

**INDEPENDENT REVIEWING OFFICER SERVICE: ANNUAL REPORT 2009 / 10**  
**Chief Officer Performance and Resources**

**1 PURPOSE OF DECISION**

- 1.1 The purpose of this report is to present the Annual Report of the Independent Reviewing Officer Service to the Executive Member for Children and Young People.

**2 RECOMMENDATIONS**

- 2.1 **That the report set out in Annex 1 is received by the Executive Member, Children and Young People.**
- 2.2 **That the Executive Member for Children and Young People notes item 3.3 below with regards to the current status of new IRO guidance.**

**3 REASONS FOR RECOMMENDATIONS**

- 3.1 The IRO Service performs a key role in assuring the quality of the local authority's care planning for children who are looked after. The annual report supports the continuing development and review of the local strategy for children's services.
- 3.2 Guidance issued by the DCSF [now the DFE] expects that an annual report should be provided to the Lead Member with Executive responsibility for Children's Services and for Corporate Parenting, with the aim of identifying good practice, and highlighting areas for further development / improvement.
- 3.3 Towards the end of 2009 the DCSF consulted on a suite of statutory guidance for consultation setting out how local authorities should carry out their full responsibilities in relation to care planning, placement and review for looked after children. The new IRO Handbook was one of those documents. There is work underway currently to determine the impact of the final guidance, published in spring 2010, for implementation in April 2011. The new Coalition Government has recently established a review of social work chaired by Professor Eileen Munro, which will report in April 2011. This may signal changes in the IRO service and regulations around children in care.

**4 ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 None considered as production of such a report is recommended in DCSF Guidance.

**5 SUPPORTING INFORMATION**

- 5.1 Current DCSF Guidance suggests that IRO Services should produce an annual report for consideration by the Executive Member for Children's Services.

- 5.2 The Guidance does not specify either structure or content but states that the purpose of the report is to inform the development of local strategies for meeting the needs of children who are looked after by the Local Authority.
- 5.3 The attached report is the fifth annual report. It sets out the work of the IRO Service over the period 1 September 2009 – 31 August 2010. The report highlights good practice and identifies areas of potential concern and the measures that have been taken to address these.
- 5.4 Legislation is supported by detailed guidance, which has been taken into account in making arrangements in Bracknell Forest.

The Children and Young Persons Act 2008 reinforces and strengthens the role of the IRO enabling more effective independent oversight and scrutiny of the child's case to ensure that the child is able to meaningfully participate in planning for their own care and that the care plan that the local authority prepares for them is based on a thorough assessment of the individual child's needs.

## **6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS**

### Borough Solicitor

- 6.1 The Guidance is issued under Section 7 of the Local Authority Social Services Act 1970 which requires local authorities in their social services functions to act under the general guidance of the Secretary of State. As such the Guidance does not have statutory force but the authority should comply with it unless local circumstances indicate exceptional reasons which justify a variation.

### Borough Treasurer

- 6.2.1 The Borough Treasurer is satisfied that there are no significant financial implications arising from this report.

### Equalities Impact Assessment

- 6.3 The IRO Service has been the subject of a full Equalities Impact Assessment and as this report proposes no change of policy a further EIA is not required at this stage.

### Strategic Risk Management Issues

- 6.4 No issues arise from this report.

## **7 CONSULTATION**

### Principal Groups to be Consulted

None

### Method of Consultation

Not applicable

### Representations Received

Not applicable

Background Papers

Revised policy and procedure for the statutory review of  
children looked after: Bracknell Forest Borough Council

21 March 2006

Contact for further information

Sandra Davies, Head of Performance Management and Governance  
[Sandra.davies@bracknell-forest.gov.uk](mailto:Sandra.davies@bracknell-forest.gov.uk)

Jan Poole Independent Reviewing Officer  
[Jan.poole@bracknell-forest.gov.uk](mailto:Jan.poole@bracknell-forest.gov.uk)

**Annex 1**



**Independent Reviewing Officer Service**

**Annual Report**

**2009/10**

**Jan Poole, Independent Reviewing Officer**  
**Sandra Davies, Head of Performance Management and Governance**  
**October 2010**

## EXECUTIVE SUMMARY

This report provides an overview of the work of the Independent Reviewing Officer [IRO] over the period of September 2009 to August 2010. It is the fifth annual report to be presented in this way.

**Section two** of the report lays out the legal framework for the role of the IRO, and identifies the numbers of children who are looked after, this number can fluctuate from month to month and the figure given in the section of the report relates to those children looked after in August 2010. Information in this section identifies the purpose of the statutory review, and the required frequency at which reviews must take place.

