child's Views

Parent's Views

Carers' Views

Record of Discussion at Review

Summary and Main Recommendations

Has the child or young person been accommodated for more than 6 months?
Yes / No

Midlothian Council Education and Children's Services – Children & Families
Social Work Services

If yes has a permanence plan been formulated in respect of the child or young person?
Yes / No

If no permanence plan has been formulated then please give reasons below.

(insert text box)

Has the child or young person been assessed for additional support needs in terms of the Education (Additional Support for Learners) (Scotland) Act 2009?
Yes / No

Dissent with the above child's Plan

It will be accepted that should social work not receive written dissent within 7 days of receiving the updated Child's Plan, it will be recorded that all involved with the child are in agreement.

Signed(Chairperson)

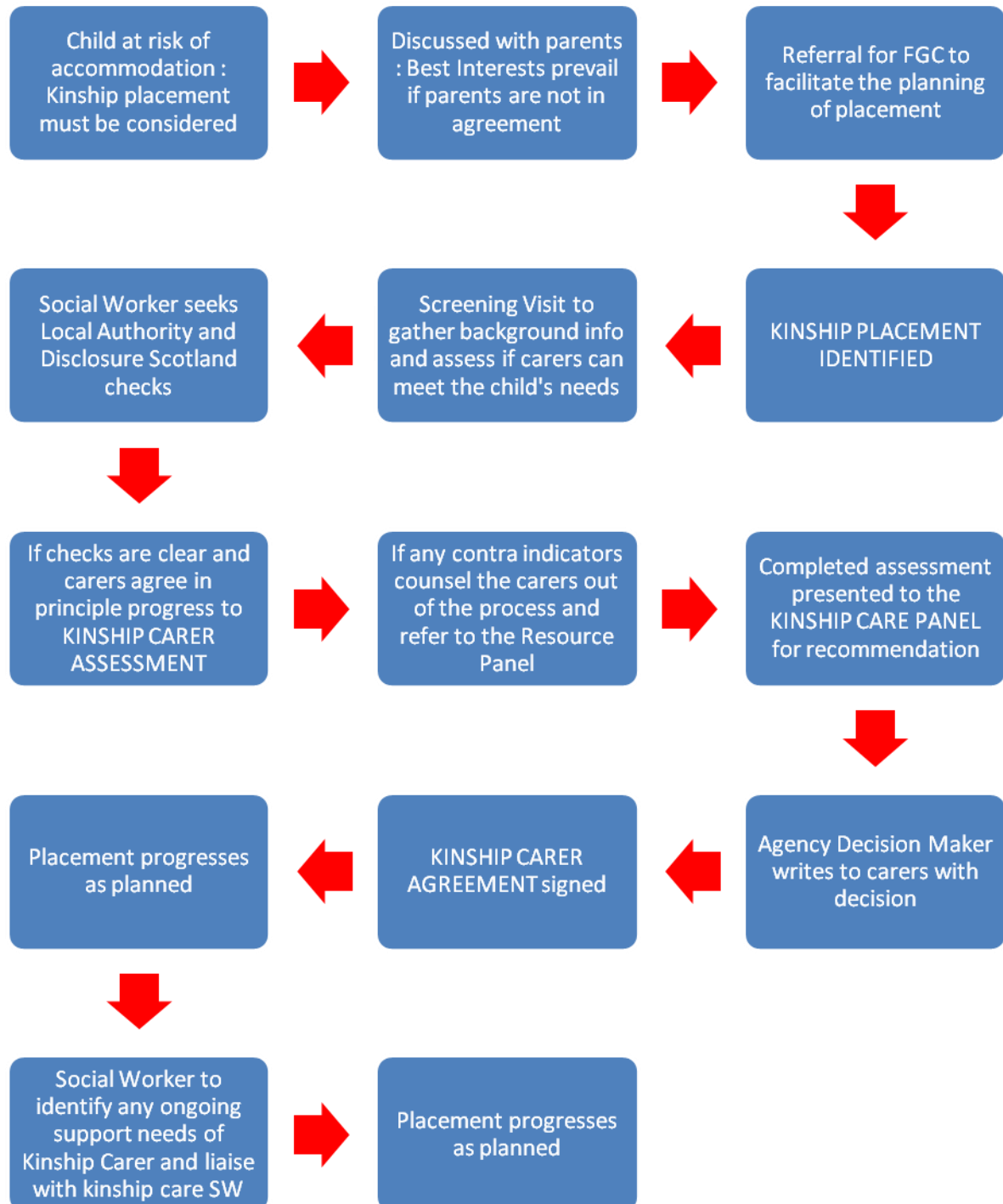
Designation

Date

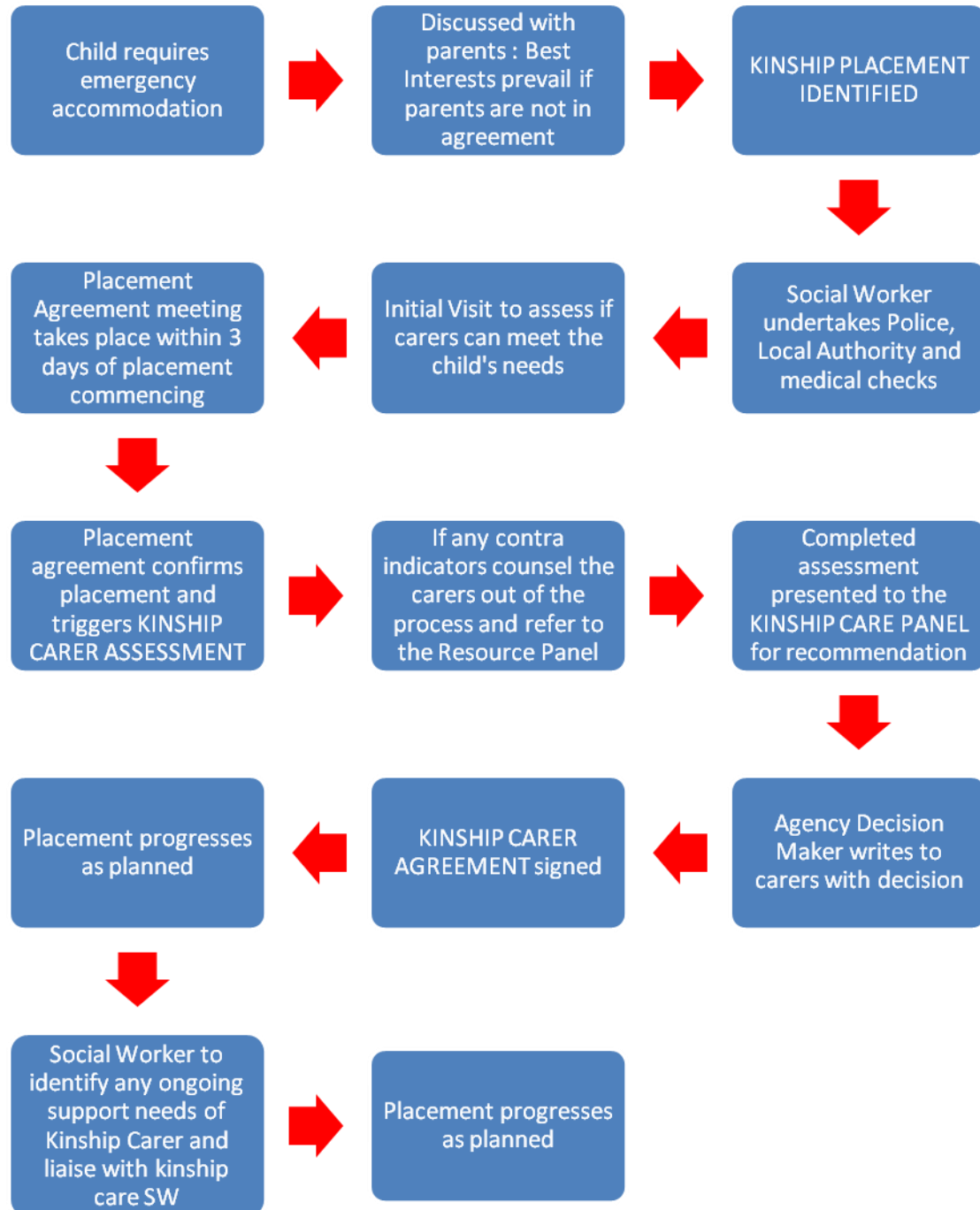
Signed (Social Worker)

