

IRM Cymru

Overview Report

2010–13

Contents

Executive summary	3
Volume of activity and breakdown of applications	5
Attendees at independent review panel and documents considered	9
Reasons for the FSP making a qualifying determination	10
Outcome of applications	12
Reasons for the independent review panel's recommendation concurring with the proposed decision of the FSP not to approve/reapprove	14
Reasons for the independent review panel's recommendation not concurring with the proposed decision of the FSP	16
Good practice identified by the independent review panel	18
Practice concerns identified by the independent review panel	20
Timescales	25
Feedback on the IRM Cymru	26
Recommendations for FSPs	28
Conclusion	30

Executive summary

This is a report of the activity of the Independent Review Mechanism (IRM) Cymru from 2010–2013. It is being published to help those members of the public and professionals with responsibility for or an interest in fostering and adoption services to better understand the work of the IRM and to learn about the outcomes of the applications to the IRM Cymru over its first three years of operation.

Abbreviations used in this report

IRM Independent Review Mechanism

FSP Fostering service provider

FSW Fostering Services (Wales) Regulations 2003

NMS National Minimum Standards for Fostering Services (Wales) 2003

IRD Independent Review of Determinations (Adoption and Fostering) (Wales) Regulations 2010

The IRM has been operated by BAAF Cymru on behalf of the Welsh Government since April 2010 when the Independent Review of Determinations (Adoption and Fostering) (Wales) Regulations 2010 and the Fostering Services (Amendment) Wales Regulations 2010 came into force. It is funded as a part-time service staffed by a contract manager and an administrator.

The Mechanism (or service) was introduced in order to increase public confidence in the transparency of the approvals process and to encourage more people to consider fostering or adopting.

The IRM Cymru holds a “central list” of independent review panel members, advisers and secretaries with relevant skills and experience who can be called upon as needed to participate in the review panels. They were appointed by formal contract and after all relevant checks had been completed.

The role of the independent review panel

Those eligible to apply for an independent review are:

- prospective adopters/foster carers where, upon completion of their assessment, the adoption agency/FSP is minded not to approve them, and approved adoptive parents/foster carers where, when reviewed, the agency proposes that they are no longer suitable to adopt/foster;

- currently approved foster carers where the FSP is proposing to change their terms of approval; and
- adopted adults who were adopted on or after 30 December 2005, or a birth relative of someone adopted on or after that date, where an adoption agency proposes that either (a) it will not proceed with an application for the disclosure of protected information; or (b) it will disclose the information against the will of the subject of the information.

The proposed decision, known as the “qualifying determination”, of an FSP or an adoption agency can only be made after the agency’s own panel has made a recommendation.

The IRM is not an appeals process. The independent review panel makes a fresh recommendation and the final decision remains with the decision-maker of the FSP or adoption agency, who must take into account the recommendation of the original panel as well as that of the independent review panel and any other relevant information.

Key statistics

- The IRM Cymru received 34 applications over the three years 2010–13, of which 29 were accepted and 24 progressed to a hearing by the independent review panel.
- All the accepted applications were from prospective or approved foster carers.
- A total of 15 of the applications were from kinship carers (in all but one instance, these were grandparents).
- A total of 18 of the applications related to initial approval, 13 concerned proposed termination of approval and three were in respect of a change to terms of approval.
- A total of 26 of the applications originated from 11 different local authorities.
- Seven of the applications related to six different independent fostering service providers.
- One ineligible application related to a voluntary adoption agency.
- The independent review panel recommendation concurred with the proposed decision of the fostering service provider to not approve/reapprove or change the terms of approval of the foster carer in nine of the 24 applications heard, although the reasons for doing so were not always the same as those given by the FSP.
- In the 15 cases where the independent review panel recommendation differed from the proposed decision of the FSP, the FSP decision was to accept the review panel recommendation in 10 instances.

Volume of activity and breakdown of applications

Table 1: Applications to the IRM to date

Year	Applications	Accepted	Ineligible	Withdrawn*	Heard	Panel meetings
2010/11	11	10	1	2	8	9 (+ 1 tel conference)
2011/12	11	9	2	1	8	10 (+2 tel conferences)
2012/13	12	10	2	2	8	8
Total	34	29	5	5	24	27 (+3 tel conferences)

*Three of the applications were withdrawn by the prospective kinship foster carers because the care plan had changed for the specific children.

