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Children in Need POLICY
and
practice guidance

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#  **Child in Need – Purpose and Principles**

## Section 17 of the Children Act 1989 imposes a general duty on children’s social care to safeguard and promote the welfare of children who are assessed to be ’in need’.

Section 17 defines a Child in Need as a child:

* Who is unlikely to achieve or maintain or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for her/him of services;
* Or a child whose health or development is likely to be significantly impaired, or further impaired, without the provision of services;
* Or a child who is disabled.
	1. In order to determine if a child/young person is ‘in need’ a social worker will undertake a family assessment. They should give due regard to the child/young person’s wishes and feelings, relevant previous history and involve parents, extended family and professionals involved with the family. Assessments should always consider the child/ young person’s ethnicity, gender, disability, religion, sexuality, nationality, any specific cultural issues and learning or communication needs. For further information please see [Practice Standard 4: Good Quality Assessments](https://intranet.birminghamchildrenstrust.co.uk/info/20166/practice_hub/1067/practice_standards/4)
	2. There will be occasions where, during assessment or a period of child in need support, a social worker becomes aware of another child in the wider family who would benefit from a separate assessment of needs. In these circumstances they should make a referral to CASS (Children’s Advice and Support Service). This will help to make sure that their needs are assessed and that they are offered the right help according to those needs[[1]](#footnote-1).

## Other agencies have a duty to co-operate with social care in carrying out the duty to assess the needs of children and to provide services as necessary. General Data Protection Regulation (GDPR), Data Protection Act 2018 and human rights law are not barriers to justified information sharing but provide a framework to ensure that personal information about living individuals is shared appropriately. More detailed information can be found *in* [*Information Sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers (2018)*](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/721581/Information_sharing_advice_practitioners_safeguarding_services.pdf)

## **The principles that underpin this policy are that:**

* We keep children and young people at the heart of plans, including their wishes and feelings, their individual and cultural needs and their hopes for the future.
* We develop relationships of trust and support, working openly with children and their families to bring about change, in solution focused ways which build on their strengths. This includes acknowledging that families can often find their own solutions and make positive changes, either on their own or with help from us.
* We coordinate support and services to Children in Need based on a holistic and contextualised assessment of the child/young person and family’s needs. Social workers keep children and young people and their families’ voices at the heart of assessments, while using professional curiosity to fully understand their lived experience. Children and young people’s needs must always be analysed in the context of their family, ethnicity, culture, and their community.
* We keep in mind the impact of adverse childhood experiences on children, young people and adults, and complete assessments in ways that explore present behaviours and difficulties in the context of past trauma. This will help us to work in a relational and strength-based way and avoid us re-traumatising family members.
* We co-produce Child in Need plans with children/ young people and their families, based on comprehensive, holistic assessments of their needs and including strengths as well as risks. They should never be produced solely by social workers and other professionals.
* We support children, young people and their families to assume as much control over their lives as possible by ensuring they are consulted and involved in identifying need and developing support plans to meet their needs.
* We focus our work on ensuring that plans are proportionate and appropriate to strengths, risks and levels of need, in line with findings of assessments. This will help us to prevent children and young people from suffering harm and build the conditions that help them and their families to thrive.
* We consider Child in Need planning when a child protection enquiry (s47) has been completed and the original concerns are not substantiated. This is to help ensure that children with complex or significant needs are offered support that helps prevent harm and improve their outcomes.
* We develop plans in Child in Need planning meetings, or at Child Protection Conferences where a decision has been made that the family should be supported under Child in Need instead of Child Protection planning. The social worker and professionals should help the family to explore their strengths, needs, and what support will help them to make changes required to improve outcomes for the whole family.
* We agree actions for parents/caregivers and children/young people as well as professionals, so they are clear about how they can contribute, and to keep plans focused on ‘doing with’ not ‘doing to’.

* We help children/ young people and their parents/ caregivers understand and accept as far as possible the findings of our assessments, and to make links between the needs identified in the assessment and the actions agreed in the plan to meet those needs. This will help to create trust and make sure the Child in Need Plan is effective and helpful to them.

