**Children and Families Moving Across Local Authority Boundaries**

1. **– Introduction**
	1. Children and young people, especially those assessed to be in need or at risk, are likely to be even more vulnerable as a consequence of homelessness and the dislocation that is likely to occur as a result of moving between local authority areas. Relationships with relatives, friends, schools and statutory services are likely to be fractured as a result of such moves; alternatively, those seeking to avoid the intrusion of statutory services may welcome the opportunity to severe relationships with those that have begun to understand them.
	2. Families may move for a variety of reasons. Failure to comply with the terms of their tenancy, eviction, homelessness and victimization as a result of involvement in gangs or anti-social behaviour can all be reasons why families move between local authority areas. Government policy and the pressure on the housing market, especially in Buckinghamshire, can all lead to the movement of vulnerable children and their families between local authority areas. Increasingly, homeless families are placed for extended periods in other local authority areas; sometimes they may choose to continue to access some universal services within their originating authority (e.g. education). However, as set out in1.4*,* this does not determine responsibilities under the Children Act 1989 for safeguarding and promoting the welfare of the children of such families.
	3. 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 county unless a move is part of the child protection plan. This applies to both temporary and permanent housing provision. In most cases, this will minimize the disruption likely to occur and mean that professional networks can be maintained. The BSCB should oversee the development of a protocol for keeping children within the local area between relevant partner agencies.
	4. Regardless of the reasons or circumstances of families moving between local authority areas, the Children Act 1989 is clear about where the responsibility for safeguarding and promoting the welfare of such children lies (Section 17 and Section 47): it is with the local authority responsible for the area in which the child is to be "found", i.e. where they are at the time that a concern may arise, which will normally be where they are living.
2. **– Children Subject to Child Protection Plans**
	1. When a family with children subject to a child protection plan moves from one local authority area (the originating authority) to another local author area (the receiving authority), then the responsibility for the monitoring, supervision and updating of that plan must transfer from the originating authority to the receiving authority. In order that the vulnerability of such children is not compromised, such case transfers should take place in a timely manner. During the period prior to the formal transfer of case responsibility, the originating authority should continue to monitor the protection plan.
	2. When a family with children subject to a child protection plan moves to another local authority area, the originating authority should notify the receiving authority at the earliest opportunity. The originating authority should provide the receiving authority with the following documentation:

Copies of an up to date assessment of each of the children in the family which clearly identified the risk(s) to each child;

Copies of the minutes to all of the child protection conferences and child protection plans relating to the current period for which the children have been subject to a child protection plan;

A copy of the current child protection plan;

An up to date case summary setting out both the current situation and all relevant background information about the child.

* 1. Within 15 days of receipt of the documentation referred to above, the receiving authority should arrange a transfer child protection conference. The receiving authority will be responsible for undertaking checks on any other residents of the new address as appropriate. At that child protection conference, the receiving authority will formally accept case responsibility. The conference should determine whether or not the children will remain subject to a child protection plan and the contents of that plan.
	2. It is the responsibility of the originating authority to ensure that all other agencies working with a child subject to a child protection plan are notified that the child has moved to another area. It is the responsibility of each agency in the originating authority to notify their counterparts in the receiving area that that the child has moved to their area and to transfer relevant documentation as soon as possible. Where a child of school age has moved to another area and not registered for a school place, then it will be the responsibility of the receiving authority to treat that child as if they are missing from education and to seek to ensure that their parents or carers register that child for a school place as soon as possible.
	3. Following the transfer child protection conference, the originating authority should end their child protection plan and notify relevant agencies accordingly.
	4. Where the originating authority has been providing or funding services for the children, they should continue to do so for the period of time originally envisaged by the child protection plan. Where the originating authority is funding the housing costs of the family, they should continue to do so until such point as the family are able to claim benefits or pay for the housing costs themselves. For families receiving financial support because they have no recourse to public funds, the financial support should continue to be provided by the originating authority until such time as the family's immigration status is resolved although all other responsibilities for services under S17 or S47 will transfer to the receiving authority.
	5. The only reasons why case responsibility for children subject to a child protection plan should not transfer from the originating authority to the receiving authority are:

If the child is looked after by the originating authority or the subject of a statutory order to the originating authority;

If the child has been temporarily placed by the originating authority in the area for the purposes of assessment, treatment (psychological or medical) or education, with or without their parents and will be returning to the originating authority;

If the child has been remanded into custody or received a custodial sentence;

If the child is temporarily living with relatives or friends in the area but will be returning to the care of a parent in the originating area [1];

If the child and their family have been placed in temporary accommodation in the receiving authority for a specified period of time, which is less than 4 weeks, after which they will be located elsewhere.

