

WEST MIDLANDS REGIONAL SAFEGUARDING NETWORK
**PROTECTING CHILDREN WHO MOVE ACROSS LOCAL
AUTHORITY BORDERS**

(Revised January 2013)

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1. Introduction

- 1.1 Local authorities, the Police, Health services and Youth Offending Teams have a specific 'duty to co-operate' to ensure better outcomes and to improve the well-being of all children, including children who move frequently.
- 1.2 The responsibility for delivery of the universal services offered by Health and Children's Services (Education) belongs to the area in which a child is living.
- 1.3 Arrangements for the delivery of targeted children's services are more complex. This guidance sets out the arrangements for the delivery of Children's Services where:
 - children move across Local Authority boundaries either to live or to receive services, on either a temporary or permanent basis, and safeguarding concerns arise; and
 - they are also, Children in Need, including those in need of protection and subject to Children Protection Plans, as defined by the Children Act 1989, or they are Looked After Children where child protection concerns arise.
 - they are not Children in Need, but are receiving universal services outside of their LA area, and child protection concerns arise in the out of authority service.

The effective and robust transfer of information is critical in such circumstances.

- 1.4 In order to provide mobile families with responsive, consistent, high quality services, local authorities and agencies in the West Midlands must develop and support a culture of joint responsibility and provision for all children in the West Midlands.
- 1.5 Children and families who move most frequently between local authorities are homeless families, asylum seekers and refugees, families experiencing domestic violence, gypsy and traveller families and looked after children. It is also important to recognise that some families will move between authorities to avoid or divert professional contact where safeguarding or child protection concerns have been identified
- 1.6 Frequent movers can find it difficult to access the safe, reliable and consistent delivery of service they need. For those already socially excluded, moving frequently can worsen the effects of their exclusion and increase the vulnerability of the children.
- 1.7 The need to safeguard children in these circumstances is widely recognised as a compelling priority.

2. Purpose

- 2.1 This guidance focuses specifically on safeguarding responsibilities in relation to children who move across Local Authority boundaries where they are also Children in Need, including those in need of protection and subject to Child Protection Plans as defined by the Children Act 1989, and Looked After Children; and other children receiving an out of authority service where child protection concerns arise within that service.
- 2.2 It provides a framework for the Local Authorities in the West Midlands to establish respective responsibilities on behalf of all children where an assessment has identified that it is in their interests to receive support or protection.
- 2.3 It should be noted that in relation to Looked After Children, this guidance specifically focuses on responsibility for child protection enquiries where children are placed, or receiving services, outside of their originating authority. It is in addition to, and does not affect, the notification arrangements required under the Care Planning, Placement and Case Review (England) Regulations 2010.
- 2.4 This guidance:
- Defines the terms '**originating authority**' as the local authority where the family previously lived, and '**receiving authority**' as the local authority to which the family has moved.
 - Defines '**home authority**' as the local authority holding case responsibility, or, if the child is not on active caseload to Children's Social Care, as the local authority where the child is living. The term '**host authority**' refers to the authority where the child may be found, is visiting for a short break or in receipt of specified services (e.g. education). The home or host authority could also be an 'originating' or 'receiving in authority.'
 - Defines '**ordinary residence**' as the place where the person with parental responsibility for the child lives.
 - Covers both temporary and permanent moves, regardless of the nature of the accommodation in which the child and/or family are living e.g. private or public housing. It sets out the arrangements for case responsibility, during such temporary and permanent moves according to the legal status of the child, and negotiated alternatives in exceptional cases.
 - Addresses local authority children's social care cases and other responsibilities in relation to children in need, including those in need of protection. Other local authority services and other agencies will have arrangements determined by different legislation and guidance;

- Excludes LA housing provision or LA children's social care funding of housing or subsistence costs included in a child in need plan. These remain the responsibility of the originating local authority until the housing issue is resolved, although the receiving authority may become responsible for other aspects of service delivery.
- Sets out the information that needs to be shared to ensure that appropriate arrangements are in place to safeguard children and promote their welfare.