Applications received and accepted by the IRM Cymru from 1 April 2010 to 31 March 2013

Between 1 April 2010 and 31 March 2013 there were

- **34 applications to the IRM Cymru**
- **29 of these were accepted**

33 applications were from prospective or approved foster carers

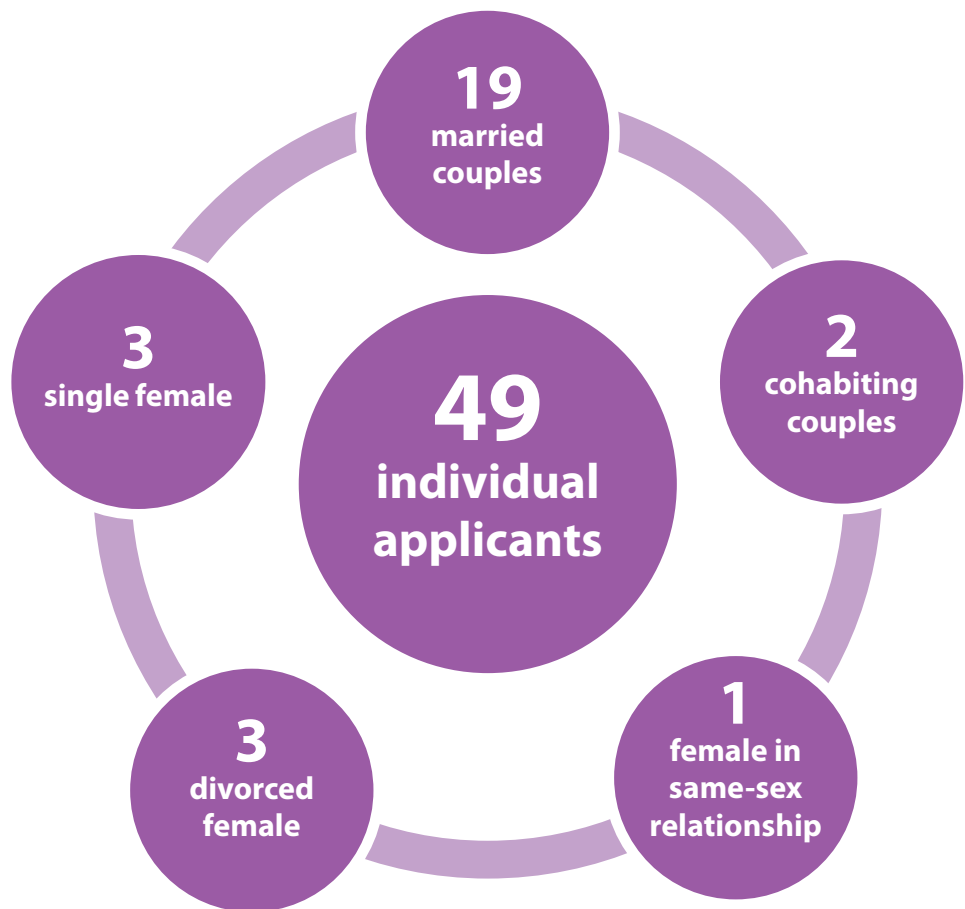
1 (not eligible) was from prospective adopters

All the kinship applications were from grandparents except for one from a paternal aunt

Table 2: Type of applications to the IRM

Year	Kinship	Mainstream	Qualifying determination related to:		
			Initial approval	Change of terms	Termination of approval
2010/11	7	4	6	3	2
2011/12	5	6	6	0	5
2012/13	3	9	6	0	6

Status of the applicants in the 29 accepted applications



Age range of applicants

31–69 years (with the majority of applicants in their 40s)