**Section three** provides an overview of the work of the IRO and includes:

- The number and timeliness of reviews – this is monitored in relation to performance against statutory timescales, and performance in this area is good.
- Child participation in reviews – this is seen as a key function of the IRO role as the involvement of children in the review process is essential, performance in this area is good with 93% of children participating in their reviews as at 31 March 2010. Reasons for non participation are recorded, and work is ongoing to encourage participation. It is noted that a new consultation booklet for disabled children has proved successful in gaining children's views.
- Young people chairing their own reviews – is actively encouraged by the IRO, and there has been some success with this, it is noted that when young people do chair their conferences they appear more confident.
- Reporting to managers in Children's Social Care is inherent in the role to ensure effective communication, and provide opportunities to feed back on key performance, practice and development issues. A number of key areas are discussed during this reporting such as Permanence Plans, Pathway Planning, Consultation Papers, Parental Involvement in reviews and the involvement of key agencies in the review process.
- Short Break Care reviews relate to children with learning difficulties / disabilities who receive care away from home overnight. New guidance on Short breaks led to an internal review of those children who met the criteria as looked after, and a number of children at this time were felt not to meet the criteria, and were therefore no longer looked after.

**Section four** provides a focus on practice; as a key function of the IRO is to raise issues where it is felt that practice can be improved upon. The IRO notes in the report the strong commitment to improve outcomes for children and young people across the Council, there are however some occasions where the IRO will raise an issue formally through use of the Resolution Protocol. Issues raised in this way cover care planning issues, accommodation issues, and some specific practice issues. There is also a focus on good practice, which highlights comments made by children and young people about their Social Workers and their Foster Carers.

**Section five** looks at some of the key challenges in carrying out the role of IRO, these include:

- Independence and collaboration, noting the IRO needs to maintain a collaborative relationship with Social Work staff and management, whilst retaining the responsibility of challenging poor practice in the review of cases where this is necessary.
- Workload and timing of reviews, noting that over the period of this report the workload has increased by 11.8%. Within the IRO role many elements must be planned effectively to ensure a smooth review which includes preparation, consultation with the child, and other key people prior to a review, travel where a child / young person is placed outside the Borough, and undertaking additional reviews where circumstances warrant this, such as a placement move or change to a care plan.
- Providing induction and training to Social Workers ensuring that new workers are familiar with and understand the looked after child review process.

**Section six** highlights areas for future development which the IRO feels will benefit the further development and success of the looked after review process.

# 1 Introduction

- 1.1 This is the fifth annual report on the work of the Independent Reviewing Officer (IRO) in Bracknell Forest. The IRO has a key role in assuring the quality of the case planning for those children and young people who are looked after by the local authority. Throughout the period of this report the IRO has contributed to the development of good practice in this area through highlighting examples of good practice and identifying areas of concern and weakness. The purpose of this report is to provide a context for this work and to summarise the issues that have arisen for the Executive Member with responsibility for children, young people and corporate parenting.

The report covers the period from 1 September 2009 to 31 August 2010.

## 2 Context

### Legislation

- 2.1 The arrangements for the statutory reviews of looked after children were amended and updated by Section 118 of the Adoption and Children Act 2002, which introduced the new statutory role of the Independent Reviewing Officer. The requirement for such a post came into force in September 2004.
- 2.2 The legislation required local authorities to appoint an Independent Reviewing Officer with the remit of:
- chairing the authority's looked after children reviews;
  - monitoring the authority's review of the care plan; and
  - where necessary, referring cases to the Children and Families Court Advisory and Support Service (CAFCASS) to take legal action as a last resort if the failure to implement the care plan might be considered to breach the child's human rights.
- 2.3 In addition, there is an expectation that this service will 'quality assure' the local authority's care planning for looked after children.
- 2.4 Legislation is supported by detailed guidance<sup>1</sup>, and has been taken into account in making arrangements in Bracknell Forest.
- 2.5 The Children and Young Persons Act 2008, reinforces and strengthens the role of the IRO enabling more effective independent oversight and scrutiny of the child's case to ensure that the child is able to meaningfully participate in planning for their own care and that the care plan that the local authority prepares for them is based on a thorough assessment of the individual child's needs.

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<sup>1</sup> Care Planning, Placement and Case Review (England) Regulations 2010 and Statutory guidance  
<http://www.dcsf.gov.uk/everychildmatters/safeguardingandsocialcare/childrenincare/careplanning/careplanning/>

### Which children?

- 2.6 All looked after children, including children who are in an adoptive placement, prior to an adoption order, are covered by the legislation. This applies to all children who are the subject of a care order (under section 31 of the Children Act 1989), or who are voluntarily accommodated for a period of more than 24 hours (section 20 of the Children Act 1989), including those described in this report as in Short Break Care, or who are placed for adoption under the Adoption and Children Act 2002. It also covers those who are compulsorily looked after such as those remanded by the court to local authority accommodation.