2.5 The Local Authorities who have agreed to this guidance are:

Birmingham	Staffordshire
Coventry	Stoke
Dudley	Telford & Wrekin
Herefordshire	Walsall
Sandwell	Warwickshire
Shropshire	Wolverhampton
Solihull	Worcestershire

3. Key Principles

- 3.1 It is best practice for children in need to receive services from agencies which are local to where they living. This applies particularly to health, education and social work services.
- 3.2 Where an authority is providing services to a child in need or has identified a child in need, and the child moves to a new address, it is therefore essential that these assessments and/or services are effectively co-ordinated and transferred to local agencies. This includes children who move in planned or in unplanned circumstances across local authority boundaries. The application of this principle in relation to the different legal status of children is set out in Section 7 below on case responsibility.
- 3.3 The guidance
- Upholds the paramountcy of children's welfare;
 - Encourages the review and reassessment of the needs and risks as a child's circumstances change;
 - Supports the making of defensible decisions in the best interest of the child as well as managing service-provision within inter-authority arrangements;
 - Requires the negotiation of agreed actions between managers within respective authorities and confirmation of those agreements in writing.

4. Negotiated Alternatives

- 4.1 In exceptional cases, in response to the circumstances of an individual child, a LA children's social work first line manager or above may negotiate different arrangements to those set out here, with their equivalent in another authority. Examples of exceptional arrangements are given in Section 10 of this guidance and Section 9 sets out the arrangements when the originating authority retains responsibility for a child subject to a Protection Plan.
- 4.2 In such cases it should be evidenced why an alternative arrangement is in the best interests of the child.
- 4.3 Such negotiated departure from this procedure should be confirmed in writing by both the originating and receiving authorities within **48 hours of the agreement being made**.

5. Identifying children at risk of harm

- 5.1 When families move frequently, it is more difficult for agencies to identify risks and monitor a child's welfare.
- 5.2 All professionals in all agencies should be alert to the possibility that a child and family who have moved may not be in receipt of universal services, and that the parents may move to conceal other risk factors, and/or to actively avoid intervention from universal and targeted services.
- 5.3 The following circumstances associated with children and families moving across authority boundaries are a particular cause for concern:
 - A child and family, or pregnant woman not being registered with a GP;
 - A child not having a school place or whose attendance is irregular;
 - A child or family having no fixed abode (e.g. being homeless or living temporarily with friends and relatives) in so far as it impacts on the welfare of the child;
 - Several agencies holding information about the child and family, which is not co-ordinated, and/or which has not followed the child or family (i.e. information which is missing or has gaps);
 - A move which disrupts an assessment or planned work with the child or their family which is likely to identify safeguarding concerns or address the child's needs;
 - Evidence of repeated assessments.

- 5.4 All agencies in contact with families who have moved, must establish basic information i.e. full names, dates of birth, previous address, registration with doctor and enrolment in school. The relevant agency must be notified if a child is not appropriately registered/enrolled
- 5.5 Professionals should be competent in proactively linking the family into local universal services, for example:
- Seeking information about the child/family (full names, dates of birth, previous address, GP's name, if attending any school etc);
 - Providing information about relevant services;
 - Following up to ensure that the family has registered with a local GP and school and has made contact with other relevant services to which the child is entitled;
 - Engaging appropriately with relevant agencies regarding any concerns which emerge.

Where there are Co-Parenting Arrangements

- 5.6 Where there is more than one 'Responsible Authority' involved in a case, it is important that both 'Responsible Authorities' fully understand the implications of that child spending time in and between both locations.
- 5.7 Therefore, it is important that:
- When children are on a Protection Plan and there is a co-parenting arrangement (however imbalanced) across different areas, the two areas should jointly plan for the children's safety. It will need to be determined which Authority will have lead responsibility for the Plan, and the second Authority will need to hold the child on a temporary plan. Reviews will be managed by the lead Authority but will involve both Authorities until the child is no longer a 'child in need.'
 - children for whom there is a **Child Protection Plan** who spend time with separated parents/carers are safeguarded in both areas and have their needs assessed in both locations;
 - both parents are assessed - the national picture of **Serious Case Reviews** indicates that the focus of attention is mainly on the mothers, with little consideration of the role and parenting capacity of fathers.

6. Information Sharing

6.1 For agencies to maintain contact with children and families who move frequently, information needs shared accurately and in a timely manner. Professionals should therefore:

- Ensure that all forenames and surnames used by the family are provided, and clarification is obtained about the correct spelling of all names used;
- Ensure that accurate dates and places of birth for all household members, wherever possible;
- Record all addresses used by the family within the last two years;
- Clarify relationships between the child and other household members, if possible with documentary evidence;
- Ask the child and family which statutory or voluntary organisations they are in contact with.

