



BECOMING LOOKED AFTER (BLA) PATHWAY

POLICY AND PRACTICE GUIDANCE

VERSION	AUTHOR	DATE	REVIEW DATE
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1. ROUTES TO BECOMING A LOOKED AFTER CHILD AND DECISION MAKING

There are several ways in which a child/young person may become looked after by Children's Social Care:

- Planned decision made via a legal meeting to seek the accommodation of a child/young person due to safeguarding concerns or a relinquished baby
- Decision made in an emergency situation but section 20 accommodation has been agreed with person/s with parental responsibility
- Police Powers of Protection
- Expedited interim Care Order / Emergency Protection Order
- Court imposed interim Care Order for a child/young person to remain in parental care
- Actions taken by the Emergency Duty Team out of office hours
- Remand to Local Authority care

Please refer to the Legal Panel Meeting guidance for details regarding when and how to book a legal planning meeting and the paperwork required.

[Legal Panel](#)

For all routes to becoming looked after, the allocated Social Worker must initiate the BLA pathway on Liquid Logic within 1 working day.

A Head of Service must approve all care plans where the plan is for the child to become looked after. In the absence of a Head of Service, the Assistant Director is the only other officer who is able to provide approval.

a) Planned decision made via a Legal Planning Meeting to seek the accommodation of a child/young person due to safeguarding concerns

A Head of Service will chair the vast majority of Legal Planning Meetings and therefore will be required to approve a care plan that seeks to remove a child/young person via voluntary accommodation (Section 20 of the Children Act 1989) or an application to Court to seek an interim Care Order. In the event a Head of Service is not able to chair a Legal Planning Meeting of this nature, approval must be sought outside of the Legal Planning Meeting from a Head of Service or Assistant Director to approve the meeting's recommendation. A care plan of this nature will not be progressed unless a Head of Service or the Assistant Director has approved it.



b) Decision made in an emergency situation but section 20 accommodation has been agreed with person/s with parental responsibility

[Children Act 1989 - Section 20](#)

In the event that a decision is required to be made in an emergency situation to seek the voluntary accommodation of a child/young person, this can only be approved by a Head of Service or Assistant Director. If voluntary accommodation is to be explored, the following must be followed:

- All individuals who hold parental responsibility of the child must be contacted and consent provided by all to progress accommodating a child via section 20. If a person with parental responsibility is not contactable and the accommodation of the child is required then the Head of Service or Assistant Director will consider whether the placement can proceed in the absence of that consent. In such an event that the placement can proceed it will be necessary for further attempts to be made to contact those individuals with parental responsibility.
- The mental capacity of all those who hold parental responsibility must be determined. If there is any doubt about the mental capacity of any individual, legal advice must be sought regarding that person's ability to consent. If there is any doubt, voluntary accommodation of a child cannot be pursued. Please refer to the guidance on mental capacity in relation to consenting to the voluntary accommodation of children.

[Capacity to Consent](#)

- If a child is voluntarily accommodated, a Legal Planning Meeting must be held within 3 working days of the child becoming looked after to determine the ongoing appropriateness of the child's legal status.

c) Police Powers of Protection

[Children Act 1989 - S46 Police Powers of Protection](#)

In the event that immediate protection is deemed appropriate, and Children's Social Care have agreed to seek the support of Police colleagues who assess the situation as requiring them to use their powers of protection, a Head of Service must approve this course of action initially. However, it will be the decision of the Police as to whether they will exercise their powers of protection. In the event that Police do exercise their powers and remove a child or children, the relevant Head of Service must be informed of this action by the next working day. In addition, a legal meeting must be held the next working day to determine next steps regarding care planning.

However, if the Police act independently of Children's Social Care and exercise their powers, the relevant Head of Service must be informed of this action by the next working day. In addition, a Legal Planning Meeting must be held the next working day to determine next steps regarding care planning.



d) Expedited interim Care Order or Emergency Protection Order

[Children Act 1989 - S38 Interim Care Order](#)

[Children Act 1989 - S44 EPO](#)

In the event that immediate protection is deemed appropriate, this can only be agreed via an urgent legal planning meeting which must be chaired by a Head of Service who will approve this course of action if necessary and proportionate, and no other avenue is available to Children's Services. In the event the Court grant an expedited interim Care Order or EPO, a legal meeting must be held the next working day to determine next steps regarding care planning.

e) Court imposed interim Care Order for a child/young person to remain in parental care

In the event the Court does not accept the original care plan put forward by Children's Social Care, such as an interim Supervision Order, and instead imposes an interim Care Order for a child/young person for them to remain in parental care:

- The relevant Head of Service must be informed of the Court's decision within 1 working day,
- A Legal Planning Meeting must be held within 2 working days of the order being made to determine next steps regarding care planning, and
- The Care Planning, Placement and Case Review Regulations 2010 (Part 4 Chapter 1 Regulation 15 – 20) relating to the placement with parents must be followed.

