

<b>Date: June 2011</b>	<b>ITEM No.</b>
<b>REPORT FOR CORPORATE PARENTING GROUP</b>	
<b>TITLE: Independent Reviewing Officers Annual Report</b>	
<b>Portfolio Holder:</b> Councillor Charles Curtis	
<b>Report Author:</b> Lorna Scarlett and Jyoti Bailey	
<b>Accountable Head of Service:</b> Barbara Foster	
<b>Accountable Director:</b> Jo Olsson	
<b>Purpose:</b> To update Corporate Parenting Group on the role of the Independent Reviewing Officers role in Thurrock current performance and key issues.	
<b>Wards affected:</b> All	<b>Key decision:</b> Information

## 1 Key Judgments and Recommendations

- 1.1 Members of the Corporate Parenting Group are asked to note the report to update on the management of children's cases by the Independent Review Officers. This report is the second report to the Corporate Parenting Group (CPG) to update on the progress and further highlight some of the areas for development in line with the implementation of the Independent Reviewing Officers (IRO) handbook.

## 2 Introduction

- 2.1 This is the second report to update on the IRO activities and progress to date. In April 2011 the new IRO Hand book came into force thus changing guidance in working practice and including the following additional duties for IRO's
- To maintain ongoing contact with young people during the Review period.
  - To monitor the case.

## 3 Main Duties of the Independent Reviewing Officers

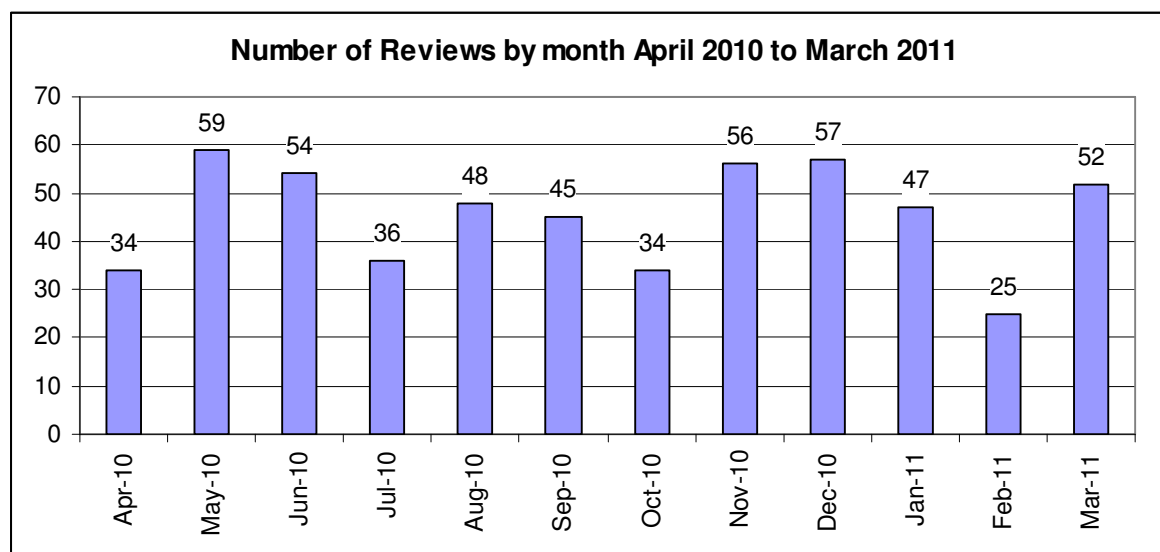
- 3.1 Statutory Reviews for Looked After Children (LAC) are a legal requirement based on 'The Review of Children's Cases (Amendment) (England) Regulations 2004', Independent Reviewing Officers (IRO's) Guidance - Adoption and Children Act 2002. This act was implemented in September 2004 and puts IRO's on a statutory footing with a requirement to monitor the Local Authority's Care Plans for Looked After Children. These Regulations give IRO's the power to refer the Local Authority to court via the Children and Families Court Advisory Service (CAFCASS), to take legal action where a child's human rights are considered to be in breach.
- 3.2 The Children and Young Persons Act 2008, created a new power for the Secretary of State to issue statutory guidance to IRO's. New section 7 guidance was issued in 2010 in the form of an IRO handbook setting out statutory guidance for IRO's and local authorities on their functions in relation to case management and review for looked after children. This guidance came into force in April 2011.
- 3.3 The new guidance was found necessary because it was felt IRO's were not sufficiently robust in challenging decisions made by the local authority.

