



# Matching Looked After Children and Young People: Admissions Guidance for Residential Services

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## 1. Underpinning legislation and guidance

As corporate parents we must ensure that children and young people's care experiences are positive, and enable them to thrive. By promoting best practice in admissions and matching, we are aspiring to make residential care a positive choice for all children in Scotland who require it.

The nature and impact of the circumstances that result in children and young people being looked after means their needs are often extremely complex. Young people should be placed in services where they can be assured of receiving the support they need to grow, thrive, achieve their potential, and experience placement stability and a sense of belonging. In order to do this, placing authorities, children's residential services, other professionals, and service providers must work together to share information and make sound decisions about the suitability of potential places for young people to live. In addition, service providers have a responsibility to consider how the introduction of the new young person might impact upon the safety and wellbeing of young people already living in the service.

Under the provisions of the [Children \(Scotland\) Act 1995](#), 'Looked After Children' are defined as those in the care of their local authority. This guidance refers to children and young people who are looked after away from home, placed in residential services, and those who access short breaks services for overnights. Some children and young people being cared for in residential services in Scotland are placed by local authorities from other parts of the United Kingdom. While legislation in relation to their looked after status is different, the principles, good practice, and provider responsibilities highlighted in this document nevertheless apply.

This guidance sets out the Care Inspectorate's expectations for services to plan for and assess the needs of children and young people before a placement begins, so to consider how the needs of individual children and young people will be met. It will support commissioners, planners, purchasers, and providers in offering the best placements for children and young people moving into a new residential setting, and in developing admissions policies and procedures to support positive outcomes for children and young people which comply with legislative requirements and best practice, including the SHANARRI principles of [Getting it Right for Every Child](#) and the [Health and Social Care Standards](#) (see appendix 1). In addition, any consideration of the suitability of placements must consider young people's long term needs, and ensure provision of Continuing Care arrangements as standard practice in line with [Part 11 of the Children and Young People \(Scotland\) Act 2014](#).

## 2. Making positive decisions for and with children and young people

In order to be in a position to support the best possible decisions about potential placements, service providers should have a clear and realistic view of their current capacity to provide care. A service provider should ensure that the service statement of Aims and Objectives is up to date and that information provided to prospective service users/placing authorities accurately reflects what the service can

offer. It should provide clear information about:

- the ethos of the service, underpinning philosophy, values, theories and approaches;
- the location of the service and any specific risks or benefits associated with this;
- the facilities and provisions offered to support and facilitate contact and relationships with family members and siblings, friends, previous carers and other significant people in children and young people's lives;
- the availability of appropriate educational provision and the proximity of this to the service;
- specialist services, for example, counselling, psychological services, specific therapies, health care, language support, which are provided in-house and what additional services are available locally either in the public, private or third sector;
- any additional charges for specialist services, the referral process and waiting times for appointments with such services;
- the qualifications, experience and skill-mix of the current staff team, staffing levels and current staff vacancies;
- the arrangements for young people to stay put in Continuing Care arrangements up until the age of 21.

### **3. Considering a new referral – what information should be provided / requested.**

When considering the referral of a child or young person for admission to a residential placement, the service provider must carry out its own assessment of whether it can meet the needs of the child or young person, and therefore whether the placement is appropriate. The placing authority must also provide certain information, under [The Looked After Children \(Scotland\) Regulations \(2009\) Regulation 35](#), although we recognise that information available for unaccompanied asylum seeking children may be limited.

The following information, whilst not an exhaustive list, must be provided to / requested by service providers, to support with this assessment:

- Age, ethnicity and religion of the child.
- Location of the current carers and reason why a new placement is required.
- Date and type of placement required.
- Details of the placing authority's expectations concerning the new placement
- Name, workplace and contact details of the social worker.
- The legal basis for the current work with the child.
- Assessment of needs based on the impact of the child/young person's experiences.
- A comprehensive chronology of significant events in the child/young person's life up to the present day.
- Prevailing circumstances at the time, including the risks if the young person is not placed.
- Details of the young person's personal characteristics, strengths, abilities, likes, talents, aspirations, goals, and resilience.

