

Child and Youth Welfare

Services and Measures in the UK



1. Statutory and eligibility requirements

Statutory requirements

Local authorities have the overarching responsibility for safeguarding and promoting the welfare of all children and young people in their area, outlined in the 1989 and 2004 Children Acts.

E.g. sections 17 and 47 of the Children Act 1989 include specific duties in relation to children in need and children suffering, or likely to suffer, significant harm, regardless of where they are found.

1. Statutory and eligibility requirements

Statutory requirements

Responsibilities of local government agencies, including the police and health services, are described in section 11 of the Children Act 2004.

It ensures that they consider the need to safeguard and promote the welfare of children when carrying out their functions

1. Statutory and eligibility requirements

Statutory requirements

Under section 10 of the Children Act 2004, these agencies are required to cooperate with local authorities to promote the well-being of children in each local authority area.

This cooperation should exist and be effective at all levels of the organisation, from strategic level through to operational delivery.

1. Statutory and eligibility requirements

Statutory requirements are outlined in the following legislation:

- The Care Standards Act 2000
- The Children Act 2004
- Children Act 1989
- Childcare Act 2006
- The Children's Homes Regulations 2001

1. Statutory and eligibility requirements

Children Act 2004:

Section 14: Sets out the objectives of LSCBs, which are:

- a. to coordinate what is done by each person or body represented on the Board for the purposes of safeguarding and promoting the welfare of children in the area of the local authority, and
- b. to ensure the effectiveness of what is done by each such person or body for the purposes of safeguarding and promoting the welfare of children.

1. Statutory and eligibility requirements

Children Act 2004:

- Section 10: Requires each local authority to make arrangements to promote cooperation between the authorities, relevant partners and other persons or bodies with the view to improving the well-being of children in the, which includes protection from harm and neglect alongside other outcomes.
- Section 11: Places duties on a range of organisations and individuals to make arrangements for ensuring that their functions, and any services that they contract out to others, are discharged with regard to the need to safeguard and promote the welfare of children.
- Section 13: Requires each local authority to establish a Local Safeguarding Children Board (LSCB) for their area and specifies the organisations and individuals that must be represented.

1. Statutory and eligibility requirements

Children Act 1989

The Children Act 1989 places a duty on local authorities to promote and safeguard the welfare of children in need in their area.

Provision of services for children in need, their families and others:

- Section 17(1) states that it shall be the general duty of every local authority:
 - a. to safeguard and promote the welfare of children within their area who are in need; and
 - b. (b) so far as is consistent with that duty, to promote the upbringing of such children by their families.

by providing a range and level of services appropriate to those children's needs.

1. Statutory and eligibility requirements

Children Act 1989

- Section 17(5) enables the local authority to make arrangements with others to provide services on their behalf and states that every local authority:
 - a. shall facilitate the provision by others (including in particular voluntary organisations) of services which it is a function of the authority to provide by virtue of this section, or section 18, 20, 22A to 22C, 23B to 23D, 24A or 24B; and
 - b. may make such arrangements as they see fit for any person to act on their behalf in the provision of any such service.

1. Statutory and eligibility requirements

Children Act 1989

Section 17(10) states that a child shall be taken to be in need if:

- a. the child 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 of services by a local authority under Part III of the Children Act 1989;
- b. the child's health or development is likely to be significantly impaired, or further impaired, without the provision of such services; or
- c. the child is disabled.

Under section 17, local authorities have responsibility for determining what services should be provided to a child in need. This does not necessarily require local authorities themselves to be the provider of such services.

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1. Statutory and eligibility requirements

Children Act 1989

Section 17ZA states that a local authority in England must assess whether a young carer within their area has needs for support and, if so, what those needs are. This is either

where:

- a. it appears to the authority that the young carer may have needs for support; or
- b. the authority receives a request from the young carer or a parent of the young carer to assess the young carer's needs for support.

Section 17ZC requires a local authority that carries out a young carer's needs assessment to consider the assessment and decide

- a. whether the young carer has needs for support in relation to the care which he or she provides or intends to provide;
- b. if so, whether those needs could be satisfied (wholly or partly) by services which the authority may provide under section 17; and
- c. if they could be so satisfied, whether or not to provide any such services in relation to the young carer

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Children Act 1989

Section 17ZD states that a local authority in England must assess whether a parent carer of a disabled child who lives within their area has needs for support and, if so, what those needs are, if:

- a. it appears to the authority that the parent carer may have needs for support; or
- b. the authority receive a request from the parent carer to assess the parent carer's needs for support; and
- c. the local authority is satisfied that the disabled child cared for and the disabled child's family are persons for whom they may provide or arrange for the provision of services under section 17 of the Act

1. Statutory and eligibility requirements

Children Act 1989

Section 17ZF requires the local authority that carries out a parent carer's needs assessment to consider the assessment and decide:

- a. whether the parent carer has needs for support in relation to the care they provide;
- b. whether the disabled child cared for has needs for support;
- c. whether any needs identified could be satisfied (wholly or partly) by services which the authority may provide under section 17 of the Act; and
- d. whether or not to provide any such services in relation to the parent carer or the disabled child cared for.