6.2 When a family move to another area and there are concerns about the welfare of a child of the family, all agencies are responsible for:

- Ensuring that other agencies who have been working with the child and family are aware of the move; and
- Providing appropriate information to colleagues in equivalent agencies in the receiving area

This should be done before the move where possible, otherwise as soon as possible afterwards.

6.3 Professionals in originating authorities must ensure that their counterparts in the receiving authority have been sent a copy of all relevant **records before the move, or if that is not possible, with within five working days** of being notified that the family has moved.

6.4 If agencies in the receiving authority become aware of a family moving into their area in circumstances that suggest there may be cause for concern about the welfare of one or more children, they will contact their equivalent agencies in the originating area to request the information. On receiving the request, the first line manager for the relevant originating authority's services is responsible for providing the information within **one working day**.

6.5 Professional staff in receiving authorities must ensure that they request relevant records from their counterparts in originating authorities immediately when notified of the move.

- 6.6 All attendances of children at accident and emergency departments should be communicated to the child's GP by the hospital's paediatric discharge system or paediatric liaison arrangements.
- 6.7 Where the immigration status of the child and their family is not confirmed or where there are safeguarding concerns, the UK Border Agency should be notified of any movements.
- 6.8 Where a young person who is receiving services as a care leaver moves into another LA area there is no duty to notify the receiving authority. However, in agreement with the young person, this may be appropriate in some circumstances.
- 6.9 Case responsibility in relation to looked after children and children who are the subject of Protection Plans is set out in Section 7.

7. Case Responsibility

- 7.1 The authority in which a child has their 'ordinary residence' is normally responsible for providing the child with LA Children's Social Care Services, subject to the exceptions set out in paragraph 7.2 below.
- 7.2 If a child moves their place of ordinary residence, the circumstances when responsibility is retained by the originating authority are when the child is:
- Subject to a care order or an interim care order in the originating authority;
 - Accommodated by the originating authority;
 - Subject of a child protection plan in the originating authority;
 - In receipt of services (as a Child in Need) from the originating authority;

Responsibility for leaving care services for a parent/expectant parent who is also a care leaver also remain with the originating authority (see Paragraph 7.9)

The arrangements for transfer of case responsibility for children subject to protection plans and other children in need are set out in Sections 8 and 10. Section 11 sets out the arrangements where more than one Authority may be involved in Section 47 Enquiries, and Section 12 sets out the arrangement when families move their place of ordinary residence during S47 Enquiries.

- 7.3 Where housing and any subsistence costs are being provided by the originating authority (previous place of 'ordinary residence'), these costs should continue to be borne by the originating authority until the child and family's housing needs are resolved. Other LA children's social care, or other services, should be provided by the receiving authority in accordance with this procedure.

Child subject to a statutory order in the originating authority

- 7.4 Children subject to a care order, an interim care order, any form of supervision or family assistance order, an emergency protection order, a child assessment order, or subject to current use of police protection powers remain the responsibility of the originating authority.
- 7.5 Where a care, supervision or family assistance order is in force, the receiving authority may (and this must be confirmed in writing by a LA children's social care first line manager or above) agree to provide required services on behalf of the originating authority. However, the legal responsibility remains with the originating authority.
- 7.6 Any child protection enquiries which may arise in respect of a looked after child are the responsibility of the local authority in whose area the child is found, unless both authorities agree that the originating authority will undertake this role, and the originating authority arrive to do so within the timescale for the child. See Section 11 below for further guidance.

Child accommodated by the originating authority

- 7.7 An accommodated child remains the responsibility of the originating authority until:
- They are discharged from accommodation; or
 - Agreement is reached, and confirmed in writing by LA children's care first line managers for both authorities, that the receiving authority will accommodate the child.
- 7.8 As noted above, any child protection enquiries which may arise in respect of a looked after child are the responsibility of the local authority in whose area the child is found, unless, both authorities agree that the originating authority will undertake this role, and the originating authority arrive to do so within the timescale for the child. See Section 11 below for further guidance.