- A care plan setting out any presenting needs or difficulties which need to be addressed by the placement including any matters pertinent to the safety and well-being of the child or young person. This should include a copy of the risk assessment and any previous behaviour management plan.
- A plan for any specific health needs, and diagnosis if they have one.
- Details of whether the young person can be placed with animals (and any specifics around this).
- A summary of the young person's education to date, and a plan for their future education.
- Details of any specific arrangements deemed necessary to maintain the young person's safety and feelings of safety, including details of any concerns about the young person's exposure to child sexual or criminal exploitation, and up to date risk assessment.
- Details of any involvement in offending, outstanding charges, court or panel dates, orders and related conditions.
- History of going missing, or failing to return from free-time or home contact and associated risks.
- History of behavioural distress towards others, and how this has been managed to keep them or others safe.
- History of physical, psychological or sexually harmful behaviours, including risk of harm to other children. Whether they are subject to CARM or MAPPA arrangements, and what current work is ongoing to meet needs and manage risks.
- History of self-injurious behaviours or suicidal thoughts/actions
- Details of the services, resources and equipment the child/young person needs in order to meet their health, educational, individual interests, racial, religious/cultural, and linguistic needs.
- Identification of important relationships (including connections and relationships from previous care placements), and proposed contact arrangements to facilitate continuity and development of these relationships; practical considerations for young people placed far away from home and how contact, where appropriate, will take place.
- Explicit consideration of the anticipated needs of the young person in relation to accommodation and support post 18.

#### **4. Considering a new referral – what service providers should think about**

Providers must ensure their service profile accurately describes the location of the care setting, and the skills, knowledge, and experience of the staff team. Services must be suitably equipped to meet the needs of the children for whom they agree to provide placements.

The individuals involved in making placement decisions should ensure that a robust matching process is followed. They should be fully conversant with the needs of the group of young people currently placed in the service and should take full account of any current staffing or management issues. The service provider should develop a format for recording the matching process and the reasons for decisions which are made. This should include an impact assessment which clearly records the potential risks and benefits for all young people affected by the potential placement. When considering the referral of a child or young person for admission to a residential placement the following

information, whilst not an exhaustive list, should be considered by service providers:

- The positives in this potential placement, for both the young person and the existing young people.
- What can be offered which will make a difference.
- Views of the young person about where they might live.
- Proximity and distance from family, friends and people who are important to the young person. Providers should only accept children into placements where the United Nations Convention on the Rights of the Child (UNCRC) guidelines on direct contact with parents, carers, brothers, sisters, and friends can be adhered to. This should be central to upholding children's rights, good placement planning and adhered to throughout a child's placement.
- Availability of resources required by the young person in the locality, for example, education, support to travel, time to travel to and from school, availability of specialist health services, etc.
- Contact and advocacy arrangements from the placing authority, including for young people placed from outside Scotland. Before accepting a distance or cross-border placement, providers should ensure children have a named independent advocate. A consistent advocate should be regularly available to children throughout their care experience (before, during and after).
- Desired outcomes for the young person, and skill mix of staff to help the young person to achieve those outcomes.
- Stability and consistency of staff to enable the young person to settle and begin to establish relationships.
- Capacity of the service to develop and nurture relationships with the young person; provide love and care; and recognise and respond to any trauma they may have experienced.
- Availability of staff numbers and gender mix to meet the needs of the young person and ensure they support the young person appropriately.
- Impact of the placement on young people currently living in the service.
- Any obvious reasons why a placement should not be made, for example, victims being placed alongside young people they have previously been harmed by, or a young person with risk of sexually harmful behaviour and young people with known vulnerabilities already living in the service.

If possible, provider staff should arrange to visit the young person prior to any decision being made. Discussion with the young person and their previous carers will not only assist with the assessment process but should also support a smoother transition. When supporting the transition, recognition must be given to the fact that the young person is going through a major transition, which is incredibly difficult and often traumatic.

Before accepting placements, providers must satisfy themselves that the transportation of children to and from care placements is child-centred, trauma-sensitive and adheres to human rights and UNCRC legislation.

## **5. Considering a new referral – consulting with host authorities**

Prior to accepting the referral of a child or young person for admission to a residential placement, providers must ensure they have evidence that the admission

of every young person they accept is legally compliant in the jurisdiction that the young person comes from. To do this, they must satisfy themselves that placing authorities have consulted host authorities to assess capacity, need and appropriateness of placement (should the young person not originally be resident in the local authority area in which the service is located), and that appropriate contact has taken place with both social work and education authorities. This is a legal requirement for placing authorities. A record of this assessment should be submitted to regulated care homes as part of the referral and matching information. The host authority should also be notified when young people subsequently leave the service.

The receiving health board must be notified of the placement, as they assume corporate parenting responsibility for young people placed into their area, as specified in [Children and Young People \(Scotland\) Act 2014: Statutory Guidance on Part 9: Corporate Parenting, 61](#). Where a child has been assessed as needing or benefitting from specialist health services such as CAMHS, the health service in the area authority should be consulted prior to placement. This is also a legal requirement under [The Care Planning, Placement and Case Review \(England\) Regulations 2010](#). This will enable the responsible authority to establish appropriateness of placement and ability to meet the child's health and welfare needs. Providers should only accept the placement if evidence of this consultation is provided at matching and referral stage.