In Bracknell Forest the number of such children in August 2010 was:

	August 2010	August 2009
<b>Section 31 of the Children Act 1989</b>	33	35
<b>Section 20 of the Children Act 1989</b>	57 [including 7 short break care]	59 [including 19 – Short Break Care]
<b>Placement Order: Adoption and Children Act 2002</b>	2	0
<b>On remand</b>	0	1
<b>Total</b>	92	95

### The IRO service in Bracknell Forest

- 2.7 Responsibility for the service rests with the Director of Children's Services. In order to provide independence from the line management of cases and the allocation of resources within Children's Social Care, the IRO function sits with the Chief Officer Performance and Resources and is managed by the Head of Performance and Governance.

### Statutory Reviews

- 2.8 The purpose of the statutory review is to consider the plan for the welfare of the child; to monitor the progress of the plan; and make decisions to amend the plan as necessary in the light of changed knowledge and circumstances.
- 2.9 In chairing reviews, the IRO is required to ensure that:
- the child's views are understood and taken into account; and
  - the persons responsible for implementing any decision taken in consequence of the review are identified.
- 2.10 Any failure to review individual cases should be brought to the attention of a senior person within the local authority.
- 2.11 The Executive Member for Children and Young People approved a revised policy and procedure for the reviews of looked after children which complied



with the most recent legislative requirements in 2006<sup>2</sup>, this was updated in May 2007. This policy will be further updated to take account of the new guidance which becomes effective from April 1<sup>st</sup>, 2011.

### **Frequency of reviews**

2.12 Under the provisions of the *Review of Children's Cases Regulations (1991)*<sup>3</sup> local authorities are required to review the case of any child who is Looked After or provided with accommodation as follows:

- first review must take place within 28 days of the date upon which the child begins to be looked after or provided with accommodation;
- second review must be carried out no later than 3 months after the first review; and
- subsequent reviews shall be carried out not more than 6 months after the date of the previous review.

2.13 The date of the next review should be brought forward:

- if there is a change of placement or other substantial changes to the care plan (see below for clarification of this);
- if the IRO has specific concerns about a child and directs that the review be brought forward; and
- any request from the child or parent(s) for a review to be brought forward should be given serious consideration.

## **3 Overview of Work**

### **Number and timeliness of reviews**

3.1 A total of 230 Looked After Children (LAC) reviews (excluding Short Break Care reviews) took place in the relevant period. Although this figure remains similar to the previous year [238], this is evidence of the impact of children coming in and out of the care system and the time frames required for reviews, which remains consistent.

3.2 Every effort is made to carry out reviews within the statutory timescales<sup>4</sup>. In the period up to 31 August 2010, 228 (99%) reviews have been conducted on time. This is excellent performance.

3.3 At 31 March 2010 the NI 66 figure was 95.3% which is an improvement on the figure at 31 March 2009 of 91.3%.

3.4 Local authority performance is closely monitored and in all cases when a review is 'out-of-time', the reasons are noted. The reasons for four reviews being overdue during the relevant period were:

- Key personnel not available;

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<sup>2</sup> Policy and Procedure for the Statutory Review of Looked After Children  
Bracknell Forest Borough Council, 2006

<sup>3</sup> Paragraph 3

<sup>4</sup> NI 66 Timeliness of Reviews of LAC is included in the 198 indicators in the National Indicator set and will be reported on in quarterly performance monitoring reports.

- Error by IRO in calculation of subsequent date.
- 3.5 The statistics reflect the effectiveness of the system in place for notifying the IRO when a child is newly accommodated and the conscientiousness of social workers in alerting the IRO in good time to anticipated difficulties with forthcoming review dates.

### **Child Participation in reviews**

- 3.6 The involvement of children in their own reviews is regarded as an essential part of the process. This has been highlighted as a priority in previous reports and has continued to be an important theme this year.

