

DUAL PROCESS GUIDANCE AND PROCEDURE

1. INTRODUCTION

This guidance is to provide clarity regarding the proposed procedures to be followed in relation to cases where children are subject to dual process.

2. DEFINITION AND REGULATORY GUIDANCE

Children who are subject to dual process are those children who are looked after by the Local Authority either

- via a Voluntary Section 20 arrangement under the Children Act 1989 or
- An Interim Care Order or Care Order under Section 31 of the Children Act 1989

And are subject to a Child Protection Plan

“In general, children who are Looked After should not require a Child Protection Plan unless particular circumstances apply”.

- Once a child becomes looked after the Child Protection review should consider the immediate risks to the child and whether it is now necessary for them to be subject to a Child Protection Plan. The principle of early discontinuation of Child Protection plans should be applied particularly where children are placed in regulated settings.

CURRENT PRACTICE

All children subject to a child protection plan must be subject to a formal Review Child Protection Conference before any decision can be made for them to be removed from a child protection plan.

If a child moves to another authority a transfer in conference must be convened by the receiving local authority prior to a child being removed from a child protection plan in Manchester.

FUTURE PRACTICE

The expectation in the new Care Planning Guidance is that the numbers of cases where dual process applies will be minimised. The presumption should be that children who are looked after should not be living with a level of continuing risk that requires a child protection plan. The principle to be applied is to avoid unnecessary and lengthy dual process continuing once a child has become looked after. This applies particularly for those children placed in residential, foster care or other regulated setting where the placement arrangements ensure that the child is safe from continuing significant harm.

The following practice guidance is intended to ensure that there is a consistent approach from all partner agencies when considering children who are subject to dual process.

CHILDREN WHO BECOME SUBJECT TO AN INTERIM CARE ORDER

At every Initial Child Protection Case Conference the Local Authority Social Worker will be expected to inform the Chairperson, if there are any immediate proposals to make an application to the Courts for an Interim Care Order.

If it is proposed that this is the case, all conference attendees will be informed that the Social Worker must notify MSIU as soon as any formal Order is granted. Conference attendees will be advised that once notification of the Order is received and it has been confirmed that the child is placed away from the family home. Letters will be sent out to all conference attendees to inform that the child will be removed from the child protection plan and that the child's future care needs and safeguarding will be managed via the Looked After Children statutory procedures. SIU will contact PPIU via telephone on the day of notification so that the Police marker can be removed from the family home address.

CHILDREN WHO ARE SUBJECT TO AN INTERIM CARE ORDER PLACED WITH PARENTS

If the Local Authority is unsuccessful in gaining agreement from the Courts to remove a child from the care of parents whilst Care Proceedings are ongoing, the Social Worker needs to inform SIU. An early RCPC will be timetabled in order to establish whether the child can/should be removed from a child protection plan.

CHILDREN PLACED IN RESIDENTIAL PLACEMENTS

The key Social Worker must notify MSIU if a child is placed in a residential placement, the procedure should be the same as that for children placed with foster carers.

CHILDREN SUBJECT TO SECTION 20 ACCOMODATION

Children subject to Section 20 accommodation are also subject to statutory looked after review meetings. The allocated Social Worker to contact SIU, when the child/ren becomes looked after. SIU to time table an early RCPC.

If core group members are satisfied that the Local Authority would immediately seek emergency protection should attempts be made to remove the child from placement, the child should still be removed from the child protection plan

Children subject to Section 20 accommodation should only remain subject to CP Plans in complex situations or where there is a planned short term time table for rehabilitation to care of parents.

DISCHARGE FROM CARE PLANNING MEETINGS

Every looked after child should have a Discharge from Care Meeting, this meeting will confirm that risks to a child have been significantly reduced and that parents are able to meet the child's care needs. The meeting will also be used to agree a proposed plan in regards to how the rehabilitation will be monitored, who will visit the child, and which partner agencies will remain involved with the family.

The Key worker must contact the IRO, prior to any proposed change of placement to arrange a discharge from care meeting.

In cases where the care arrangements are complex, consideration may need to be given to holding an initial child protection case conference. These cases should be minimal as no child should be returned to a home where they are considered to be at risk of significant harm.

If partner agencies are of the view that a child should be the subject of an initial child protection case conference once returned home, a further strategy meeting will need to be held to endorse this decision. Any child rehabilitated to the care of a parent should only be subject to child protection planning for an agreed short period of time.

The child protection plan must be rigorous and time limited. If a child is made subject to a child protection plan it would be expected that agencies are

confident that the child can be removed from the child protection plan by the 1st Case Conference Review meeting.

It is acknowledged that each child's case needs to be considered individually, if any core group members are concerned regarding the decision for a child to be removed from a child protection plan, these concerns need to be brought to the attention of the relevant child protection chair. If necessary a formal child protection review case conference will be convened.

If professionals remain concerned regarding a decision to remove a child from a child protection plan then a formal escalation can be made to the Head of SIU.

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