#  **Consent**

## Social workers should ensure that parents and young people are clear about the purpose of an assessment and have full information about the benefit of the assessment and any resulting support. We should make sure we have consent for the assessment from parents and/or young people (depending on their age and level of understanding).

## If parents and children/young people choose not to have an assessment of need we should accept their decision and record it unless there is reasonable cause to suspect that the child is at risk of *significant* harm. In these instances, a strategy discussion must be held to consider the need for child protection enquiries.

## Where a strategy discussion determines there is reasonable cause to suspect that the child/young person is likely to suffer *significant* harm consent is not required to initiate child protection enquiries, but parents and young people should be informed of this decision and the reasons why. By having these courageous conversations with transparency and respect we can begin building relationships of trust, even when families are not in agreement with the assessment process.

#  **Child in Need Plan**

## Following the decision that a package of family support is required to meet the child/young person’s needs under Section 17 of the Children Act 1989, a written Child in Need plan must be developed and confirmed at a Child in Need planning meeting. This plan should encompass any safety plan, contextual risks and intervention from all agencies to ensure the child and family have one plan. The initial meeting should be held **within 10 days** of the assessment being completed, and chaired by the child/ young person’s social worker. There may be circumstances where it would be helpful to the child/ young person’s social worker for a meeting to be chaired by a team manager or senior practitioner – for example where there are complexities or disagreements, issues around progress of the plan or concerns about lack of impact on outcomes for the child/ young person.

## Child in Need plan meetings provide opportunities for the child/young person, their parents /caregivers and other key agencies to identify and agree the most effective inter-agency services to meet assessed need and to develop the Child in Need plan.

## Child in Need plans should consider how long Children's Services intervention will be needed. Some children/young people and families may require longer term support, for example children/young people with disabilities. The Child in Need plan should identify any resources or services that will be needed to achieve the desired outcomes, who is responsible for which action and clear timescales. Following assessment if it is decided the statutory role of a social worker is not required a Family Together Intervention Plan will be enacted

## In particular, the Child in Need plan should:

* Be based on the needs of the child/young person as identified in the assessment, and identify any services required; this should include consideration of the child/ young person’s ethnicity, gender, disability, religion, sexuality, nationality, any specific cultural issues and learning or communication needs.
* Be proportionate and appropriate to strengths, risks and levels of need, in line with ‘Right Help Right Time’ threshold guidance and findings of assessments.
* Be clear about desired outcomes for the child/ young person and identify realistic strategies and specific actions which will help to achieve them. This should include actions for the parents/caregivers and child/young person as well as professionals, acknowledging their central role in finding solutions and making improvements.
* Include actions that are doable and timescales that are reasonable and achievable.
* Identify a varied package of help and support for the child/young person and their family, and not be dependent on resources which are known to be scarce or unavailable.
* Identify how often and where the social worker and others will see the child and family. Visiting frequency by the social worker should be agreed with the team manager on a child-by-child basis, with a minimum frequency of every four weeks.
* Clearly identify the roles and responsibilities of other professionals and family members, including the nature and frequency of contact by professionals with children/young people and family members.
* Include a contingency plan to be followed in case there is any delay in completing actions, the plan is progressing but not improving outcomes or the child/ young person or family’s circumstances change significantly and require prompt action.
* Include arrangements for Child in Need meetings and regular reviews of the plan, including how progress against the plan will be measured, along with the difference it is making to the child/ young person and their family.

# **Child in Need Meetings**

## Child in Need meetings provide an opportunity for a child/young person, their parents/caregivers and the professionals supporting them to talk together to agree what help would best meet their needs. As such, the meetings should feel supportive to families, designed to be helpful and build on strengths in the family.

## The child/young person’s social worker is responsible for convening the meeting and arranging invitations. They should talk to the child/young person and their parents/caregivers about who should be invited to the meeting, to support them at the meeting and to contribute to developing the Child in Need plan.