Where a referral is made for a child at risk of child criminal exploitation such as going missing; patterns of criminal activity; involvement in county lines; or at risk of child sexual exploitation, host authorities (through initial consultation and assessment) should provide information regarding local risk and police intelligence. Providers should only accept referrals where evidence of this consultation is provided, and all relevant information shared. Sharing information with services who may be responsible for meeting the child's needs is a legal requirement for placing authorities.

## 6. Cross border placements

Where it is necessary to place a child cross border, it should be undertaken on a planned basis only. England's placement regulations state that out of authority placements to Scotland require effective planning, engagement and information sharing with the services likely to be responsible for meeting the child's needs. Cross border emergency placements have led to some very poor outcomes for young people and do not allow for the effective planning across different policy, practice, and legal jurisdictions.

As specified in the provisions of the [Children Act 1989](#) and other relevant legal provisions:

- A young person subject to a care order (including an interim care order) from England or Wales may only be placed in residential accommodation out with England or Wales following a judgment that authorises this placement into a Scottish care service.
- Where required by law, the young person must also consent for this to happen, but the Court can dispense with consent in certain circumstances, such as where the child cannot consent or withholds consent unreasonably.

- Alternatively, where the law provides that some other person, such as a person with parental rights must consent to the placement, this must also have been provided.

We expect services to always, and only, accept the admission of a young person where the placing authority's decision is legally compliant in the jurisdiction in which the placing authority operates. It is the responsibility of the provider to be clear on the legal status of all young people they are caring for. We therefore expect residential services looking after a young person subject to a care order from England or Wales to have written evidence of:

- The court judgment that authorises a placement out with England or Wales. This should include the young person's consent, any other relevant consent, or a Court judgment dispensing with the need for this consent. Alternatively, if there is some other legal basis on which the young person has been placed in the care service, we expect services to be able provide written evidence of this also.
- What the local arrangements to provide for children's health and welfare needs, look like, before admission (see section 5).
- For children who are placed on a Deprivation of Liberty Order, that the Notice and Undertaking has been submitted by the placing authority to the relevant persons, to ensure the legality of the placement as outlined in [Cross-Border Placements \(Effect of Deprivation of Liberty Orders\) \(Scotland\) Regulations 2022: practice guidance, notice and undertaking template](#).

In addition, sections 3 and 4 of this guidance should be given consideration prior to admission, as they should for all young people.

Providers of residential childcare services must notify us via our [eForms system](#) within 48 hours of the young person's admission when they have placed a child or young person from outwith Scotland. The notification should be updated within 48 hours when the young person leaves placement or when circumstances (including a change in the child's legal status) change.

## 7. Emergency Placements

An emergency placement is due to an unplanned or unexpected move, that was not foreseen by authorities ([Guidance on the Looked After Children \(Scotland\) Regulations 2009 and the Adoption and Children \(Scotland\) Act 2007](#)). In drawing up a statement of aims and objectives, the service provider should consider whether it can provide emergency placements which meet the immediate needs of the young person for safety, security and wellbeing, and at the same time ensure that the needs of the current group of young people continue to be met without undue disruption.<sup>1</sup> Wherever possible and appropriate, siblings should be kept together in emergency situations ([Staying Together and Connected: Getting it Right for Sisters and Brothers National Practice Guidance](#)).

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<sup>1</sup> With thanks to the young people from Plenshin Court Residential Children's Unit, who provided their views on disruptive experiences of emergency admissions

There will be times when placements available are not an ideal match for young people who require an emergency admission, and in these circumstances, consideration of a suitable placement should be made to a 'best fit' principle. Acknowledgement must be given to the trauma experienced by children and young people subject to emergency placements, and any approach must be sensitive to, and cognisant of this.

Questions which the service provider should consider are:

- Do we have appropriate accommodation to help a young person in crisis feel safe, at the same time promoting their rights, privacy and dignity?
- Are we able to accommodate young people on an emergency basis without disrupting the young people who already live there?
- Do we have the staffing capacity and staff with the right skills, knowledge and experience to meet the needs and safety of the young person being admitted and our existing young people?