Date

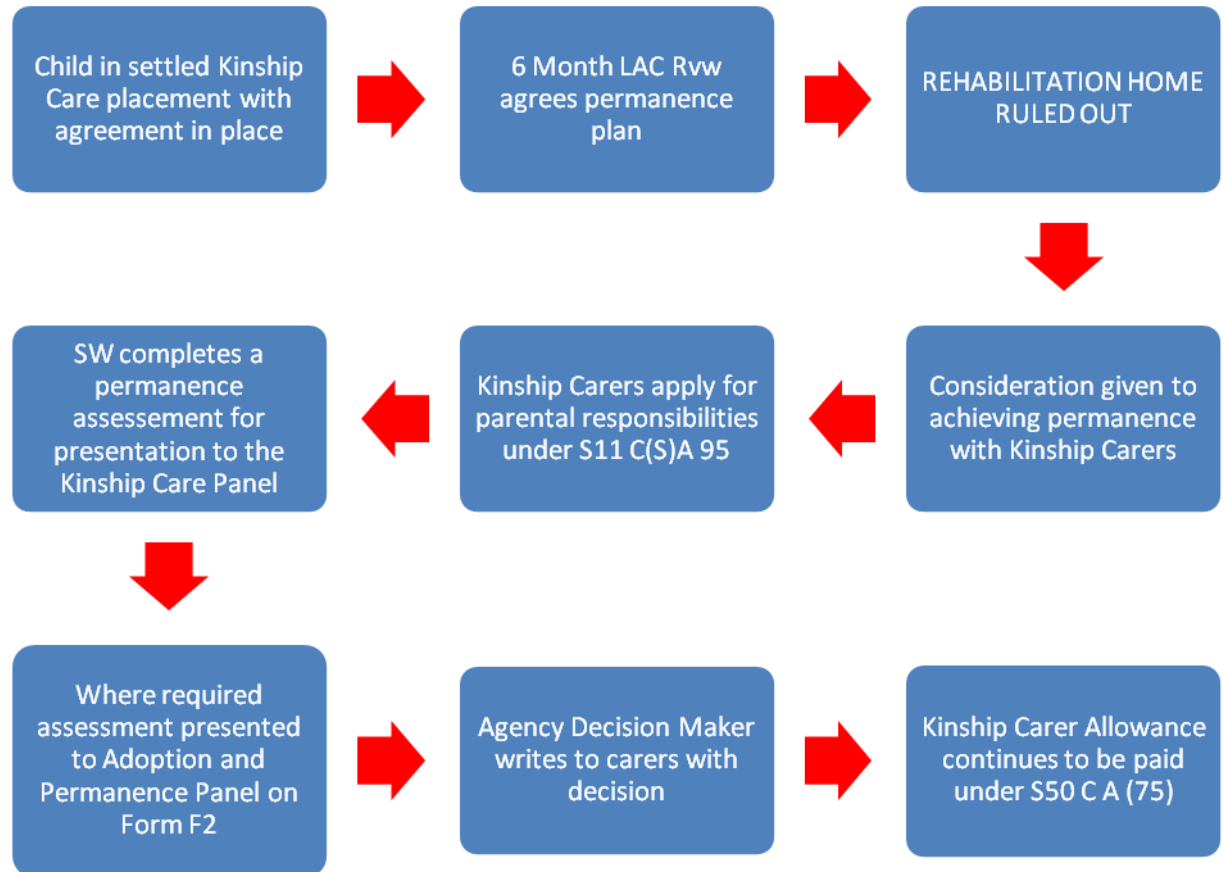
Appendix 4
Kinship Care Assessment Process: Planned Placements



Kinship Care Assessment Process : Emergency Placements



Kinship Care Assessment Process : Permanence Arrangements



Permanence Options

Appendix 5

Rehabilitation to Care of Parent – the minute of the LAAC Review should reflect the evidence supporting the recommendation that rehabilitation to parents care is not in the child's best interest.