*'A key task for the IRO will be to ensure that the review processes, and particularly review meetings, remain child and family centred'*<sup>5</sup>

- 3.7 The IRO has an important role in ensuring that the child:
- can make a meaningful contribution to their review;
  - speaks for themselves if they are able and willing to do so; and where this is not possible that their views are conveyed by someone else on their behalf or by an appropriate medium; and
  - has been given the opportunity to make a written contribution to the meeting, particularly if they have chosen not to attend or are unable to attend for some other reason.
- 3.8 The recorded achievement in this area of activity is also a measure of local authority performance (although no longer a national performance indicator)<sup>6</sup>. At 31 March 2010, this figure was 93.3%.
- 3.9 The reasons why children did not contribute to their reviews in this reporting period are given below:
- In spite of changing the review location to Bracknell, as per the wishes of a young person who was living outside of the borough, the young person did not attend. The IRO's subsequent attempts to make contact via the telephone were unsuccessful;
  - The meeting for a child with severe learning disabilities was cancelled due to severe weather conditions and the review was carried out by telephone with relevant personnel individually. The IRO was not able to meet the child within the required timescales;
  - Two young people refused to attend their meetings or complete a consultation paper. Attempts by the IRO to speak to them on the telephone were unsuccessful.
- 3.10 Work has continued to enable children to participate in their reviews in ways acceptable to them.
- 3.11 Participation by children with disabilities has continued to be promoted. The most appropriate venue and support to encourage their participation is

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<sup>5</sup> Independent Reviewing Officers Guidance, Adoption and Children Act 2002

<sup>6</sup> PAF C63, Participation in Reviews

carefully considered. The introduction of a new consultation booklet for disabled children has proved very successful in obtaining the children's views.

### **Young people chairing their own reviews**

- 3.12 Ten reviews were chaired by the young person themselves, which is 7 fewer than 2009. They enjoyed the experience and their willingness to be available to help other young people who are considering chairing their reviews for the first time is an area which is available for development. Their increased confidence is noticeable each time they take on this role. Thirteen young people co-chaired their reviews, which is 7 more than in 2009. It is anticipated that this number will fluctuate from year to year and will depend on the age, ability and confidence of the children to undertake this role.
- 3.13 Developments such as spending more time with the young person preparing for the review, encouraging other young people to chair and younger children to co-chair, are carried out as time permits, although all young people are offered the opportunity to speak to the IRO directly before their review.

### **The Child Participation Development Officer (CPDO)**

- 3.14 The Department employs an officer with responsibility for encouraging the participation of children and young people in a range of activities. The IRO has worked with this officer to develop this area of work with regard to statutory reviews. The CPDO seeks to:
- encourage professionals to do all in their power to enable young people to have their say in decisions which affect them;
  - inform and enable young people to know their rights and to have their say in meetings which concern them; and
  - ensure there are appropriate processes in place to enable a young person to participate in their reviews
  - promote advocacy to young people. A new advocacy leaflet is currently being produced.
- 3.15 If a child has not attended their review this will be followed up by the allocated social worker. The CPDO will be informed if there are any specific barriers to participation so these can be addressed.
- 3.16 The consultation documents are currently being reviewed and the CPDO is seeking the views of staff, carers, and young people. The CPDO will also explore options of making the consultation document available to young people electronically.

### **Reports to managers in Children's Social Care**

- 3.17 The IRO meets with the Head of Service for Looked After Children every other month in order to ensure appropriate liaison between the service and Children's Social Care teams. In order to support the development of good practice, the IRO has reported quarterly to the Children's Social Care Management Team (CSCMT) and six monthly to the meeting of Team and Unit Managers (TUMs). In addition to reporting on the number of reviews held

on time and child participation in reviews, she has also reported on the following issues:

#### Overarching Permanence Plans

- 3.18 A plan for permanence must be produced for all looked after children at their four monthly statutory reviews with milestones that can be monitored and agreed at that review. 24 (100%) were completed on time

#### Pathway Plans

- 3.19 A Looked After Child Pathway Plan should be started when the young person is 15½ and completed by their sixteenth birthday. Of the young people who fall into this category, 85% had a plan in place at the required time.
- 3.20 In instances where young people become looked after post 16, a Pathway Plan is completed as soon as possible. Some young people may be reluctant to engage with their Social Worker to develop a plan, and work must be taken at the young person's own pace.
- 3.21 There is good joint working between the Over 11s and the After Care Teams with a member of the latter team attending reviews once a looked after child reaches the age of 15 ½ in most cases.
- 3.22 This enables them to get to know the child and vice versa and to assist with the child's smooth transition to the After Care service at the appropriate time. It has generally been agreed that Pathway planning will be strengthened by the IRO reviewing the Pathway Plan rather than Care Plan for 'eligible' young people and planning is taking place for this to be introduced.

#### Consultation Papers

- 3.23 *'The IRO has an important role in ensuring that all parties to the review are able to make an effective contribution.'*<sup>7</sup>
- 3.24 Consultation Papers are sent to parents, carers and the young person prior to a review. The child's consultation paper provides the IRO with a comprehensive picture of the child's feelings about the various aspects of their care and services he/she is receiving and assists the IRO in ensuring the child's voice is heard.