Where children and young people are placed on an emergency basis and a chronology and assessment of the child or young person's needs is not available (for example where a place of safety is required, or the young person has only recently come to the attention of services), the service should request that this is provided by the placing local authority as soon as possible. There is an expectation that in the absence of the level of information which would normally be provided, the receiving service and placing authority make every effort to ensure information is shared which allows the child or young person to have their needs for comfort and security met to the best possible extent.

The local authority has a responsibility in terms of [The Looked After Children \(Scotland\) Regulations \(2009\) Regulation 41](#), to ensure that a review takes place within 72 hours to determine whether the placement continues to be in the best interests of the child. The provider should support the legislation by requesting that a date and time for the review is agreed when the placement commences. Given that this is seen as best practice, the provider should also agree a review date within this timescale for children being placed from outwith Scotland.

Where the emergency admission requires the service to operate outwith any of its conditions of registration, the service should notify the Care Inspectorate via an incident notification in the [eForms system](#) within 24 hours of the admission taking place. Where the young person is being placed outwith their home local authority, providers must ensure the host authority and receiving health board are notified of the placement, as outlined in section 4 above.

If the young person is to remain in placement then all information outlined above in sections 3 and 4 must be provided and considered; attention must be paid to how the service proposes to manage the impact of additional young people. A variation to conditions of registration must be requested through the Care Inspectorate [digital portal](#) as a matter of urgency. The Care Inspectorate must be further informed of the specific plan for young people accommodated on an emergency basis on the same day as the formal 72-hour review. Further specific detail on the emergency relaxation of registered numbers, including for the use of places of safety as defined in the [Age of Criminal Responsibility \(Scotland\) Act 2019](#), can be found here in our [Guidance for providers of care homes for children and young people on the emergency relaxation of conditions of numbers](#).



## 8. Secure Care

Following commencement of the provisions in the [Children \(Care and Justice\) \(Scotland\) Act 2024](#) which prohibit the use of Young Offender Institutions for children under the age of 18, we recognise that, on occasion, secure providers will be asked to accommodate emergency placements for children and young people from court who have been remanded or sentenced. Our expectation is that the same considerations as to any other emergency placement are given, as set out in section 7 above.

Whilst our expectation is that secure accommodation providers will follow this guidance as set out above, we recognise that there are important differences. [The Secure Care Pathway and Standards Scotland](#) should be followed to improve the admissions experiences of children and young people moving into secure care. In certain circumstances young people may not be known to a local authority, and services will have very limited information on the needs of the young person. The timeframes for decision-making may also be compressed, if, for example, the child's case calls near to the end of the court's working day. The service's pre admission assessment of staffing levels, staffing capacity and the appropriateness of accommodation (see section 7) should therefore take into account any absence of information on the young person's needs and the possible implications for the young person's health, welfare and safety and those of others. In such circumstances the urgency and efforts to seek information on young people's needs should also reflect the increased risks created by any absence of information.

The service should make informed decisions to manage risks based on the information that is available, for example, where there are significant risks to other young people and staff and the young person would benefit from a singular/intensive service, the provider may decide it is appropriate to utilise the emergency bedroom.

Secure accommodation services who require to use their emergency bedroom, under any circumstance, should notify the Care Inspectorate via an incident notification in the [eForms system](#) and follow the [Protocol and procedures for secure accommodation services on the use of registered emergency beds](#).

**Appendix 1 - Health and Social Care Standards directly relevant to admissions**

1.17 I can choose from as wide a range of services and providers as possible, which have been planned, commissioned and procured to meet my needs.

1.18 I have time and any necessary assistance to understand the planned care, support, therapy or intervention I will receive, including any costs, before deciding what is right for me.

2.20 If I need or want to move on and start using another service, I will be fully involved in this decision and properly supported throughout this change.

1.19 My care and support meets my needs and is right for me.

3.4 I am confident that the right people are fully informed about my past, including my health and care experience, and any impact this has on me.

3.15 My needs are met by the right number of people.

4.5 If possible, I can visit services and meet the people who would provide my care and support before deciding if it is right for me.

4.12 I receive proper notice and I am involved in finding an alternative if the service I use plans to close or can no longer meet my needs and wishes

4.13 I have enough time and support to plan any move to a new service.

4.14 My care and support is provided in a planned and safe way, including if there is an emergency or unexpected event.

4.17 If I am supported and cared for by a team or more than one organisation, this is well co-ordinated so that I experience consistency and continuity.

4.18 I benefit from different organisations working together and sharing information about me promptly where appropriate, and I understand how my privacy and confidentiality are respected.

4.27 I experience high quality care and support because people have the necessary information and resources.

5.8 I experience a service as near as possible to people who are important to me and my home area if I want this and if it is safe.

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