Where the parent is a care leaver

- 7.9 Where a child is a mother/expectant mother and is accommodated or subject to leaving care arrangements (potentially up to 25 years), and is placed by the originating authority in another borough, the authority in which the mother is living is responsible for the baby (the subject is the new baby). If the unborn baby is already the subject of a pre-birth Child Protection Plan the arrangements for transferring the child protection plan must be followed. As noted in paragraph 7.2 above, responsibility for 'care leaver services' to the mother remain with the originating authority. Close working relationships between the two authorities will be particularly important.

Child subject of a child protection plan in the originating authority

- 7.10 All reasonable efforts should be made to house children who are subject of a child protection plan or to a child protection enquiry within the borough, unless a move is part of the child protection plan. This applies to both temporary and permanent housing provision.
- 7.11 The responsibility for a child subject of a protection plan, and co-ordination of the inter-agency working, remains with the originating authority until the receiving authority's transfer child protection conference. See Section 8 below for further guidance.
- 7.12 If the distance between the two authorities is so great that the Social Worker from the originating authority cannot effectively carry out home visits and other tasks required by the protection plan, the receiving and originating authorities must negotiate how the plan will be implemented between the move and the Receiving In Child Protection Conference. Such an agreement, setting out their respective roles and responsibilities (prior to the receiving in conference), must be confirmed in writing at LA Children's Social Care first line manager or above **within one week of the family moving**.
- 7.13 During the period before the Receiving In (transfer) child protection conference the designated child protection manager of the receiving authority should place the child on its database as subject of a Child Protection Plan from the date of the actual move, or when informed of the move if this is later.
- 7.14 Any child protection enquiries which may arise in respect of the child are the responsibility of the area in whose area the child is found, unless they agree that the originating authority will undertake this role and the originating authority arrive to do so. See Section 11 below for further guidance.
- 7.15 If the child is also subject to a 'Pre-Proceedings Agreement' under the Public Law Outline, there will need to be a planning discussion between Children's Social Care and their Legal Departments in the originating and receiving authorities, in order to ensure effective arrangements are in place.
- 7.16 The originating authority's responsibility for a child subject of a child protection plan ceases when, following from a 'receiving in' (transfer) child protection conference:
- The receiving authority's transfer child protection conference makes a decision about the continuing need for a protection plan;
 - Management responsibility is transferred to the receiving authority;
 - These decisions have been confirmed between the two authorities and this has been conveyed in writing between the originating and receiving authorities.
- 7.17 The LA Designated Child Protection Manager in the receiving authority must inform the LA Designated Child Protection Manger in the originating authority of the result of the conference. The LA Designated Child Protection Manager in the originating authority is responsible for notification of parents and other agencies where case responsibility has transferred to a new area.

8. Transfer of Cases – Children subject to Child Protection Plans Information Sharing Process

- 8.1 If a professional from any agency discovers that a child who is the subject of a protection plan is planning to move or has moved out of/into the area, they should inform the lead social worker immediately, and confirm this information in writing, whenever practicable on the same day.
- 8.2 Practitioners in the originating authority should ensure that members of the family are aware that information will be shared with agencies in the receiving authority.
- 8.3 The lead social worker (or other worker designated by the LA) must inform the following persons of the (proposed) move:
- All other professionals involved in the case in the originating authority;
 - The receiving LA children's social care;
 - The LA Designated Child Protection Manager of the originating authority; and
 - The LA Designated Child Protection Manager of the receiving authority.
- 8.4 If the move has occurred already, the lead social worker should complete these tasks immediately and must send copies of the documentation listed below within five working days.
- 8.5 If the move has not yet taken place the lead social worker should complete these tasks in advance of the move.
- 8.6 Each agency in the originating authority will:
- Send detailed information to its reciprocal agency in the receiving authority;
 - Ensure that its reciprocal agency in the receiving authority is aware of its role in the protection plan;
 - Inform the lead social worker of the name and details of staff in the receiving area;
 - Notify the lead social worker of any factors likely to affect the child protection plan
- 8.7 The first line manager/lead social worker (or other worker designated by the LA) in the originating authority must:
- Make contact with agencies in the receiving authority to ensure that the level and type of service being provided satisfies the requirements of the protection plan;

