



Protocol For Application Of The Multi Agency Risk Assessment Tool.

Offering School / College Placements to Vulnerable Children / EHCP Children

During The COVID-19 Pandemic



Context

Schools, colleges and other settings have made and continue to make a significant contribution to supporting vulnerable children and young people including those who are children in need or children who are subject to child protection plans.

As the lock-down proceeds, it is likely that some more children and young people will be assessed by children's services as needing a school place in order to reduce the risks they are facing at home.

The general principle is that we should, as we have done to date, do all we can to provide a school place to children in this position, where it is deemed safer through this risk assessment process for them to be in school than at home. Within that principle, however, head teachers will need to continue to consider the impact on other children attending a school, the impact on their staff teams, as well as the extent to which the school can meet the needs of a vulnerable child in the current circumstances, for example, where schools will typically have fewer resources to support children who present with challenging and disruptive behaviour.

This new Common Risk Assessment Framework is designed to allow a multi-agency approach to calculating risk in order to ensure that all the right children and young people are provided with school / college, or other appropriate provision placements during the on-going 'lockdown' measures, and throughout the time that these provisions are being used to support the care and support of our most vulnerable children and young people.

In the case of children who have EHC plans, the majority will be able to remain safely at home. For children who are vulnerable, including children who have a social worker and are subject to a child protection or child in need plan, are in care and where the social work assessment is that they are at risk while at home, or their care placement may come to an unplanned end, the assumption is that they should be encouraged to attend school.

There will, however, inevitably be occasional situations where offering a school place would interfere with the safe running of the school or have an unacceptable adverse impact on other pupils or staff. Where this is the case, and where it is not possible to reach agreement on how reasonable adjustments can be made to address these issues, there may be exceptional occasions where use of this assessment tool can assist in decision making.

Process for children and young people who have a social worker

When a vulnerable child has been identified by social care, there is an expectation that the school and social worker will work together to ensure that a child attends a school.

There will be some exceptional cases where it is not clear whether the offer of a placement is appropriate, balancing the needs of the individual child or young person with the situation of the school and needs of other pupils and staff. These exceptional cases will be considered in the first instance between the provision and social care. In cases where an agreed position cannot be reached, the Assistant Director SEND and the Assistant Director for Children's Services will facilitate a discussion with the head teacher around how the child's needs can best be met. Where agreement can be reached that a placement can be offered on a full or part time basis, there should be no delay in the offer of a placement.

It may be agreed at this point that the use of this Multi-Agency risk assessment tool will assist with this discussion and ultimate decision making, since it will provide an overall assessment of risks where there are differences of priority across the multi-agency partnership. It may also be that a different provision can be identified in order to support the needs of the vulnerable child concerned.

Process for children and young people who have Education Health and Care Plans

This multi – agency risk assessment approach will allow providers to work with social care and health colleagues to ensure that we are accurately measuring the holistic needs of children and young people, and providing appropriate provision for them within schools, colleges and other provisions.

As noted above, most children who have an EHC plan will be able to safely remain at home. In almost all situations, schools, parents and other agencies will be able to reach agreement on whether a child or young person should be in school. Where this is not possible, this multi-agency tool should be used in order to assess the balance of risks of the child remaining at home and coming into school, including the risk to the wider group, pupils and staff, within the schools or colleges and so aid decision making.

The multi-agency tool outlines the measurement scales for each of the areas of consideration outlined in the guidance provided by the DfE on 19th April 2020. Care should be taken in reading the measurement guidance as some elements require a different

approach to gain the appropriate score result. In order to gain the correct response in the risk assessment careful consideration of the measurement is needed, hence the slight difference in approach to each of the five elements.

*E.g. We want to offer a place for children and young people who are not at high risk of serious complications should they contract COVID-19. As these children should clearly be shielded within the home environment (in line with current practice) for this element we would require a score of **4** for any child that is high risk. However, in element **3** – we would want to ensure that home environments where the parents / carers would find coping with medical needs extremely difficult (bearing in mind access to community support and / or respite) that these children and young people receive a score of **0** to ensure they are measured on the scale to support a placement.*

In all cases it is the cumulative score that needs to be considered.

Timescales

A multi-agency approach will always bring with it challenges around timescales, but the overriding principle should be to avoid delay for a child or young person

Where the provider is clear that the proposed placement is appropriate, based on their individual risk assessment review, a place should be immediately offered to the child or young person. Schools and other settings should still complete their areas of the risk assessment relating to the current cohort and staff team. This enables the school or setting to maintain an on-going picture of risks and resilience.