## It is important that the right people attend Child in Need meetings. This includes the child/ young person (depending on age and understanding), their parents/caregivers and any agency identified in the assessment as a potential provider of help and support for the family. We should always encourage the child/ young person to attend their meeting, and support them with this, subject to their age and understanding. If they do not want to attend, or are not able to attend, their wishes and feelings must always be sought and discussed at the meeting

## Meetings should be held in a place that is accessible and comfortable for the child/ young person and their family. When arranging the meeting, consideration must be given to the family’s needs around transport, the timing of the meeting and any childcare issues. Where a child/young person of school age is attending, the meeting should be held outside of school time, wherever possible.

## The child/young person’s social worker should record a brief summary of key points from the Child in Need meeting in the child/young person's record and provide copies to those involved, including the child/young person and parent/s.

## The Chair of the Child in Need meeting is responsible for the distribution of the Child in Need plan. A copy of the plan should be provided to the parents, child/young person (if old enough) and the agencies or other professionals involved in the provision of services under the plan.

## Where it becomes necessary to make minor adjustments to the plan and services provided, any changes to the plan must be made in consultation with the parents and the child/young person (where appropriate) and key professionals from other agencies.

##

## If any child protection or safeguarding issues arise during the course of a Child in Need plan (i.e. reasonable cause to suspect the child is at risk of significant harm), the social worker or other professionals involved with the family should respond in line with [West Midlands Regional Child Protection Procedures](http://www.londoncp.co.uk/).

## The child/ young person’s social worker will be responsible for co-ordinating the plan including making referrals to appropriate agencies for services as described in the plan. However, all parties to the plan are responsible for progressing agreed actions in a timely way.

## If longer term support is required by the child/young person, the transfer to the Safeguarding Service from ASTI must be managed with their needs at the centre of the handover process, in line with [*Our Service Offer and Transfer Protocol*](https://intranet.birminghamchildrenstrust.co.uk/downloads/download/430/our_service_offer_and_transfer_protocol_nov_2018). Transfer will follow a Child in Need meeting, and a joint visit should be arranged to introduce the new worker to the child/ young person and their family.

#  **Reviews of Child in Need Plans**

## Child in Need plans must be reviewed actively, to make sure that the child/young person is receiving the help and support agreed in the plan at the right time. This relies on reviews taking place within agreed timescales and the right people contributing to them. Regular reviews will help ensure that the services provided are contributing to the achievement of the objectives of the plan within the best timeframe for the child/ young person.

## A review should be held **within three months** of the meeting where the Child in Need plan was agreed, and continue on a **three-monthly** basis, depending on the complexity of needs and progress against the actions and outcomes.

## Child in Need reviews will usually be chaired by the child/ young person’s social worker, who should invite or seek the views of the child/young person, parents and any service providers.

## Where it is proposed that a support being provided under a Child in Need plan should continue beyond 12 months, this needs to be reviewed and agreed by the Head of Service. A review meeting should be arranged and chaired by the Team Manager. Exceptions to this will be those children where the plan acknowledges the need for longer term support, for example in relation to children/young people who meet the criteria for a service in relation to a disability.

## All decisions made should be recorded on the child/young person’s electronic record in a way that is clear and easy to understand, together with reasons, and dated.

## A copy of the record should be sent to the child/young person (if old enough), parent and all other people involved in the Child in Need plan.

## The potential outcomes of Child in Need reviews are:

* **An agreement that the child/young person is no longer a Child in Need who requires children's social care services intervention**. In these circumstances, the child/ young person’s social worker should recommend to their team manager that social care involvement with the family ends. If the child/ young person has any remaining support needs, arrangements should be made at the final Child in Need meeting for continuing support from a single agency or under a multi-agency family plan not involving Children's Social Care. This could include continuing support from Birmingham Children’s Trust early help services. Further information about early help can be found in [*Our Service Offer and Transfer Protocol*](https://intranet.birminghamchildrenstrust.co.uk/downloads/download/430/our_service_offer_and_transfer_protocol_nov_2018)
* **An agreement that the child/young person is still a Child in Need requiring the same level of services**. In these circumstances, services should continue to be provided and coordinated by the social worker and any necessary amendments made to the Child in Need plan. The social worker should circulate a copy of the amended written plan to the child/young person, parents/caregivers and other

professionals involved in providing the services set out in the amended plan **within 5 working days.**

* **A shared concern (i.e. reasonable cause to suspect) that the child/young person is at risk of significant harm**. In these circumstances, a strategy discussion must be arranged to discuss concerns and agree whether or not to undertake a child protection (s47) enquiry.

