**West Sussex – Practice Guidance**

IROs are qualified social workers with at least five years’ experience, and who have acquired the right skills to carry out this role.

**Unregulated Placements**

**What is an Unregulated Placement?**

A regulated placement is inspected by Ofsted and meets the requirements of either the Care Planning Regulations or the Children’s Homes Regulations, Adoption and Fostering Regulations and associated Minimum Standards. A looked after child must be placed in a regulated placement.

Trusts and Local authorities place children in a range of settings which are all regulated and inspected by Ofsted.

Whilst Ofsted is responsible for the regulation of the placement, the responsibility for assessing the quality and suitability of these services for their own individual children lies completely with the placing authority and not Ofsted.

Why is the placement unregulated?

Regulation 27 (Care Planning, Placement and Case Review Regulations 2010) sets out what is required by the local authority when a young person is placed in unregulated accommodation. The intention of this legislation was to provide accommodation predominantly for older young people who might be difficult to place and who at 16 or 17 might want to choose a less structured living environment.

However, over time this has been used for other types of placement and this has developed as custom and practice, for example;

Scenario 1- Temporary approval as foster carers not sought or expired

* We have placed a child with Relatives or Family Friends and Regulation 24 agreement has not been sought and agreed by the Fostering Agency Decision Maker. The Schedule 4/Viability Assessment has not been completed.
* Where a child is living with a family member and deem this a ‘family arrangement’ but the local authority has been significantly involved in the arrangement e.g. advising parents that the child cannot removed from the family member or that they need supervised contact.
* The temporary foster-care approval under Regulation 24 agreement has lapsed, in that it has gone beyond the 16-week assessment period and an extension for a further eight weeks under Regulation 25 (CPPCRRegs2010), has not been sought from the Fostering Panel.
* The Regulation 25 agreement has lapsed and the completed full fostering assessment has not yet been presented to Fostering Panel within this timescale.
* The Connected Persons fostering assessment has been presented to Fostering Panel and Panel have not recommended approval, the child remains in the care of the adults who were being assessed ??
* Where the court has granted an ICO and decide to place with an unregulated carer who does not meet fostering National Minimum Standards or the carer has not been assessed.
* The Police have used their powers to intervene and remove a child from home and place the child with a family member (a place of safety).

Scenario 2 Placement with Parents under a Care Order

* Child subject to a Care Order/ ICO placed with parents with no Schedule 3/ Reg 17 assessment completed and signed off by the Head of Service.
* A child over the age of 16 placed and we are looking to reunify with parents. Agreement should be sought from the Head of Service to place the child with parents and evidence the reunification & support plan.

Scenario 3 Absence of a regulated placement

* Where a fostering or residential placement has not been identified and a child is placed with an unregulated provider such as a 16+ independent provision for a maximum of 28 calendar days.

What needs to happen next?

The social worker must request agreement from the Head of Service using the template below. Unless the arrangement is a temporary arrangement (for a maximum of 5 days) to enable steps to be taken to make the placement regulated. In these circumstances the Head of Service should be informed by e-mail and their consent obtained.

**Reference Points;**

 