[1] If the child is “placed with” the relative or friend by the originating authority, they the originating authority will be responsible for the assessment and approval of the relative or friend as required by the fostering regulations.

* 1. Where the originating authority is dealing with a child through the public law outline, a legal planning meeting has agreed that the threshold has been met but proceedings have not been initiated pending further assessments, then case responsibility should transfer to the receiving authority unless:
* There is evidence of immediate or increased risk resulting from the move; or
* There is evidence that the family have only moved to avoid legal proceedings;

In such circumstances the originating authority should instigate proceedings immediately.

* 1. Even if the originating authority is not transferring case responsibility for any of the reasons listed in 2.2, above, they should still notify the receiving authority that the child has moved into their area. The receiving authority should maintain a "List" of children subject to child protection plans with another authority but resident in their area and ensure that other agencies are notified of the circumstances of those children.
	2. The nature and / or tenure of the housing provided for a family in the receiving authority is not a factor that determines cases responsibility.
	3. Where a child and their family have moved or are likely to move repeatedly (more than twice) between local authority areas for short periods of time (less than 4 weeks), the originating authority should assess the suitability of the accommodation / other residents of that accommodation to ascertain whether there is a risk to the child. If an immediate risk is identified, then they consider what action to take to safeguard the child see referral. It would be good practice for the originating authority to retain case responsibility until that child and family have settled i.e. have been placed in housing for a period that will exceed 4 weeks. This is to ensure some continuity in the arrangements for the protection of that child. If either the originating authority or the receiving authority identifies that a family are or have been moving repeatedly between areas for short periods of time, then they may discuss and agree such an exceptional arrangement.
	4. The receiving authority may delay the date of the transfer child protection conference if it considers that the documentation provided by the originating authority (see [2.2, above](http://www.londoncp.co.uk/chapters/chi_fam_bound.html#parag_6.2.2)) is incomplete or not of a sufficient standard. Any disagreements about the quality of the documentation should be resolved between managers in the respective services and escalated to the senior manager responsible for safeguarding services in each authority in the event of a disagreement. Any disagreements should be resolved within 10 working days from the point of receipt of the documentation.
	5. For the avoidance of doubt, the originating authority should ensure that other agencies within its area are aware that the child / family have moved to another area and that those agencies will notify their counterparts in the receiving area that this move has occurred.
	6. These procedures relate to duties arising out of the Children Act 1989 and related legislation, regulation and guidance to provide services for children at risk of significant harm and subject to a child protection plan. The transfer of case responsibility from the originating authority to the receiving authority may not always mean that all of the responsibilities of the originating authority for the completion of an assessment of need risk have also come to an end. Whilst this is not a reason to delay the transfer of case responsibility for a child protection plan, the originating authority should seek legal advice to ensure that any duties arising out of other sections of the Children Act 1989 or other legislation have also been fulfilled.

**Children in Need**

1. If a family moves whilst subject to child protection enquires under S47 (CA 89) or an assessment of need under S17 (CA 89), those assessments 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. However, where a family has only been resident in the originating authority for a short period of time, then the respective authorities should consider who is best placed to undertake the assessment. This is especially important for those families who have moved frequently between authorities thereby preventing any authority or professional network from getting to know them.
	1. If a family with children subject to a child in need plan moves to another area, then the originating authority should notify the receiving authority that the family have moved and provide copies of relevant documentation:

Copies of the most recent assessment of the children;

Copies of the children in need plan;

A case summary and, if the case summary is not up to date, a social work report identifying the needs of each of the children;

If the children have previously been the subject of a child protection plan, than the originating authority should ensure that the risks and protective factors are clearly described in the case summary.

* 1. Where the originating authority has been providing or funding services for the children, they should continue to do so for the period of time originally envisaged by the child in need plan. Where the originating authority is funding the housing costs of the family, they should continue to do so until such point as the family are able to claim benefits or pay for the housing costs themselves. For families receiving financial support because they have no recourse to public funds, the financial support should continue to be provided by the originating authority until such time as the family's immigration status is resolved although all other responsibilities for services under S17 or S47 will transfer to the receiving authority.
	2. Although there is no formal requirement to hold a meeting to discuss the transfer of a child in need plan, it would be good practice for the receiving authority to hold such a meeting, especially where the family situation is complex or the children have previously been the subject of a protection plan.
	3. The arrangements set out above for the transfer of information about children in need between authorities are subject to the consent of the family. Information about child protection concerns or a concern that a child may be missing education may be transferred without consent.