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- 3.4 The IRO's role is to quality assure the care planning and review process for each looked after child and to ensure that their wishes and feelings are given full consideration. All looked after children should have an independent review of their case within 28 days of becoming looked after, this is then followed by another review three months later and further reviews a minimum of every six months. If a young person has a change in placement for any reason then they must have another review within 28 days, three months and six months.
- 3.5 Every looked after child should have an IRO appointed who will monitor their case and, where necessary, challenge poor practice. While IRO's work with social workers and managers it is not their role to case manage but provide an independent overview to ensure that the authority is providing good outcomes for young people in its care.
- 3.6 There are two core functions of the IRO:
- Chair a young persons child care review; and
  - Monitor the child's case on an ongoing basis.
- 3.7 As part of the monitoring function, the IRO has a duty to monitor the local authority's function as a corporate parent and to identify areas of poor practice. This should include identifying patterns of concern around individual children as well as looking at the overall experience of looked after children in Thurrock. IRO's have a duty to immediately alert senior managers if they have concerns. Equally important IRO's should also recognise and report on good practice.
- 3.8 IRO's are required to produce an annual report for senior managers and councillors to contribute towards the Local Authority's quality assurance and performance management. This is the second report to be presented to the Corporate Parenting Group or scrutiny meetings to update on progress.
- 3.9 Management Guidance requires that IRO's are independent of the case management structure for the cases they review. In June 2011 the service was transferred under the management of Safeguarding and Child Protection Coordinator.
- 3.10 The report focuses on the Independent Reviewing Officer's functions. In particular the timeliness of reviews, the participation of children in their reviews and ensuring that permanency plans are in place to avoid children drifting in care. It also identifies how many cases were the subject of the care plan resolution process, and whether any cases were referred to Children and Family Court Advisory and Support Service.
- 3.11 In this report we will identify good practice and highlight issue for further development.

**Looked After Children Review Activity.****4 Number of reviews**

- 4.1 During the period from 1<sup>st</sup> April 2010 to 31<sup>st</sup> March 2011 the numbers of Reviews undertaken are shown below.
- 4.2 There is no change and the current caseloads for IRO's and remain at about 70 cases each which include those children subject to short breaks but who are not LAC and Pathway Plan Reviews for over 18 years. The IRO handbook recommends a caseload of between 50 – 70 cases to ensure IRO's can effectively carry out statutory duties.



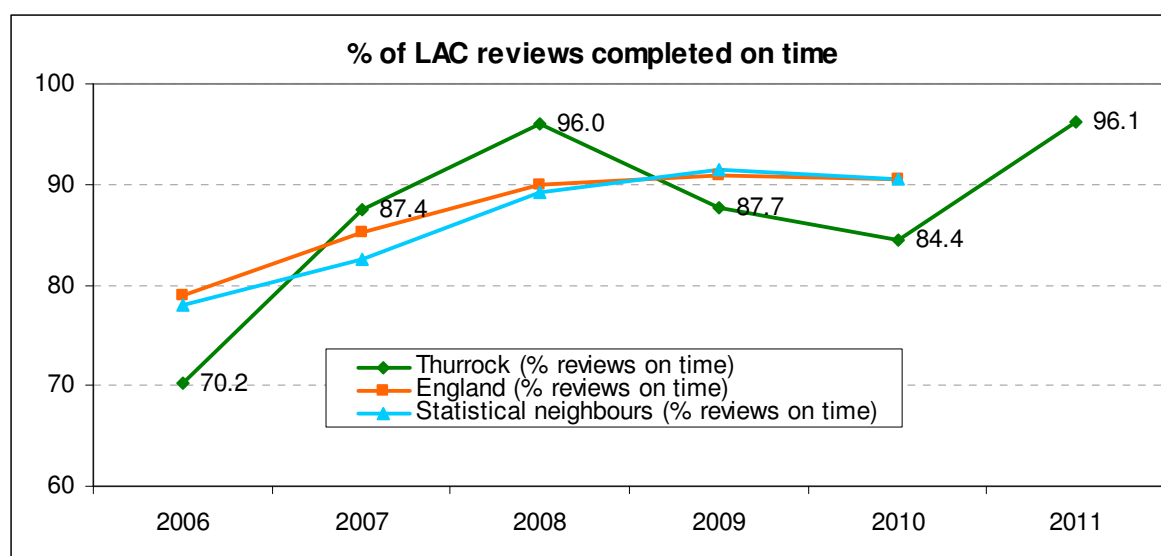
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**5 Timeliness of reviews**

