**Court Directed Placements: Interim Care Order S38(6)**

The Placement with Parentsprocedure applies to any placement of a child, on an Interim Care or Care Order, with a parent or person with parental responsibility or person who held a [Child Arrangement Order](http://trixresources.proceduresonline.com/nat_key/keywords/residence_order.html) immediately before the Care Order was made, for more than 24 hours, including a placement for residential assessment.

Local Authority seeks an Interim Care Order (ICO) through the Courts. Direction from the Court is for the child / young person to be remain living with parents (Placement with Parents under the auspices of an ICO) (Section 38.6, Children Act, 1989)

The child needs to be visited by the Social Worker weekly even after the Child Looked after Review due to it being an unregulated placement.

If the carer does not have parental responsibility for the child, this is an unregulated placement and recorded as a placement type Z1 other on Liquid Logic. Management Oversight needs to be recorded by a Head of Service.

Placement plan to be completed within 5 working days.

Working agreement with parents/carers to be completed.

Social Worker to complete Placement with Parents assessment through the Liquid Logic Signs of Safety C&F assessment. Police Checks and DBS checks to be initiated of parents/ carers and all others in the home that are 16 years and over. Home, professionals, and agency checks to be carried out- see guidance.

Social worker to send completed assessment & all checks to their manager and ensure there has been Case Supervision and Management Oversight is recorded on Liquid Logic.

Social Worker to send assessment & all checks to Head of Service for approval.

If agreed and signed off by the Head of Service, the Placement with Parents placement begins and needs to be recorded on Liquid Logic, with Management Oversight.

The Social Worker should follow the visiting rules of visiting weekly until the Placement with Parents placement has been signed off by a Head of Service. The Child Looked after Review will then take place and visiting will be every 4 weeks.

**Codes for recording on Liquid Logic and Visiting Rules**

**Placement under Interim Care Order Section 38(6) with parents or other person with parental responsibility.**

The child should have the legal status ‘**Interim Care Order S38(6) – Court Directed Placement’ on Liquid Logic.**

When adding the placement, the Placements Team should use the placement type **‘P1.1 – living with parents – court directed under 38(6)’**

The carer should be set up as a **Placed with Parents** carer providing **service ‘P1.1 – living with parents – court directed under 38(6)’** The carer should be set up by the placements team

**Visiting requirements:**

Until the parent is assessed, use the visit rule **‘Placed with Parents Pending Assessment’**. The child should be visited within 7 days of the placement and every 7 days thereafter.

Once the assessment has been completed and HOS has singed this off, use the visit rule ‘**Placed with Parents under Interim Care Order’**. The child should be visited every 7 days up until the first CLA Review following the placement, and every 4 weeks thereafter. (Arrange a review so the change in Care Plan can be ratified).

**Placed under Interim Care Order section 38(6) with a person without parental responsibility**

The child should have the legal status ‘**Interim Care Order S38(6) – Court Directed Placement’**

When adding the placement, the Placements Team should use the placement type and **‘Unregulated – placed under 38(6)’**

The carer should be set up as a **‘CD -Court Directed (not approved)’** carer providing service **‘Unregulated – placed under 38(6)’.** The carer should be set up by the Fostering Panel Administrator.

**Visiting requirements:**

Use the visit rule **‘Unreg Connected Person(Z1.1) or Ofsted Unreg (H5)’** . The child should be visited within 7 days of the placement and every 7 days thereafter.