

## Cabinet – 27 March 2019

### Member Questions

#### Question from Cllr Nick Ireland to the Cabinet Member for Safeguarding

I have been approached by a family residing in the Dorset County Council area and been told that for the past four years DCC has incorrectly, and probably illegally, classified their child under the Looked After Children (LAC) Act without either the parents' consent or a court order.

Whilst an apology has been offered to the parents and possible reparations may be made, this mistake has caused great distress to them and has had a severe impact on both their child's and their own welfare over the past few years.

Will DCC's Child Services Director / Dorset Council's Executive Director for People (Children) undertake to ...

- Carry out a full inquiry into how this occurred and make the report publicly available (with redactions as necessary) within the next six months
- Report any breaches of statutory rules and regulations arising from this to the relevant authorities
- Instigate procedures and checks to ensure this can never happen again
- Investigate the circumstances of all other LACs as soon as possible, providing regular reports on progress, to make certain that no other children are in a similar incorrect position

#### Answer

Children's Services recently conducted a thorough review of all Section 20 (Children Act 1989) cases. That is to say where children/young people who are in the care of the local authority, but without a care order made by a court.

In the instant cases, this is provision of respite breaks for a child with disabilities. This is a common type of support offered by all local authorities to promote the welfare of children who are disabled and their families.

Short breaks which do not exceed 75 nights do not have to be considered as Section 20. It is discretionary and based in each instance, upon the need how best to promote the child's welfare.

In the instant case also, although there had been fewer than 75 nights. There had also been a child protection (Section 47 Children Act 1989) investigation and an initial child protection conference. This quite correctly, influenced consideration of applying Section 20.

The case has been the subject of regular LAC (Looked After Children) reviews which the parents attended.

We would encourage Cllr Ireland to speak with the Executive Director of People- Children directly on this to share further details and information.