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<sup>7</sup> Independent Reviewing Officers Guidance, Adoption And Children Act 2002 page 27 *DfES publication*, available at [www.dfes.gov.uk/adoption](http://www.dfes.gov.uk/adoption)

### Parental Involvement in Reviews

- 3.25 In 230 reviews [59%<sup>8</sup>], over the reporting period, parental contributions were taken into account:
- 3.26 45% of reviews were attended by a parent and a further 14% participated by the medium of a consultation paper, prior discussion with the Social Worker or a telephone conversation with the IRO.
- 3.27 In further 15% reviews parental attendance is N/A for reasons such as parents being deceased, adoptive placements, Unaccompanied Asylum Seeker [UASC] etc. – this would increase this figure to 74%. In some cases, however, it is not appropriate for the birth parents to attend reviews.

### Youth Offending Service (YOS) involvement in Reviews

- 3.28 In order to improve ways in which the Youth Offending Service can contribute more effectively to reviews, the IRO has monitored their attendance or report contribution in relevant LAC cases. The IRO is satisfied that communication is good between the YOS and Social Workers in respect of looked after children.

### Other Issues

- 3.29 Further monitoring includes the completion of Permanency Planning Meetings; timescales for Social Workers' reports reaching the IRO in advance of children's reviews; the completion of mid-term reviews (i.e. a paper review of the decisions and actions agreed at the previous review, carried out by the Social Worker half way through the six monthly cycle, a copy of which is forwarded to the IRO).

### **Short Break Care Reviews**

- 3.30 Following the introduction of the Short Break Statutory Guidance<sup>9</sup> on how to promote the welfare of disabled children using short breaks, an internal review of the children/young people who were in receipt of short breaks under Section 20(4) of the Children Act 1989 took place in May 2010. The view was reached that 5 of these children/young people met the criteria for accommodation under section 20 from June 1<sup>st</sup> 2010. Those who do not come into this category will continue to be provided with accommodation under Section 17(6) of the Children Act 1989 and be reviewed as Children in Need by the Disabled Children's Team Manager and Assistant Team Manager. Parents were included in the consultation process.

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<sup>8</sup>This compares with 58% in the period up until the end of August 2009

<sup>9</sup> Short Breaks Statutory Guidance 2010

<http://www.dcsf.gov.uk/everychildmatters/safeguardingandsocialcare/childrenincare/careplanning/careplanning/>

- 3.31 Over the period, a total of 34 reviews took place for children who receive short break care at the Larchwood Short Stay Unit, The Chiltern Centre, Bridge House, and Slough and with Bracknell Forest Foster Carers.
- 3.32 Short Break care is defined as care that lasts for more than 24 hours, fewer than 75 days per annum, does not include a single episode of 17 days or more and is provided in one setting.
- 3.33 Whilst Local Authority Performance is not measured in this area<sup>10</sup>, short break care reviews are given equal importance to those for children who are classed as fully looked after but less Quality Assurance monitoring is undertaken.

#### **Development of policies and procedures**

- 3.34 The IRO contributes to new policies or review of existing policies as relevant.

#### **Support for the Berkshire IRO Network**

- 3.35 The Berkshire IRO Network has met quarterly and the meetings continue to be hosted in Bracknell Forest. It is well attended and considered to meet its aims. The network aims to raise standards for LAC across Berkshire; to promote consistency of practice and service provision across agencies; and to provide a source of mutual support. This includes:
- professional development;
  - raising practice standards;
  - research and development;
  - group supervision; and
  - the opportunity to feed issues into the SE Regional Network.
- 3.36 The IRO also attends the South East IRO Network Meetings which provides a wider perspective of the IRO role and up to date information on Government policy, guidance and initiatives. Although the support function for these meetings has ended with the abolition of GOSE, it is intended that IRO's will explore opportunities to continue to meet and share information and good practice.

## **4 Focus on Practice**

- 4.1 A key function of the IRO is to raise issues where practice can be improved. In the vast majority of cases this is not necessary and comments are made elsewhere in this report on the quality of care planning and case management by staff within the Children's Social Care (CSC) branch. Regular feedback on good practice is given to members of staff and their managers.

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<sup>10</sup> Locally this performance is included in the quarterly Performance Monitoring Report for CSCMT.

- 4.2 It is evident that there is a strong commitment to improve outcomes for children across the Department and within the Council. The issues that follow have been raised by the IRO in line with the Resolution Protocol (see page 16) during the period of this year's report, with the intention of highlighting where improvements can still be made. It should be noted that some issues were already known to CSC and the IRO wrote to support the need for them to be addressed:

### **Care Planning Issues**

#### Contact with family

- 4.3 Contact for children from two families who are in long term foster care was considered too frequent by the IRO with increasing evidence of it causing instability for the children and of the placements being disrupted by the parents. CSC personnel were already aware of the situations.