- As a minimum, provide the Children's Social Care in the receiving authority with a copy of the current Child Protection Plan, Conference Report/Core Assessment and Conference Minutes;
 - Inform their own Designated Manager for Child Protection
 - Discuss any difficulties with their supervisor;
 - Initiate use of any of the local authority's statutory powers made necessary by the move;
 - Provide a report and attend the child protection transfer conference.
- 8.8 When case responsibility is to be transferred, the lead social worker must inform all agencies in the originating authority of the arrangements so that staff can transfer records and attend and provide information to the receiving authority's 'receiving in' (transfer) child protection conference.
- 8.9 During the period before the 'receiving in' (transfer) conference, LA children's social care in the receiving authority must ensure that it has received sufficient information from the originating authority to:
- Understand the details of the case
 - Understand the child protection plan and safeguarding arrangements
- If necessary, they should seek clarification from agencies in the originating authority.
- 8.10 The arrangements for any joint working prior to the receiving in conference which are necessitated due to the distance between the originating and receiving authorities are set out in Section 7 above.
- 8.11 If agreement about transfer cannot be reached within 15 working days after notification is provided to the receiving authority this must be escalated to senior managers. The originating authority retains responsibility until agreement is secured.

Receiving In Child Protection Conference

- 8.12 The receiving authority must convene a Receiving In (transfer) child protection conference within 15 working days from the date that a child subject of a protection plan moves into its area, or discovering that a child subject of a protection plan has moved into its area. If a planned transfer of responsibility is being arranged they must invite all practitioners from the originating authority who are significant in the child protection plan.

- 8.13 The transfer child protection conference must have access to all the information required to make fully informed decisions and develop a robust protection plan. Each of the receiving local agencies must ensure that all relevant information from their originating authority counterparts is made available to the conference – this may require them to make a request for further information. The agencies should also provide any new information to the conference. The originating authority agencies are responsible for providing this information to the receiving authority. If there are difficulties in receiving the information this must be escalated to senior manager level.
- 8.14 At the transfer child protection conference:
- A decision is made about the continuing need for a protection plan;
 - Management responsibility is transferred to the receiving authority;
 - These decisions are confirmed in writing as having been agreed between the originating and receiving authorities
- 8.15 The transfer child protection conference may recommend that although case responsibility is transferred to the receiving authority, joint work with professionals from agencies in the originating authority continues for a time limited period. Where this occurs, the originating authority must comply with the terms of the revised child protection plan.
- 8.16 The Local Authority Child Protection Designated Manager in the originating authority must be informed in writing of the result of the conference and is responsible for notification of other agencies where case responsibility has transferred to a new area.

9. Retention of Child Protection Plan Responsibilities by the Originating Authority

- 9.1 The originating authority should retain child protection responsibilities where the child protection plan specifies a move out of an authority for a time-limited period. The originating authority may require assistance from the receiving authority to carry out the protection plan.
- 9.2 These may be circumstances where:
- The child temporarily stays with friends/family in another authority;
 - There is a time limited placement in a residential/mother and baby unit;
 - A parent is supported for a time limited period to live with a specified person e.g. relative or friend in another authority;
 - The child is admitted to hospital in another authority

In these situations a transfer conference is not necessary.

- 9.3 The originating authority should also retain child protection responsibilities when a family moves so frequently that the child's welfare cannot be adequately monitored because of the continuing disruption to service provision and information transfer. The vulnerability of children in these circumstances can be acute, requiring astute collaboration between authorities in taking necessary action.
- 9.4 In this situation, the originating authority should retain child protection responsibility but should share information with the successive host authorities and receive new information and assistance from the receiving authorities to carry out the protection plan.
- 9.5 Whenever one of the above circumstances applies, the lead first line manager/social worker in the originating authority must:
- Agree with the LA children's social care first line manager in the receiving authority that it is in the best interests of the child for the originating authority to retain case responsibility; and, as such, the receiving authority will act as the host authority for the period the child continues to reside there;
 - Inform the Designated Managers for Child Protection in both authorities that the originating authority will retain case responsibility;
 - Provide the host authority with written information on the child and the protection plan and the level of participation required of their receiving children's social care services and other agencies in implementing the plan;
 - Request that the child is added to the receiving authority's list of children subject of child protection plans, in a temporary category;
 - Make contact with agencies in the host authority to ensure that the level and type of service being/to be provided satisfies the requirements of the protection plan.
- 9.6 Both LA children's social care first line managers must:
- Confirm in writing their agreement to case responsibility being retained by the originating authority for a specific period, including the dates for the period;
 - Ensure that the arrangements made satisfy the requirements of the protection plan.
- 9.7 Any disagreement which cannot be resolved must be immediately escalated to senior management level in Children's Social Care who will determine case responsibility with their counterpart in the other Local Authority and in consultation with their Designated Child Protection Manager. The originating authority retains responsibility until agreement is secured.
- 9.8 The Designated Manager for Child Protection of the receiving authority will place the child's name temporarily on the list of children with protection plans, and monitor the child's continuation on the list.