S25 – This option is rarely seen as an appropriate route to securing a child permanently throughout their childhood as parents are able to withdraw their consent which could place the stability and certainty of the placement in jeopardy. Very exceptionally for some older children where parents are fully supportive of the placement, S25 could allow the child to be discharged from the Children's Hearing system which may be beneficial if the child experiences this as intrusive or undermining.

S70 – This option does not secure a child in a permanent way as the supervision requirement needs to be reviewed every 12 months. There is also the option for parents to request more frequent reviews which can further undermine the security of any placement.

S11 – Allows a family member or other relevant person to apply to the Court to acquire parental rights and responsibilities in respect of a child. The Court can make a residence order and / or a contact order. This is usually the most appropriate route to securing a permanent placement for children who are in kinship care placements. Midlothian Council have a scheme to support continuing support both financial and / or ongoing social work support for kinship care placements where this is necessary to achieve the placement and ensure that it is sustainable in the long term.

Permanence Order – A Permanence Order is an order that vests parental rights and responsibilities in the Local Authority and any other person. The order extinguishes the rights of parents to control the child's residence and any other rights and responsibilities agreed. This route is usually most appropriate to achieving permanence in a foster placement where foster carers are looking to provide a permanent placement to the child. The Permanence Order will provide the courts with the flexibility required to take into account the different needs of individual children. Parental responsibilities and rights can be allocated or shared by the local authority, birth parents and carer in the most appropriate way to meet the needs of the child.

Permanence Order with Authority to Adopt – As above but includes authority to place the child for adoption. For children where there are no family members who can offer care and the child needs a new family for life, adoption is usually the most appropriate route to securing permanency. Adoption provides the same level of legal security as a birth child would have providing the child with a family throughout their lifetime.

Adoption and Children (Scotland) Act 2007

Appendix 6

Permanence Plans – Bullet Points for LAC Reviews

There are certain matters that the Local Authority must take into account when making a permanence plan for a child. The purpose of this note is to summarise these matters in bullet points so that LAAC Review chairs can ensure each bullet point is discussed at the Review and thereafter expressed in the Minute. This note is also relevant to Social Workers preparing Reports for the LAC Review when permanence plans are recommended. The Adoption and Permanence Panel will receive a copy of the minute and will need to see how each of the matters below has been addressed.

Permanence Order and Permanence Order with Authority to Adopt

- **Explain the Grounds on which the application for the Order we want to apply for will proceed**

The grounds are either:-

- i) No one has the parental right to control residence; or
 - ii) Where someone does have the parental right to control residence, the **child's residence with that person is or is likely to be seriously detrimental to the child's welfare**. This ground will be the most common, and if this applies the local authority needs to be very clear just why it is that living with the parent is or is likely to be seriously detrimental to the child's welfare. It is not necessary to go into too much detail in the Minute regarding the legal grounds.
- **Explain why it is better for the child that the Order we want to apply for is made rather than leaving things as they are;**
 - **Explain why the Order we want to apply for would safeguard and promote the child's welfare;**
 - **Show that we have given the child the opportunity to express a view and we have had regard to that view (but take into account age and maturity);**
 - **Show that we have had regard to the child's religious persuasion, racial origin and cultural and linguistic background;**
 - **Show that we have had regard to the likely effect on the child of the making of the Order we want to apply for;**

Permanence Order with Authority to Adopt

In addition to all the requirements above, there will be additional requirements when we make an Adoption plan and decide to apply for a POAA.

- **State that the child has been placed for adoption, or explain why we believe it is likely that he/she will be placed for adoption;**
- **Explain whether the parent/guardian consents to the making of this order, and if not explain why we believe their consent can be dispensed with**

Consent can be dispensed with if we have evidence that can establish one of the following grounds:

- i) The parent/guardian is dead;
- ii) The parent/guardian is incapable of giving consent;
- iii) If the parents have PRRs they are unable satisfactorily to fulfil their PRRs and are likely to continue to be unable to do so;
- iv) If a PO has already taken away the parents' PRRs, they are unlikely to be given them back;
- v) If (iii) or (iv) don't apply, the welfare of the child otherwise requires that consent be dispensed with.