# **Children in Need Moving to Another Local Authority – Principles**

This section deals with children/young people who are being supported through Children in Need plans and who move to another local authority area. The principles apply to those children and young people who move away from Birmingham as well as those who move into Birmingham from another local authority.

## In a number of situations, it is a positive option for children/young people and their families to move to another local authority. However, where there are concerns about families moving on more than one occasion in a short space of time, any assessment should consider the circumstances around the moves. For example, the family may be fleeing violence, there may be avoidance of child protection processes or there may be concerns about risks to the child/ young person from trafficking or modern slavery.

## When a Child in Need moves from one local authority area to another, the Children Act 1989 is clear that the responsibility for safeguarding and promoting the welfare of the child/young person lies with the local authority where the child/young person is to be found. However, in line with best practice and West Midlands Regional Child Protection Procedures we should do all we can to help children/ young people and their families have a smooth transition, whether they are a family we are working with moving to a different area or whether they are a family moving into our area.

## The following arrangements are agreed West Midlands procedures, and further information can be found in the document: [*West Midlands Regional Safeguarding Network: Protecting Children Who Move Across Local Authority Borders*](https://westmidlands.procedures.org.uk/assets/clients/6/Part%201/Protecting%20children%20who%20move%20across%20local%20authority%20borders.pdf)

**When a child/young person and their family are moving between local authority areas:**

* Given the child/young person has already been identified as having particular needs or is vulnerable in some way, our urgent consideration / assessment should be given as to the impact of the move for the child/young person in respect of their vulnerability, for example, through changes in the protective factors, increased risk with known perpetrators or whether they might be subject to trafficking or modern slavery.
* If it is believed the move could put the child/ young person at risk of harm, appropriate action should be taken proportionate to levels of assessed risk. This could include taking action under the West Midlands Child Protection Procedures.

* For children and young people experiencing or at risk of non-familial abuse a locality-based assessment should inform if a move increases/decreases presenting risk. Such assessments will be completed by the EmpowerU Hub and inform onward planning and information sharing/referrals to the area the family are moving to.
* The child/ young person’s social worker should discuss with parents/caregivers their responsibility to ensure their children receive appropriate education, health and other specialist support in the area they plan to move to, and help them to identify and access the services. Any gaps in services to meet the child/ young person’s specific needs should be considered and reasonable alternatives pursued.
* The child/ young person’s social worker should, with the consent of the child/ young persons’ parents/caregivers**\***, notify the local authority Children’s Social Care Services where they are moving to and share relevant information either before they move or **within 5 working days** of them moving:
	+ Most recent social work assessment;
	+ Child in Need Plan;
	+ Minutes of latest Child in Need Review;
	+ A summary / update report.
	+ Any other specialist assessments (e.g. psychological assessments) and additional information which would help provide the receiving authority with an understanding of the child/ young person’s lived experience

## **\*Note:** Parent /carer's permission should be sought to share this information with the receiving local authority in line with [Information Sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers (July 2018)](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/721581/Information_sharing_advice_practitioners_safeguarding_services.pdf)

## **However** The Data Protection Act should **never** be a barrier to sharing information where the failure to do so would result in a child/young person or vulnerable adult being placed at risk of harm or indeed on those occasions where seeking consent might increase the risk of harm.Any concerns about whether or what information to share should be discussed with a team manager, with Caldicott Guardian or Legal Services.

* The social worker should ensure that other agencies involved in the Child in Need plan are made aware of the planned move and prepared to share relevant information as soon as possible with their respective counterparts in the area the family have moved to, (for example school and GP records etc.)