10. Transfer of a Child in Need in receipt of services from the originating authority (not looked after or subject of a child protection plan)

- 10.1 This section covers children who move between local authority areas while receiving Child in Need services from the originating authority.
- 10.2 In these cases, it is normally advisable that assessments, enquiries or particular pieces of work or treatment are concluded before transfer of case responsibility takes place. This ensures that services are working together to limit the extent to which children and families are exposed to having to repeat their stories and repeat work to overcome child protection concerns.

Children's Social Care Responsibility

- 10.3 Where a child and/or family in receipt of Children's social care services move to another authority, it is the responsibility of the originating authority to notify the receiving authority in writing of their circumstances and any ongoing need for services.
- 10.4 In response to notification by the originating authority of an ongoing need for services, the receiving Children's social care authority should undertake an assessment of need, and make a decision on the child and family's eligibility for service provision within one calendar month of the notification of the move (or later if agreed).
- 10.5 The originating authority may retain case responsibility for a limited period unless a professional decision is taken to close the case or the receiving authority agree in writing to provide a service prior to this date.
- 10.6 If the receiving authority does not agree to provide a service, the originating authority may retain case responsibility for a limited period, and make representation to challenge the decision to a senior manager if this is felt to be required.

Exceptional arrangements

- 10.7 Exceptions to the transfer of case responsibility may be made when -
- The originating authority is providing a time limited service which requires consistent professional input;
 - The originating authority is completing an assessment
 - The family moves so frequently that transfer of case responsibility would be likely to disrupt service provision, information gathering and/or monitoring of the child's welfare; or
 - The originating authority is providing a specified package of support such as housing/subsistence for a defined period (e.g. family are 'over stayers' within the terms of immigration legislation or subject to benefit/housing restrictions under 'habitual residence' regulations, or are housed by LA children's social care, having being deemed 'intentionally homeless');

In these situations case responsibility will remain with the originating authority.

- 10.8 The originating authority must provide a copy of the child in need plan which includes an intention to continue to offer a service for a defined period in excess of one month e.g. subsistence payments, housing costs, completion of a an assessment. In this situation the originating authority retains responsibility for the funding of the services set out in the child in need plan until such time as the need is no longer required.
- 10.9 The receiving authority may assume responsibility for the provision of the service, in which case the originating authority will meet the costs in full.
- 10.10 The responsibility for any child protection enquiries that may arise are set out in Section 11 below. The authority where the child is resident are responsible for undertaking enquiries that arise within their area but may agree that they be undertaken by the originating authority where they continue to hold case responsibility.

Information Sharing

- 10.11 Where a child in need is receiving services, but is not looked after or subject of a protection plan, the originating authority must (in addition to informing relevant agencies in the originating authority) inform the receiving authority in writing of the plan, with intended date of move and details of the child's identified needs.
- 10.12 Parental consent is required to share information in this situation and if this is not granted the first line manager must consider whether grounds exist to share information without consent. The rest of this section is then dependent on consent having been given or refusal set aside.
- 10.13 If the originating authority was unaware of the move before it occurred, the notification must occur within one working day following its discovery.
- 10.14 The receiving authority holds the responsibility for seeking full information from the originating authority, including information from other agencies where appropriate. It is the responsibility of health and education authorities in the originating authority to provide information to their colleagues in the receiving authority. The receiving agencies are responsible for requesting the information in writing and the originating agencies are responsible for providing it.
- 10.15 Where a housing authority has been involved in the move of the child/ren and family, the originating housing authority must inform the originating and receiving LA children's social care services and Clinical Commissioning Groups of the move.

11. Inter-Authority Arrangements for Child Protection Enquiries

- 11.1 A local authority has a lawful responsibility to cause Section 47 Enquiries to be made regarding suspected or actual significant harm to a child who lives or is found in its area, subject to the following provisions.