It is not necessary to go into too much detail in the Minute regarding the grounds for dispensing with consent. The Social Worker will obtain legal advice prior to the Permanence Panel and discuss the Review's recommendation with the Legal Advisor.

- **We must show that we have had regard to all the circumstances of the case;**
- **We must show that we have had regard to the need to safeguard and promote the child's welfare throughout life as the paramount consideration;**
- **We must show that so far as reasonably practical we have had regard to the value of a stable family unit in the child's development;**
- **We must show that so far as reasonably practical we have had regard to the child's views;**
- **We must show that so far as reasonably practical we have had regard to the child's religious persuasion, racial origin and cultural and linguistic background;**

- **We must show that so far as reasonably practical we have had regard to the likely effect on the child throughout his/her life of the making of an adoption order.**
- **The Review Minute must remind the Social Worker that where we place for adoption we must have regard so far as reasonably practical to the views of the birth parents/guardians and other relatives of the child.**
- **Where adoption is proposed the LAAC review must ensure that the birth parents are made aware of how to receive counselling.**

Before we make the decision on an Adoption plan, the Local Authority must be satisfied that adoption is the best option, so an **options appraisal** setting out all the alternatives and explaining why each alternative is rejected and why adoption is best, should be included in CYP assessment, and referred to in the LAAC review Minute. For other permanence plans it is good practice to set out an options appraisal.

The above is very detailed, and while all these matters must be minuted, the LAC Review should not forget the big picture. Therefore the Minute needs to also reflect, in the usual way, the information provided by, for example, the Local Authority assessments. These will provide the evidence of the child's needs, their attachment patterns and what they need regarding contact – with whom; how often (if at all); type of contact and why. While the Minute need not go into details regarding the legal grounds for the Order, it should at some point detail the information that explains why a parent cannot safely and appropriately care for and bring up their child; what the child's needs are; any attachment issues; and the contact needs and **contact plan**. This is vitally important in enabling the Adoption and Permanence Panel to consider the case and reach a recommendation with regard to permanence. It is also important that at this stage the parent(s) and child understand the proposed planning.

The Minute also needs to detail how the Local Authority wishes to see **Parental Rights and Responsibilities** allocated, bearing in mind that the LA will always get the right to control the child's Residence. In particular, it must detail which PRRs should be given to the LA; which PRRs should be retained (or actively removed) from the birth parent; and which PRRs should be given to the carer. PRRs can be shared between more than one party if appropriate. If the child has not at this stage been placed with a permanent carer (permanent carer/foster carer or adopter) then any recommendations made on the allocation of PRRs could be subject to variation in the future and the Minute should reflect this.

Adoption Orders

There will be occasions when a LAC Review will make an Adoption plan where either:-

- i) a PO is already in existence, or
- ii) no PO or POAA exists and the local authority will not be applying for a PO or a POAA.

Such a plan will be taken forward by Adopters applying directly to the Court for an Adoption Order, so the child must be placed with carers who want to adopt and who are approved adopters. In these cases it would be good practice if all the bullet points above were considered and Minuted, except the very first one relating to the grounds for the PO. Obviously the LAC Review will not have to consider how PRRs should be allocated, because all PRRs will become vested in the Adopters if the Adoption Order is made.

Checklist for chairs of LAC Reviews for Young People
Preparing to leave care **Appendix 7**

1. Consider and Assign Throughcare tasks

- Apply for National Insurance number
- Ensure young person has bank account
- Ensure young person has birth certificate, passport as means of confirming identity
- Ensure Careers Guidance & Procedure in place for effective working with Careers Scotland
- Who Cares? to be notified of changes of young person's status
- Throughcare and Aftercare leaflet and pack to be offered to young person:
Pack includes:
 - a) HC1 – for claiming free prescriptions, optical and dental treatment
 - b) Housing application forms
 - c) Emergency contacts
 - d) Letter from Throughcare and Aftercare Team Leader explained service offered from Throughcare and Aftercare
 - e) Copy of financial policy
 - f) Copy of appeals procedure
 - g) Consent to sharing information
 - h) Application for Aftercare Grant provision

2. Moving on

Discuss any challenges to be dealt with in preparing to move on. Advise of Throughcare and Aftercare service and ensure referral made. Invite Throughcare and Aftercare to review at least 6 months before leaving care.