## The social workers and team managers of the respective authorities should ensure there is clear and good communication during any transition and that any risks are clearly communicated and understood, which should be confirmed in writing to the family and the other local authority area.

* It is best practice to finish any assessments, enquiries or particular pieces of work with the child/ young person and their family before any transfer of case responsibility takes place. This is to help prevent children/ young people and their

families having to repeat their stories, and to help ensure they continue to receive support while the change in responsibilities is taking place.

## Where possible, the social worker should seek to meet their counterpart and where geography allows, to consider a joint visit and attendance at the Child in Need meeting, so that the issues can be fully shared. The process should reflect the family's needs and any associated risks.

* Receiving local authorities should complete an assessment of need and make a decision about the child/ young person and family’s eligibility for service provision within **one calendar month** of being notified of the move. **The local authority where the family has moved from remains responsible for supporting the family while this takes place.**
* If any child protection concerns arise after the child/ young person and their family has moved, **the local authority in the area they have moved to is responsible for undertaking child protection enquiries.**
* Where there is dispute about case responsibility, delay in the receiving local authority accepting responsibility for the child or a dispute about Children in Need thresholds, the team manager should promptly notify the Head of Service who should make a decision regarding next steps, including, where necessary, taking legal advice.
* The child/ young person and their family should be kept informed about which local authority will be coordinating support for them during a transition stage, and when the receiving local authority, (where the family reside), take on responsibility for coordinating their support under Child in Need planning.

## All actions, decisions and arrangements should be fully recorded on the child/young person's record during this process. This should include management decisions, which should identify the rationale for any decisions made, especially where specific services cannot be provided and/or it is considered the child/young person is no longer a Child in Need.

# **Ending a Child in Need Plan**

## When a child/ young person no longer needs support from children’s social care as a Child in Need, their social worker should record the work that has been undertaken and the outcome in a closing summary. This should also be included in the record of the final Child in Need Review Meeting, and should include the views of the child/young person and their parent/caregivers as well as any professionals involved in the Child in Need plan.

## Letters should be sent to everyone involved with the plan, including the child/young person, where appropriate, parents/caregivers and other agencies involved with the family. The letter should include details about agreed next steps, plus contact details for the key professional/ agency who will continue to support the child/young person and their family. Any safety plans should also be shared. The chronology should also be updated and clearly set out the rationale for closure or stepdown and onward plan for support for the child and their family.

## Where there is a decision to end social care involvement it may still be appropriate for the child/young person and their family to continue to receive services such as continuing support from a single agency or under a multi-agency family plan. This could include continuing support from Birmingham Children’s Trust early help services.

# **Management Oversight**

## Although the child/ young person’s social worker would usually chair Child in Need meetings there will be occasions when it would be helpful for the meeting to be chaired by a team manager– for example where there are complexities or disagreements, issues around progress of the plan or concerns about lack of impact on outcomes for the child/ young person.

## Team managers must ratify the original Child in Need plan, the review decision and any amendments to the plan. This should be clearly recorded on the child/ young person’s electronic record along with any other management consultation or decisions.

## Team managers should assure themselves that Child in Need plans are good quality, and discuss the progress of plans with allocated social workers in supervision at least **every eight weeks**. This will help ascertain whether the plan is progressing and improving outcomes for the child/ young person, and if there are issues will enable reflection and agreement about next steps.

## All actions, decisions and arrangements should be fully recorded on the child/young person’s record during this process. This should include management decisions, which should identify the rationale for any decisions made, especially where specific services cannot be provided and/or it is considered the child/young person is no longer a Child in Need.

## Team managers should ensure that proposals to provide support under Child in Need planning for longer than 12 months are authorised by their Head of Service and should chair the review where actions under the extended Child in Need plan are agreed. This will help to ensure that plans are effective in improving outcomes for children and young people, and to prevent drift.

1. HH Action Plan 26.04.2019 [↑](#footnote-ref-1)