Definition of 'home' and 'host' authority

- 11.2 In the following paragraphs, the term 'home authority' refers to the authority holding case responsibility, or, if the child is not on active caseload to Children's Social Care, the authority where the child is living. The term 'host authority' refers to the authority where a child may be found, is visiting for a short break or in receipt of specified services (e.g. education). The home or host authority could also be an 'originating' or 'receiving in' authority.

Determining Responsibility

- 11.3 In situations where the child is found, staying in or receiving a service from a host authority, it is not always clear who is responsible for protecting the child and conducting enquiries. For example:
- A child found in one authority but subject to a protection plan in another authority;
 - A looked after child placed in another local authority;
 - A child attending a boarding school in another area;
 - A child receiving in-patient treatment in another area;
 - A family currently receiving services from another local authority;
 - A child staying temporarily in the area but whose family remains in the home authority;
 - A family who have moved into the area, but where another authority retains case responsibility temporarily;
 - A child suspected of being abused by a paedophile operating in the host authority.
- 11.4 Where more than one authority is involved with the child, the LA Children's Social Care responsibility for the enquiries will depend on whether the allegations or concerns arise in relation to the child's circumstances within their home or authority or within their host authority.
- 11.5 The following should always be applied:
- Immediate and full consultation and co-operation between both host and home authorities, with both involved in the planning and undertaking of enquiries;

- Case responsibility for the child rests with the home authority;
- Any emergency action should be taken by the host authority unless agreement is reached between authorities for the home authority to take alternative action;
- Where concerns arise in relation to the child's home circumstances, the home authority will be responsible;
- If concerns arise in relation to safe parenting (e.g. where parents are visiting a child in hospital, residential or boarding school) the home authority is responsible;
- Where concerns arise in relation to the child's circumstances within the host authority (e.g. abuse in school or placement) the host LA Children's Social Care will lead the enquiry, liaising closely with the home authority and involving them in undertaking aspects of the enquiry as appropriate;
- Where emergencies and enquiries are dealt with by the host authority, responsibility for the child will revert to the home authority immediately thereafter. The home authority will also be responsible for the provision of any form of foster or residential care or other services to ensure the protection of a child found in a host authority. The welfare of the child will be the paramount consideration in this determination;
- Negotiations about responsibility must not cause delay in urgent situations.

11.6 There must be immediate contact between home and host authorities initiated by the authority which receives the referral. They must agree:

- Any need for urgent action and enquiries and who will take responsibility for this in accordance with the above principles;
- Responsibility and plans for strategy discussions/meetings;
- Responsibility for liaison with other agencies.

11.7 Strategy Meetings/Discussions should take place within the timescales set generally and in accordance with local delegations. Decisions and responsibilities for any action must be providing in writing to a named manager in both authorities.

Allegations against a Person in a Position of Trust

11.8 Where allegations or concerns about a placement, or other person in a position of trust, are the subject of enquiries, the "Cross Border guidance for the Management of Allegations should be followed.

11.9 In addition to the child/ren subject to the immediate enquiries, consideration must also be given to:

- The implications for other children and the need to pass relevant information to other placing social workers/authorities
- The need to halt new placements until enquiries are concluded and outcomes evaluated;
- Informing the regulatory authority of the placement;
- Having considered the outcome of the enquiry, the implications for future placement.

11.10 The above is applicable to social care placements for children looked after, health placements for children with health difficulties in hospital or other forms of community health provision and for children attending educational placements involving residential accommodation.

12. Families who move during Section 47 Enquiries

12.1 In the event that a family moves whilst a s47 enquiry is being undertaken (e.g. to a refuge in another authority), the originating authority should convene a strategy meeting/discussion **within 72 hours**. This must include the receiving authority.

12.2 The originating authority retains responsibility until the completion of the enquiry, unless an alternative arrangement is agreed. If a child protection conference is required it should be convened in the receiving authority. The originating authority must provide a report for the conference based on their investigation.

13. Dispute Resolution

13.1 This guidance sets out to provide an effective framework to manage safeguarding issues where more than one Local Authority may be involved.

13.2 Should it not be possible to resolve disagreements at first line manager level, they should be immediately escalated to Senior Managers who will liaise with their other LA counterpart, in accordance with LSCB escalation and dispute resolution procedures.