**Outcome:** An independent assessment was commissioned in one case resulting in the recommendation for a reduction in contact frequency, which was subsequently implemented. In the second case, legal advice was sought and, as the Public Law Outline process had not been successful and it was evident that parents were not working with CSC, care proceedings have been initiated.

These cases highlight the tensions which can arise in long term foster placements when parents find it difficult to support care plans assessed to achieve permanency and stability for children and meet individual needs

#### Young people placed in the care of external agencies

- 4.4 The IRO commented on the lack of progress of care plans in three cases for children placed in the care of external agencies. In two cases the children were approaching their 18<sup>th</sup> birthdays and it was apparent that, whilst both young people were demonstrating some resistance to developing independence skills, no structured programme was in place to encourage them. In the third case, there had been a long delay in identifying a more appropriate home for a young person who had been assessed as requiring a larger property due to their height and size.

**Outcome:** Discussions were already in place between CSC and the agencies on these issues and in two cases, programmes to promote independence skills were put in place. In the third case, subsequent events caused the agency to serve notice on the placement and the young person to be moved.

#### Care Planning for young people approaching 18

- 4.5 The IRO commented on two cases of vulnerable young people subject to full care orders where a decision had not been made within 6 months and four months respectively of their 18<sup>th</sup> birthdays regarding where they would live post 18. In the first case, CSC were in negotiation with the Independent Fostering Agency to obtain a decision from the foster carer as to whether the young person could remain with her on a supported lodgings basis. In the second case, the IRO wrote in support of the young person's wish to remain

in the same placement post 18. She commented that it did not now allow for the young person to prepare to leave what had been her home for a significant period of time and people she considers to be her family.

**Outcome:** In the first case, a decision was taken by CSC to fund a support package from a provider who helps young people adjust from adolescence to adulthood and live independently for the first time in the community, which the young person was in agreement with.

In the second case, negotiations between CSC and the young person's provider were not successful in securing the placement post 18 on a supported lodgings basis, which the IRO would have supported.

Negotiations were still ongoing as the young person reached 18 and, therefore, ceased to be looked after and the IRO's involvement ended. The IRO had sought advice from the CAFCASS duty helpline regarding this case.

#### CSC consideration to change care plan at short notice

- 4.6 The IRO had supported the wish of a young person to remain in his residential placement out of borough and attend college locally post 16. He had been informed in June 2010 that his request, which had been supported by his Social Worker, had been agreed. His care plan was subsequently considered within the external budget spending review and the Social Worker was asked at the end of July to consider whether the plan could be changed to explore a college place and accommodation in Berkshire. The IRO challenged this, noting that the young person's views had not changed, that he was expecting the agreed plan to go ahead and that it was a matter of only a few weeks to the beginning of the new academic year. She also contacted the CAFCASS duty helpline.

**Outcome:** The IRO was informed that, following receipt of a comprehensive report by the Social Worker on the lack of availability of suitable accommodation and college provision in the local area, that the decision for him to remain in his current out of area placement was confirmed.

- 4.7 The IRO has commented on good practice and good progress in care planning in several cases where she has observed positive development in the children / young people's self esteem and confidence.
- 4.8 The IRO has commented on two particularly successful placements and relayed positive comments from residential providers on commitment by CSC practitioners and positive care planning.

#### **Accommodation**

- 4.9 The IRO wrote expressing her view that she did not consider that a 16 year old's temporary placement in a guest house in Reading was appropriate as it did not meet his cultural needs. His parents had also commented on the inappropriateness of the placement. It had been acknowledged by CSC that



this was not an appropriate placement. At the first LAC review it had been envisaged that the young person would be moving to Supported Lodgings in Bracknell within two weeks.

**Outcome:** No supported placements were available either within Bracknell Forest or via Independent Fostering Agencies. The young person's name was registered on Look Ahead's waiting list and he remained in the guest house for three months until offered a room in one of the semi independent units.

This case highlighted that there remains some issues regarding the number of available Supported Lodgings placements in Bracknell Forest.

### **Practice Issues**

- 4.10 The IRO queried whether a young person could have been remanded on welfare grounds rather than on criminal grounds.

**Outcome:** The IRO was informed that the view had been taken that the young person stay in one place for assessments to be completed. Furthermore, the risk taking behaviour did not centre around absconding. The IRO did not pursue further as she was invited to and took part in a comprehensive review of this highly complex case several months later.

- 4.11 The IRO supported concerns expressed at two LAC Reviews regarding the children's emotional welfare and the fact that CAMHS and the NSPCC were not able to offer a service in one case and that efforts to identify a resource in the other were proving difficult, due to the child living out of the Bracknell Forest area.