5.1 Nationally performance is monitored around the numbers of children whose reviews are held on time. This was national indicator NI66. As can be seen below Thurrock's performance improved during 2010/11 with over 96% of reviews held on time. This exceeds the performance seen nationally and amongst statistical neighbours

5.2 8 children had reviews that were delayed. This was 4 families. Reasons varied with one reviewed being cancelled due to Family bereavement, one was late due to the confinement of the young person, and two were booked late due to staff sickness.

5.3 Obviously there are occasions, such as the bereavement, where it is not possible to mitigate against late reviews but as a result of the reviews that were late due to staff sickness we have put in place procedures to reduce the possibility of this happening in future.



5.4 The improvement in performance has happened through changes in procedure as outlined below

5.5 Due to the tight timescales for a review to take place from the time a young person becomes looked after, it is vital that the team are notified as quickly as possible. Plans and Review Service have now set up robust procedures to ensure that team is notified that someone is LAC within two days and an IRO appointed within five days. There has been a considerable improvement in this area as now there is an increase in early notification from Team Managers that is helping achieve the Review timescales and improvement in the National indicator 66.

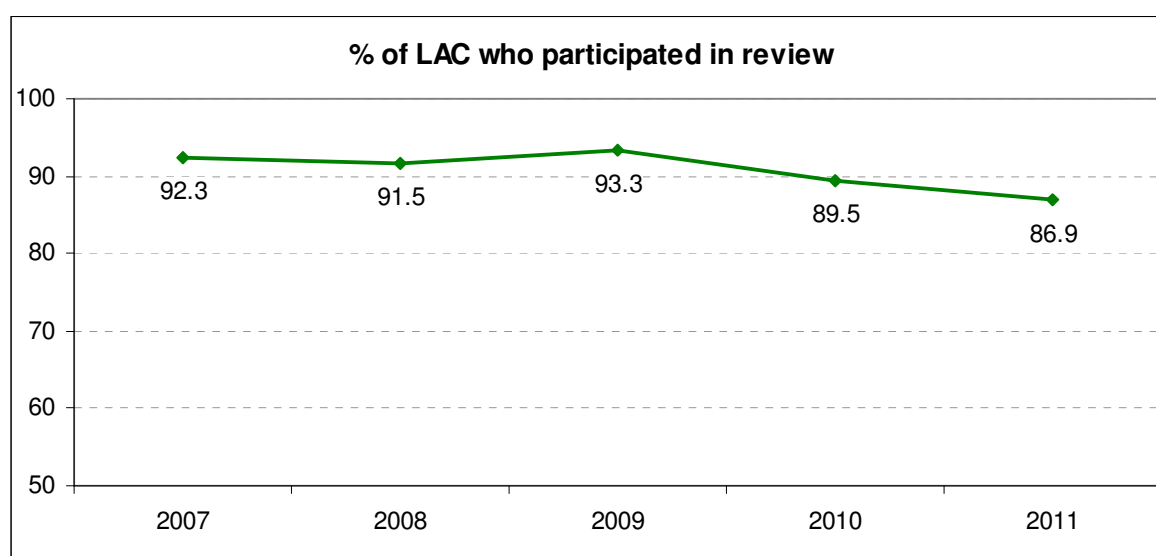
5.6 In addition we now have procedures that ensure

- Early alerts from Social Work Teams when the Children are due to be Accommodated or in Court proceedings
- Plans and Reviews administrators cross referencing to the notifications from the Fostering Team and ICS
- Regular discussions with Team Managers

5.7 By shortening of the report and early checks as required by the IRO Handbook now allows for the IRO to meet with Social Workers 15 days prior to the Review to check that all reports required are ready thus avoiding the delay and also alert relevant team managers.

