



## Placement Moves

**You should only be moved out of care after a review, if your independent reviewing officer agrees.** Money should not get in the way of deciding whether this is best for you. (The Children Act 1989 Guidance and Regulations, Volume 2: Care Planning, Placement and Case Review).

If you think you are being pushed out, and the local authority fails to listen to your views, there are six things that you can think about doing:

1. You could ask a solicitor to act for you and **make an application for judicial review**. If a court agrees that the decision had been made wrongly, it could stop any move taking place until such time as a decision had been properly made.
2. You could **make a formal complaint** (under the Children Act 1989) against being moved without proper notice or being asked. This might not change the decision, but the local authority has to consider "freezing" any move until your complaint has been looked into. If they refuse to do this then this might provide further evidence that they were acting "unreasonably".
3. You might also think about **complaining to the local ombudsman**. They might look into your complaint if they felt that the local authority was not making its decisions properly (this is called "maladministration").
4. You could **ask the Independent Reviewing Officer** (the person who chairs your reviews) **to refer your case to an organisation called CAFCASS**. They can do this (Section 118 of the Adoption and Children Act 2002) if not satisfied that your care plan is being followed or human rights respected. It could lead to a court looking into your case and deciding what's best for you.
5. The law is quite clear on there being no challenge against what a local authority decides is best for you. However, this does not necessarily mean that you have to go along with it. If you have a legal right to challenge the way a decision was made (remember you can ask a solicitor or advocate) **you could refuse to move** until such time as your legal case has been heard. However, it is important to remember that the local authority can move you against your will if they think you would be harmed if they didn't. Also, the police could still arrest you if you are wanted for offences. Or, if you run away, they can take you to where the local authority says you should be.
6. You could **ask the Children's Rights Director for England to write on your behalf** to the Director of Children's Services in your area. He would ask them to look into your case again and keep him informed of what was happening.