**Outcome:** In the first case, the Social Worker was identified as able to undertake work with the child.

In the second case, the child was offered a service from CAMHS several months later following a serious incident in school which resulted in an exclusion and the school's request to identify an alternative educational provision for the child.

- 4.12 The IRO queried when leaflets/ information were to be translated into relevant languages for Bracknell Forest's Unaccompanied Asylum Seekers.

**Outcome:** An Unaccompanied Asylum Seekers policy is currently being developed

- 4.13 The IRO is pleased that there has been an increase over the past year in children being placed with families in Bracknell Forest. She remains concerned, however, that there are still insufficient foster placements locally resulting in children being placed some distance from their home area. Additionally, as matching is a vital component for placement stability, there is

a need for a choice of placements in order to ensure the best possible match between child and foster family. Whilst the IRO is aware that there is a national shortage of foster placements and that the family placement team actively attempt to recruit new foster carers, reality for some children is not only a move out of their family home to live with a new family, but also to a home some distance away, which involves them travelling considerable distances to school and back to Bracknell Forest for contact with relatives.

- 4.14 The IRO informs the Department of any concerns in relation to foster carers' standards.

#### **The work involved in raising issues**

- 4.15 In order to raise issues, the IRO speaks to or writes to the Social Worker's supervisor, team manager or a Service Manager as appropriate with concerns and comments following a review. Their response may be verbal or in writing. A Resolution Protocol is in place (*Appendix 3 of Policy and Procedure for the Statutory Review of Children Looked After, May 2007*) and formal Practice Memos written by the IRO following a review are subject to this procedure. Timescales for responses and action regarding the escalation of an unresolved issue are set out in the protocol. The IRO has contacted the CAF/CASS duty helpline regarding two cases in this reporting period.

#### **Identifying good practice**

- 4.16 In accordance with the quality assurance function for the authority's service for looked after children, it is important that the IRO recognises and reports on good practice by individuals or teams and encourages the authority to continually improve its service for looked after children. The IRO carries out this function both formally and informally. The quarterly reports provide positive as well as critical feedback to managers and senior managers. Informal positive feedback to social workers takes place regularly as appropriate and in written form when the review meeting minutes are sent to the Social Worker.

#### **Positive comments made by children and young people in their consultation booklets about their Social Workers:**

- 'Very kind and funny';
- 'She's patient, very nice and listens to me very well. She's a superstar';
- 'She is friendly, understanding and helpful';
- 'She is very nice and she listens to me';
- 'Funny and very caring and will help me as much as she can'.

#### **Positive comments made by children and young people in their consultation booklets about their Foster Carers:**

- 'They care for me and look after me and I'm happy that I live with them and I want to stay with them forever';
- 'Funny and help me with problems and treat me like family';
- 'I think this is a good place for me. I am happy';
- 'They treat me as their own. I love them to bits. They love me';
- 'Friendly, understanding, funny, fair'.

- 4.17 It is considered that social workers' commitment to LAC reviews has remained high over the reporting period and that they respond equally well to positive and critical comments from the IRO. They also demonstrate a commitment to ensuring the best possible outcomes for looked after children within the constraints of available resources and when working under pressure, which has been particularly noticeable during the second half of the reporting period.
- 4.18 Two-way dialogue with social workers is encouraged by the IRO with attendance at their team meetings. These forums provide an opportunity to praise good practice and encourage ideas for improvement.

## **5 Key challenges for the IRO Service**

### **Independence and collaboration**

- 5.1 *'The independence of the Reviewing Officer is essential to enable them to effectively challenge poor practice in the review of cases'*<sup>11</sup>
- 5.2 In accordance with the guidance, the IRO is required to have a collaborative relationship with social work staff and management who hold the responsibility for ongoing care planning for the children in the care of the local authority. This relationship is not that of supervisor or someone who could undertake tasks in relation to the care plan or service delivery. This is well understood by staff.

### **Workload and timings of reviews**

- 5.3 The numbers of LAC in Bracknell Forest (excluding short break care) has increased over the reporting period by 11.8% from 76 to 85 children. In addition to the statutory review process outlined above, there are additional pressures and practical challenges caused by the need to bring some reviews forward e.g. in cases of placement breakdown, and when there is a change to the care plan<sup>12</sup>. For some children, therefore, reviews take place several times in a year.
- 5.4 Preparation, travelling time, chairing the meeting and writing the minutes constitute a considerable number of hours per review. A small number of reviews need to be carried out in two or three parts e.g. where circumstances make it difficult for child and parent(s) or parents to be together in a room. On a practical level, reviews in term time for school age children need to take place after the end of the school day, causing pressures, at times, on the IRO's diary.
- 5.5 Reviews are, therefore, constant with the added pressure of some children being placed many miles away from Bracknell e.g. Wales, Lancashire, Kent. Completing all reviews on time presents a challenge, which requires efficient time management on the part of the IRO and a commitment by social workers