[Placement with Parent regulations](#)

f) Actions taken by the Emergency Duty Team out of office hours

The EDT Social Worker must contact the out-of-hours manager to request permission to seek the accommodation of a child or children. No child should be accommodated by the EDT without a discussion with, and approval from, the out-of-hours manager. The out-of-hours manager should alert the relevant Head of Service, if this is a different person to the out-of-hours manager who made the decision, the next working day. A legal planning meeting must be held within 3 working days of the child or children being accommodated by the EDT.

g) Remand

[Legal Aid, Sentencing and Punishment of Offenders Act 2012 - Remand](#)

In the event a young person is remanded to Local Authority care, the relevant Head of Service must be notified within 1 working day.



2. CONSIDERATIONS BEFORE A DECISION IS MADE TO LOOK AFTER A CHILD

- a) Whether the decision is made to safeguard a child in an urgent or planned Legal Planning Meeting, or is made in an emergency, a Head of Service must provide approval to seek this course of action.
- b) In determining a proportionate course of action, the following factors must be considered by all parties involved prior to reaching a decision to seek to accommodate a child into Local Authority care:
- What is the immediate risk to the child?
 - What is the current and previous legal status of the child? Have they been subject to a Child in Need Plan, Child protection Plan or been looked after previously? Is there currently or has there been previously, a Letter Before Proceedings initiated? If yes, why has this been ineffective?
 - What is the history (chronology) of the child and their family?
 - What is the child saying about their situation?
 - What are the parent/s and/or person with parental responsibility saying about their situation?
 - What support has been made available to the family including their own support network alongside other agencies particularly education? What other support could be made available to the family in order to decrease the risks?
 - Has a Family Group Conference or Family Network meeting been held? If so, what was the outcome? Please note a Family Network meeting should be held within 72 hours of the referral. Please note that unless there is an immediate risk to the child, or actual significant harm has already been experienced, no child can become looked after unless a Family Network meeting or Family Group Conference has been held. [Family Group Conferences](#)
 - Is there an immediate safety plan in place to safeguard the child? If yes, what is it? If no, why not?
 - If the child is aged 10 – 16 years, does this meet the criteria for a referral to the Keeping Families Together service? Please refer to the policy and procedures regarding the Keeping Families Together service.
 - If the case is active to the Keeping Families Together service, has a Family Network meeting been held within 72 hours of the referral being accepted by the service? If so, what was the outcome?
 - Using the Signs of Safety model, what is the current scaling of the risk to the child and what is the danger statement?
- c) The information discussed above will determine whether sufficient effort has been made to prevent a child becoming looked after by ensuring that all appropriate support has been made available. The discussion must be recorded clearly to



evidence decision making of all parties. There are two possible outcomes to the discussions:

- A Head of Service will approve the plan to safeguard the child and agree to seek the child entering the care of the Local Authority, or
 - A Head of Service will defer the decision to allow further efforts to be made to prevent the child from becoming looked after. If the latter is the case, the Head of Service must provide clear detail regarding what other actions are expected of the Social Worker and Team Manager.
- d) A Head of Service must complete a Liquid Logic Head of Service BLA Assurance Checklist form for all those requests made for a child to become looked after if the decision has been made outside of a Legal Planning Meeting, whether the decision was approved or not. This is a stand-alone form on Liquid Logic. If the decision has been made within a Legal Planning Meeting chaired by the Head of Service, the case note written on the child's electronic file will provide the evidence of the decision-making of the Head of Service.

3. DECISION TO LOOK AFTER A CHILD AND PLACEMENT TYPE

Once the decision has been made to seek to look after a child, by whichever route that is pursued (please refer to section 1), consideration needs to be given to determining where the child should be placed. A Head of Service must approve the type of placement being requested for the child.

a) Placement with Parent

[Placements with Parents](#)

If the Court impose an interim Care Order at home, the child will remain in the care of their parent/s but will become looked after. The BLA pathway on Liquid Logic will still need to be followed and the child will be subject to the same regulations as any other child in care.

b) Family member or friend

It is acknowledged that children's needs are best met within the family's own network if it is safe and appropriate to do so. If the child is to be removed from parental care, then priority must be given to assessing whether there are any family or friends who could offer care. If a child is placed with a family or friend, and the Local Authority has been instrumental in identifying and placing the child with that family member or friend, this is a Connected Care placement and the child will become looked after. Please refer to regulation 24 of the Care Planning, Placement and Case Review Regulations 2010 regarding placements with Connected Carers.



[Connected Care assessments](#)

However, there are times when a family may provide their own solution to safeguard a child without the intervention of the Local Authority. This is called a family arrangement and the child would not become looked after. However, if this situation arises, legal advice must be sought to ratify the legal status of the placement. If this is deemed to be a family arrangement, the Social Worker must issue the parents and family member with a letter outlining the nature of the arrangement.