1. Statutory and eligibility requirements

Children's homes are made up of three different sub types of homes:

- Children's homes: these are most of the homes in England and are defined as any home that does not fall within the other two sub types below, that is, is not a residential special school registered as a children's home and is not a secure children's home
- Residential special school registered as a children's home: Residential special schools are defined in section 59 of the Safeguarding Vulnerable Groups Act 2006. The sector ranges from large non-maintained special schools which make provision for very specific needs and take children as full boarders from all over the country, to smaller more local providers . Some are registered as children's homes because boarders are resident for more than 295 days per year.
- Secure children's homes: They accommodate children and young people who are remanded or have been sentenced for committing a criminal offence. They also accommodate children and young people who are placed there by a court because their behaviour is deemed to present a significant and immediate threat to their safety or the safety of others, unless they are placed in a secure environment.

1. Statutory and eligibility requirements

Foster care placements take up
75% of care placements

Only 2% of children being
looked after live in any of the
settings outlined above

1. Statutory and eligibility requirements

ADMISSION TO YOUTH CARE:

Section 20 Children Act 1989 places requires Local Authorities to provide accommodation for a child “who appears to them to require accommodation” as a result of:

- a. there being no person who has parental responsibility for him/her
- b. his being lost or having been abandoned
- c. the person who has been caring for him/her being prevented from doing so from providing them with suitable accommodation or care.

1. Statutory and eligibility requirements

ADMISSION TO YOUTH CARE:

In making this request, the social worker will be asked to provide the following information:

- the type of placement needed,
- the Care Plan the date by which the placement is required, the likely length of time for which the placement is required,
- any behavioural concerns,
- the child's placement and family history
- the expected level of contact between the child and parents

1. Statutory and eligibility requirements

ADMISSION TO YOUTH CARE:

Participants in the placement process include:

- The social worker
- The parent(s)
- The child (if appropriate);
- The key residential staff;
- Any other relevant professionals, e.g. a representative from the child's school;
- Anyone else considered appropriate or who will have a role in the placement

1. Statutory and eligibility requirements

ADMISSION TO YOUTH CARE:

The placement plan includes:

The Placement Plan should cover the following issues;

- The type of accommodation to be provided and the address;
- Where the authority has, or is notified of, child protection concerns relating to the child, or the child has gone missing from the placement or from any previous placement, the day to day arrangements put in place to keep the child safe;
- The child's personal history, religious identity, cultural and linguistic background and racial origin;

1. Statutory and eligibility requirements

ADMISSION TO YOUTH CARE:

The placement plan includes:

The Placement Plan should cover the following issues;

- Where the child is a Looked After Child, the respective responsibilities of the Local Authority and parents/anyone with parental responsibility;
- any delegation of responsibility by parents/anyone with Parental Responsibility to the Local Authority for the child's day-to-day care;
- the expected duration of the arrangements and the steps to bring the arrangements to an end, including arrangements for the child to return to live with parents/anyone with Parental Responsibility;

1. Statutory and eligibility requirements

ADMISSION TO YOUTH CARE:

The placement plan includes:

The Placement Plan should cover the following issues;

- where the child is aged 16 or over and agrees to being provided with accommodation under Section 20 Children Act 1989.
- The circumstances in which it is necessary to obtain in advance the approval for the child to take part in school trips or overnight stays;
- Arrangements for the financial support of the child during the placement.

1. Statutory and eligibility requirements

Staff requirements

Scotland:

A new level 9 qualification requirement for the residential child care workforce was announced by Scottish Government on 26 November 2015

The timetable for the roll out of the new qualification was announced on 25 February 2016 as:

- Managers and supervisors of a residential child care setting and all new starts phased in from: 1 October 2017 or re-registration date following that. Immediate for new starts.
- Residential child care workers
Phased in from: 1 October 2019 or re-registration date following that.

1. Statutory and eligibility requirements

Staff requirements

England:

The registered manager has:

- a. recognised social work qualification or a professional qualification relevant to working with children at least at level 4;
- b. a qualification in management at least at level 4;
- c. at least two years experience relevant to residential care within the last five years; and
- d. at least one years experience supervising and managing professional staff

1. Statutory and eligibility requirements

Staff requirements

England:

- All personnel is interviewed and has their references checked, including CRB checks
- All existing care staff have attained a minimum level 3 qualification. All new staff engaged from the commencement of the NMS (in April 2011) are to hold the level 3 Children & Young Peoples Workforce Diploma which must include mandatory social care units; or be working towards the Diploma within 6 months of confirmation of employment.