## 6 Children's participation in their reviews

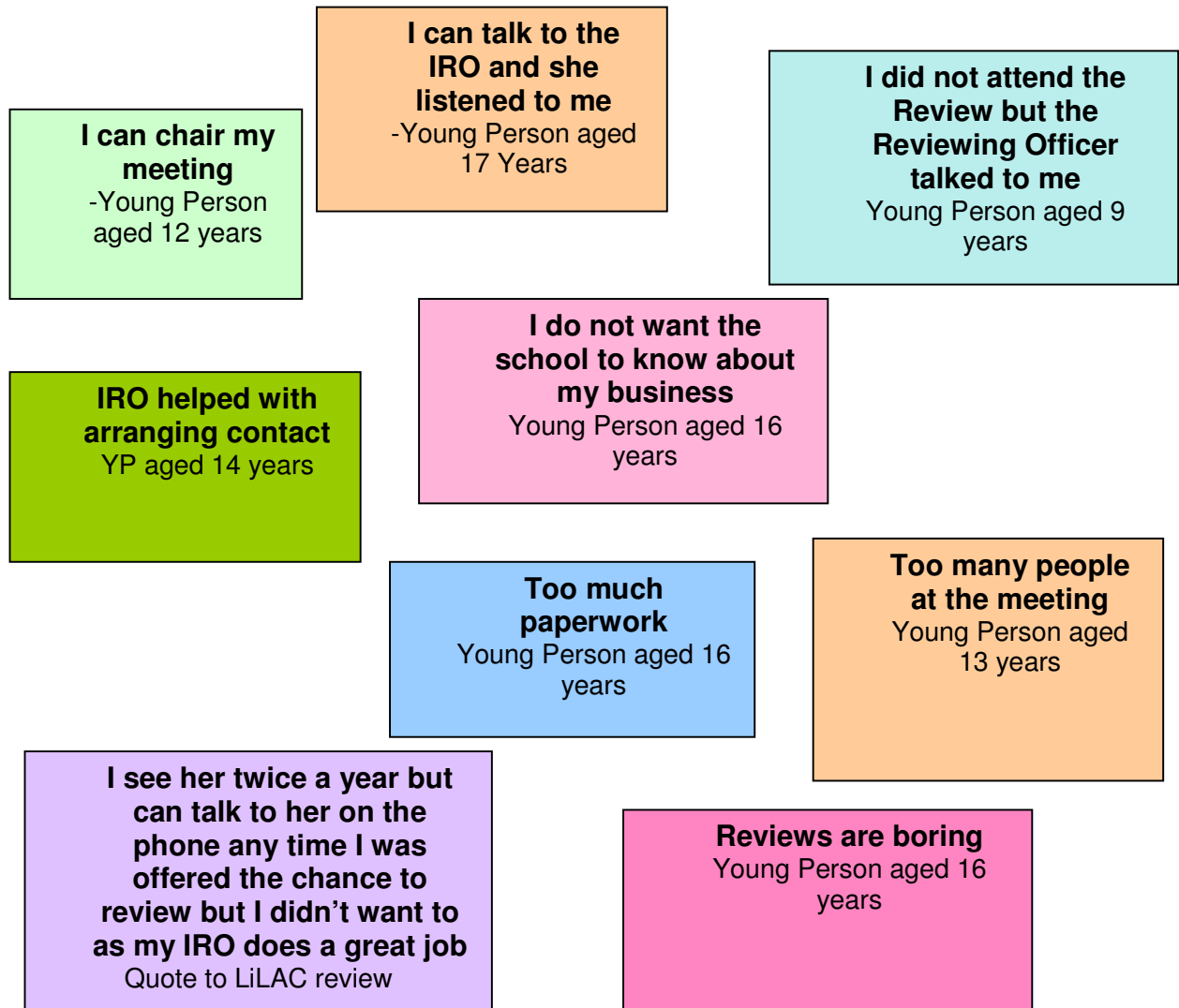
- 6.1 In line with the IRO Handbook there is already considerable improvement of Social workers preparing and sharing their reports with young people, parents, carers and other professionals. This is an area that requires on going monitoring by Team Managers.
- 6.2 IRO's are now required to send out their report within the 15 working days and this is an area that will be closely monitored for progress and performance.
- 6.3 There continues to be a high level of participation by young people in their reviews. As highlighted in the first report that much of this is due to the cultural change that was driven by inclusion of children's participation within the basket of key performance indicators. Performance Assessment Framework (PAF) C63 has meant that a significant effort is being made to improve participation at all levels. Children's participation can take place at several levels e.g. through personal attendance in an effective and meaningful manner, through the completion of the consultation documents, through meetings and conversation with IRO's, use of advocacy service, etc. In line with IRO Handbook and guidance, Thurrock IRO's seek to ensure that all young people are seen as part of their review process. There are times when it is difficult to engage with young people some have profound disabilities, these children are visited separately and are involved as much as possible and some young people simply refuse to participate.