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<sup>11</sup> Independent Reviewing Officers Guidance, Adoption And Children Act 2002 page 23 *DfES publication*, available at [www.dfes.gov.uk/adoption](http://www.dfes.gov.uk/adoption)

<sup>12</sup> NI 62 figures for children and young people who have three or more placement moves as at 31<sup>st</sup> March 2010 was 19.3%. (For 2008/09, this figure was 13.4%; 2007/08, this figure was 12%; 2006/07, this figure was 19% and for 2005/06, 13.9%)

to the statutory time requirements. In recognition of the increase in the numbers of looked after children, some additional resource has been identified to support the IRO in the challenging role of ensuring reviews are undertaken within timescales. This is currently a short term measure, and a submission has been made regarding the need to consider growth of resource in this area.

### **Induction and Training**

- 5.6 The IRO seeks to play a part in the induction of all new Social Workers within CSC, and appraise them of the procedures and expectations of the review process. A significant event in this year has been the retirement of two experienced Team Managers, and the appointment of two new Team Managers. The IRO continues to work with colleagues in children's Social Care on ensuring the review requirements are implemented effectively across the teams.

## **6 Areas for future development**

The following areas have been identified for development.

### **Child participation in LAC reviews**

- 6.1 Whilst there has been continuing improvement in this area, continuing efforts are required to maintain the high profile of the importance of enabling children to participate as fully as they are able in their reviews, in accordance with their rights. Social Workers will continue to be encouraged to start the planning process for a review well in advance of the due date to allow time for the necessary planning to aid participation.
- 6.2 The IRO will continue to offer to meet with the child before their review to listen to their views and, if necessary, hold a review meeting in two or three parts.

### **Engaging the harder to reach young people**

- 6.3 Whilst the number of harder to reach young people and those who express no interest in attending their reviews is very small, continuing thought needs to be given on how to engage them in order that their views can be represented at the meetings.

### **Children chairing their own reviews**

- 6.4 Young people will continue to be invited to chair their own reviews. Younger aged children will be encouraged to co-chair their reviews with the IRO, if appropriate, with a view to them increasing in confidence to chair their own reviews when older.

### **Consultation documents**

- 6.5 Monitoring of completion of these documents will indicate how these documents can be further improved for children, parents and carers.

## **Improving standards**

- 6.6 Regular attendance at team meetings throughout the year by the IRO will assist dialogue on the review process and ways to improve standards.
- 6.7 Attendance at events such as the Foster Carers' Conference and Foster Carers' preparation groups by the IRO would assist in developing a greater understanding of the review process.
- 6.8 Both nationally and locally, the question is raised about how IROs can be truly independent, given they are employed by the local authority. It is important that the IRO continues to have the authority and support from the Local Authority to undertake the role and responsibility as required within legislation and guidance. The new Government has recently established a review of social work chaired by Professor Eileen Munro that will report in April 2011. This may signal changes in the IRO service and the regulations around children in care.
- 6.9 New guidance was issued by the previous government in spring 2010, due for implementation by April 2011. Assuming there are no changes to the current policy there is likely to be an impact on the IRO service and its capacity to meet the requirements.
- 6.10 As in other authorities, there is a need for a more effective system whereby the IRO manager receives a copy of the final care plan and the judgment made at the conclusion of the care proceedings. Additionally the Guardian should, as identified within CAFCASS practice guidance, communicate with the IRO at the end of proceedings to hand over the care plan and any issues for monitoring. Protocols are being developed between CAFCASS and the National IRO Management/DFE group in relation to their working relationships and a protocol is being established. Whilst a Berkshire IRO / CAFCASS protocol was drawn up, it is yet to become embedded.
- 6.11 In seeking to achieve an effective IRO service there will be further development of Quality Assurance mechanisms to enable clear evidence of the function and performance of the care planning service and outcomes for children in care.

## **7 Conclusion**

Over the period of this review, the IRO service has met the requirements of the relevant guidance and regulations. There continue to be improvements in the quality of contributions to reviews from all parties, despite the evident pressures on time for some participants. The involvement of young people in their reviews is pleasing, but there will always be progress to be made in this area. Priorities are clear and will be addressed when possible, together with opportunities for further development.

The next review will cover the period from 1 September 2010 to 31 August 2011.

**Jan Poole, Independent Reviewing Officer**  
**Sandra Davies, Head of Performance Management and Governance**