3. Pathways

Describe three stages of Pathway Planning:

- Completing young person's Pathway Views (can be completed by residential worker, foster carer or social worker).
- Completing Pathways Assessment
- Agreeing the Pathway Plan

Outline the seven areas that are **addressed**:

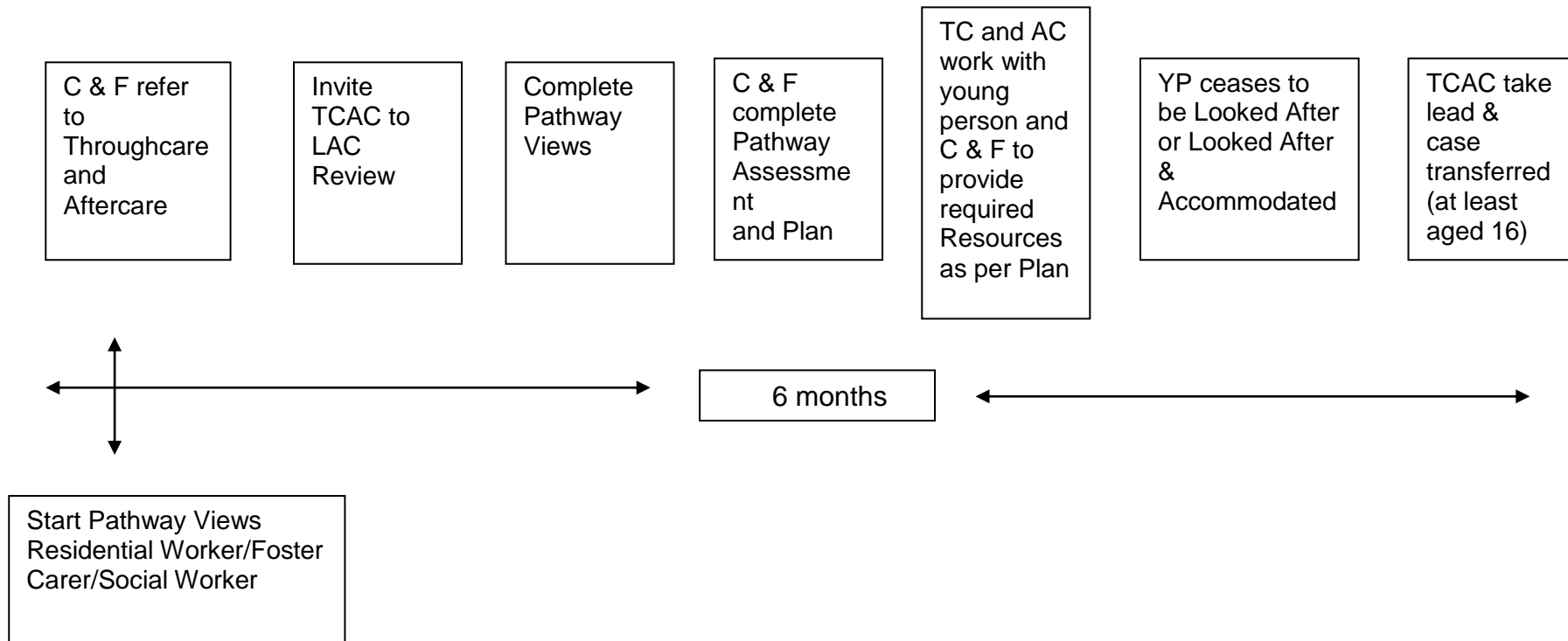
- Lifestyle
- Family & Friends
- Health & Wellbeing
- Learning & Work
- Where I live
- Money
- Rights & Legal Issues

Throughcare and Aftercare Time Line

Appendix 8

**Young Person
Looked After**

**Young Person
Ceased to be
Looked After**



**PROCESS OF WHAT HAPPENS WHEN A LOOKED AFTER CHILD IS
REFERRED FOR A CHAMPION**

Appendix 9



*You will note that there is no direct contact between the
Child / Young Person and their Champion*