In addition, there are times when a child may be privately fostered. Again, legal advice must be sought regarding the legal status of the placement. Please refer to the private fostering policy and procedure.

[Private Fostering](#)

c) Foster-placement outside of the family

If a child is placed with a foster-carer that is not a family member or friend, the child will become looked after.

In order to access a foster-placement, the Head of Service must approve the placement search. Priority will be given to sourcing a placement from the in-house pool of foster-carers.

Please refer to the flowchart at appendix 1 for details.

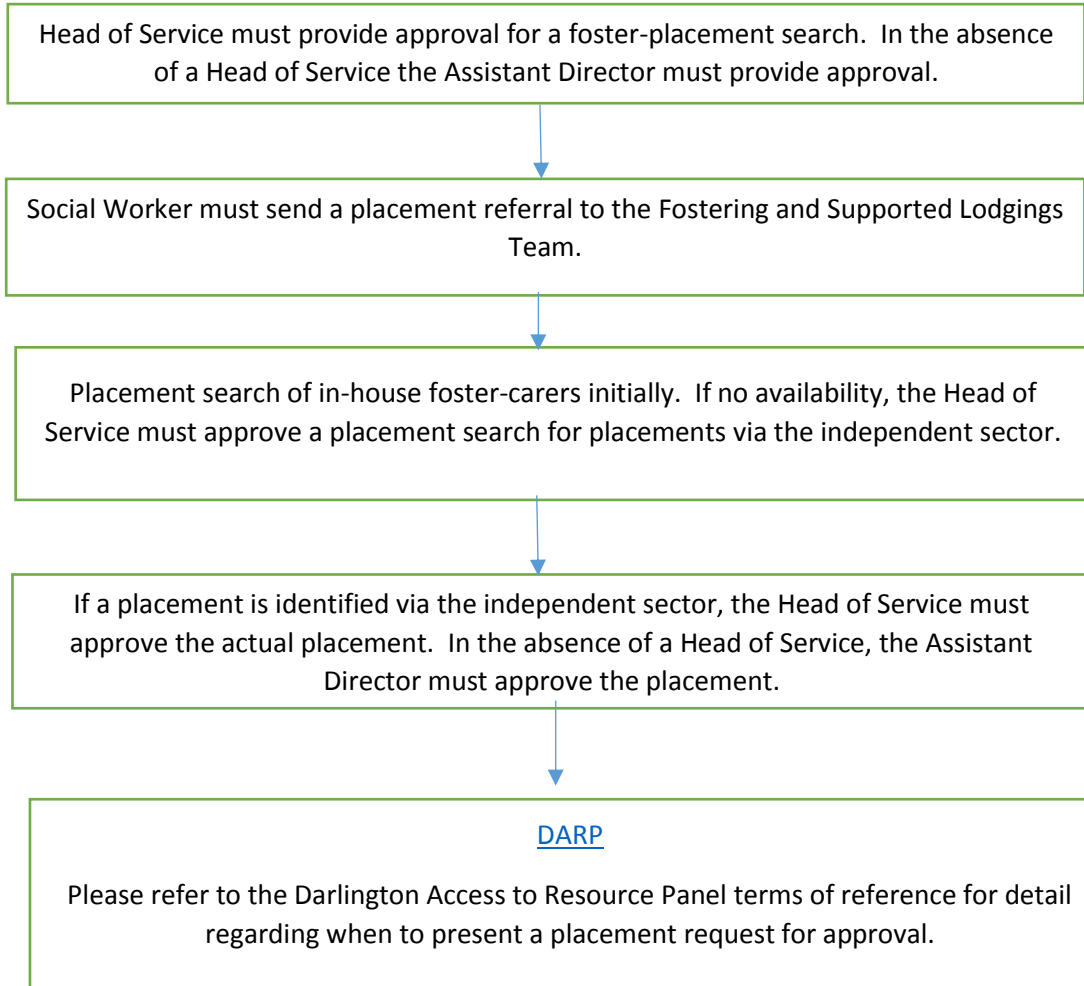
d) Residential placement

If a foster-placement cannot be sourced, or is not deemed appropriate, a residential placement may be sourced. However, only the Assistant Director can provide approval for a residential placement search and actual placement.

Please refer to the flowchart at appendix 2 for details.



APPENDIX 1 – FOSTER PLACEMENT REQUEST





APPENDIX 2 – RESIDENTIAL PLACEMENT REQUEST

The Assistant Director must provide approval for a residential placement search. In the absence of the Assistant Director, another Assistant Director or Director must approve the search.



Social Worker must send a placement referral to the Fostering and Supported Lodgings Team.



Placement search of in-house residential provision initially. If no availability, an Assistant Director or Director must approve a placement search for placements via the independent sector.



If a placement is identified via the independent sector, an Assistant Director or Director must approve the actual placement.



[Complex Needs Panel](#)

Please refer to the Complex Needs Panel terms of reference for detail regarding when to present a placement request for approval.