- 6.4 While personal participation through young peoples' attendance at their reviews is high, the level of completion of consultation documents remains low. IRO's are looking at ways to encourage improvement in this area by the use of consultation papers being available on the intranet. The updated consultation documentation for children aged 4-6 years are now on the intranet however; it has not been possible to develop the other age ranges or implement the new one as there are no resources to print the booklets.

## 7 Overview and type of feedback from Young People

7.1 The following comments are representative of those received from young people



7.2 It is planned that 360 feedbacks will be undertaken in respect of individual children and their Review to collect information about quality and learning.

## 8 Parental Participation

- 8.1 In nearly all of reviews, parents attended and participated. This continues to be steady improvement. It also represents a shift in the reviewing culture, whereby parents who are excluded from reviews or are unable to attend and would like to contribute, are offered an opportunity to be seen as part of a 'series of reviews'. In effect this means that the parents are seen before or after the review which the child / young person attends. It enables parents to be informed of how their child is getting on in the placement and be provided with information covering education, health, emotional well-being and other aspects of his/her care.
- 8.2 Some analysis into the reasons for such low level of returns may need to be considered. It is not clear whether this is due to problems with literacy, the personal and emotional difficulties parents may have in addressing questions posed about their children who are no longer living with them, or as a consequence of, for example, second language difficulties, etc.

## 9 Foster Carers participation

- 9.1 Foster carer participation at reviews is required and as such we have very high participation rates

## 10 Feedback from the recent Lilac Inspection

- 10.1 The LILAC inspection is an inspection undertaken by young people who are in care from other authorities of our authority.
- 10.2 The feedback from the Lilac inspectors was that
- 'The need to involve children and young people in their care plans is embedded in Thurrock's policies and procedures.'*
- 10.3 They stated that
- 'Children and Young People are respected as individuals, have their views listened to, and their self esteem and cultural identity promoted'
  - There is a document available for children and young people called 'Reviewing my care plan' to ensure that they know why they are in Care.
  - An amazing 100% of the children and young people who answered the questionnaire felt that they knew why they were in Care
  - The older young people were that were interviewed by the Inspectors felt that they got a say in their care plans and Reviews.
  - IRO's do a good job
  - IRO's flexible in how they undertake reviews

## 11 Dispute Resolutions Process

- 11.1 Currently the dispute resolution is working well and we have no cases that have required escalation above the Service Manager level. Some of the examples of cases that have been raised and resolved are
- Question of Care Planning and placement move
  - Contact not being promoted as agreed in Court Care Plan
  - Separations of siblings and contact issues
  - Lack of communications with parents
  - Education not been notified of children's move

- 11.2 The Guidance states IRO's should be involved in identifying "*poor practice*" and then negotiating "*with the management of the responsible authority up to the highest level*". Where all other methods of resolving a problem have proved unsuccessful, the IRO should use their power to refer a case to CAFCASS so that legal proceedings can be brought – this may be for further family proceedings (e.g. for discharge of a Care Order or for contact), a freestanding application under the Human Rights Act or an application for judicial review. While the types of situations which lead to such a referral are not defined, it is anticipated they will involve significant failure to meet a child's needs. Thurrock IRO's have never referred any cases to CAFCASS; issues have been resolved locally with senior managers.

## 12 Good Practice

- 12.1 One of the roles of the IRO is the identification of good practice the following areas have been identified
- Many social workers do a lot of good direct work with children
  - Provision of computers in most placements for children and young people to access.
  - The use of advertisements for specific foster carers or adopters for "hard to place" children with special or challenging needs.
  - The steady number of adoption placements and Special Guardianship Orders.
  - The organization of packages of support for individual children – including direct work/counseling, family support, social worker and foster carer input in promoting and facilitating contact.

## 13 Further work in 2011/12

- 13.1 Continue the improvement in the quality of care plans produced by social workers. These care plans should be developed in conjunction with young people, their carers and birth families.
- 13.2 To provide an analysis into whether there is any potential drift in care planning and outcomes for younger children who remain in care under voluntary agreement (S20) after the second review.
- 13.3 Planned that 360 feedbacks will be undertaken in respect of individual children and their Review to collect information about quality and learning.

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On behalf of  
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