Where the elements of the multi-agency risk assessment that are completed by the provider indicate that a placement should not be offered to the child or young person, then partner agencies [usually health and children's social care] should be asked to complete their areas of the assessment as quickly as possible, and in accordance with the timescales below.

Once all the information is available from partner agencies, a final assessment score can be calculated and final decision about the allocation of a placement made.

Please note that a final decision about the allocation of a placement cannot be made until partner agencies have completed their elements of the assessment. Parents and children and young people should not be informed about the progress of the assessment until the final decision has been made.

It is important that strict timescales are adhered to ensure that no child or young person is disadvantaged by the lack of provision waiting for the multi-agency response to be completed. In order to ensure this, the following timescales apply:

- School / College / Other appropriate provision: Risk assessment to be completed **within 24 hours** of parent / carer application;
- Health / Social Care: Risk Assessment to be completed **within 3 days** of parent / carer application or receipt of paperwork from the school.

Any delays in return of the paperwork to the school, college or other provision should be escalated to relevant managers within the service. However, to support the principle that no delay should adversely affect any child, the provider has the right to communicate their decision to the child/ parent / carer after the 3 day timescale has elapsed. This will ensure that no family is left waiting for the outcome.

Advice from Health regarding complex cases and the impact of COVID-19

Where advice from health is required for the most complex medical cases provision and partners should approach the specialist service relevant for the individual needs of the child or young person. If it is not clear who to approach or if partners are struggling to get a response from the specialist services partners should request information through the complex cases inbox capccg.childrenscomplexcases@nhs.net

Review cycle

It is usual for risk assessment protocols to have a regular review cycle, although in this situation it is assumed that the current lock-down arrangements will not remain in the long term.

Nevertheless, there will be situations where circumstances can change significantly for children and young people and any representative **from any of the multi-agency partners** (education / health / social care) can request a review of the risk assessment if they identify an additional or changed aspect or need that might result in a different decision about the allocation of a placement.

The provider will be responsible for the review cycle and a review should be completed by all multi-agency partners within 5 days of any new issue being raised. The review will utilise the same risk assessment scoring protocol, and if the score changes the child / young person should be given access to provision immediately or, in the case of needing specialist equipment / resources, as soon as required resources are on site at the provision.

Appeals for Children with an EHCP

There may be circumstances where the parent / carer or young person do not agree with the result of the risk assessment. There may also be circumstances where professionals within the multi-agency partnership do not agree with the view or scoring of other partners. **In these scenarios, only the following issues will be seen as grounds for appeal:**

- 1. There is evidence that a partner has not considered the risk in elements 1-5 appropriately.**
- 2. There is evidence that a decision was made prior to being in receipt of all the relevant information.**
- 3. There is evidence that a review has not been completed within the agreed timescales.**

Parents and carers or partner agencies wishing to appeal must contact the provider in the first instance. They must specify the grounds for their appeal and provide supporting evidence as to why, for example, one or more risk elements have not been appropriately evaluated.

Where an appeal is not considered to have merit by the provider, this is to be confirmed in writing to the person or agency bringing the appeal within two working days of the appeal being received.

Where the appeal does have merit, the provider must supply the evidence provided to those partner agencies whose risk assessments are being appealed within one working day of the appeal being received. Partner agencies must be asked to review their assessment in light of the additional evidence provided and return this to the provider within two working days. The provider then has two further days to review the information and make a decision about the appeal, and notify the parent or carer and other agencies of the outcome.

Where the appeal relates to the risk assessment completed by the provider, the provider should have reviewed their assessment in light of the new information provided within three working days from the date the appeal was received. They should communicate to the parent or carer and other agencies within a further two days.

This means that a decision about whether or not to uphold the appeal should be made within 5 working days.

Where the person or agency making the appeal remain unhappy with the outcome of the appeal process led by the provider, they are to contact Toni Bailey – Assistant Director for SEND / Inclusion – toni.bailey@cambridgeshire.gov.uk who will co-ordinate a review of the decision including representatives from the senior management teams of the SEND and Inclusion Service will review the decision making by the provider and make a final decision within 3 working days.

Toni Bailey

Assistant Director SEND / Inclusion

3rd May 2020