Ethnicity of applicants

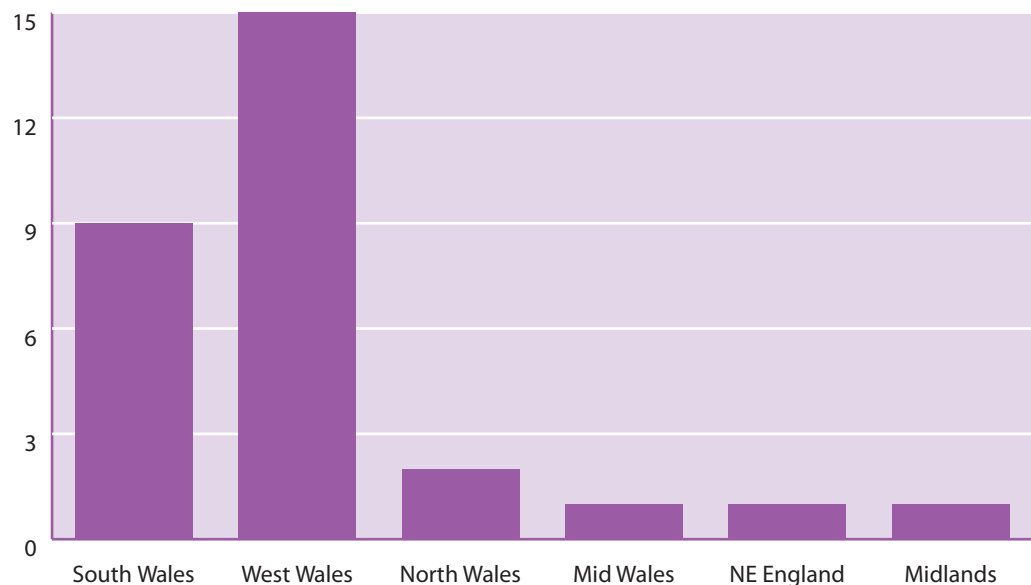


Specific needs

There have been no requests for disability or impairment to be taken into account.

There were no requests for applications to be heard in Welsh.

Geographical spread of applicants in accepted cases



Geographical spread of FSPs in accepted cases



Attendees at independent review panel and documents considered

Of the 24 applications heard by the IRM Cymru, all the applicants attended the independent review panel meeting in 15 out of 17 cases where the application was by a couple, and in all seven cases where it was by a single applicant. In nine of the applications heard, the applicants brought supporters. These included a relative, friend, partner, a representative from Fostering Network or Foster Carers Independent Support Service (FISS), and a solicitor.

The independent review panel has access to all the documentation which was considered by the FSP's or adoption agency's own panel, as well as any other relevant information taken into account by the decision-maker when making the qualifying determination. The review panel also receives a copy of the application and the qualifying determination notice, with reasons as well as any appropriate reports, references or written information which applicants provide in support of their application.

In all cases, the independent review panel is provided with a written report by an IRM Cymru legal adviser and has access to legal advice at the hearing. Where there are medical issues, the IRM Cymru medical adviser either attends or provides a report for the review panel.

The information provided by FSPs in the applications heard to date has included BAAF Form F assessment reports and addenda; a range of formats used by local authorities to present the review of foster carers; and viability assessments and reports by independent assessors. Other documents considered have included statements by the decision-maker and fostering panel Chair; agreed notes of witnesses; copies of emails between the FSP and the applicants or other professionals; school reports; child's statutory reviews; notes from planning meetings; chronologies; monthly supervision reports of the supervising social worker; recordings of social workers' visits; and foster carer recordings. Supporting documents from applicants have included additional references; letters from medical professionals working with the child; photographs; and supporting statements or reports relating to health and safety matters.

Reasons for the FSP making a qualifying determination

In a few cases, the reasons for the qualifying determination were not specified in the qualifying determination notice (as specified in Regs 28(6)(a) and 29(7)(a) of the Fostering Services (Wales) Regulations 2003. In the other cases there were, in each case, a number of reasons specified. These came under the following categories.

Assessment

- New negative information coming to light.
- Withholding information from the assessor, including the full extent and range of criminal offences.

Working with professionals

- Lack of openness and honesty with the FSP.
- Failure to implement the FSP's policy and procedures.
- Inability to communicate effectively.

Household

- Conflict or competing needs between proposed child and existing child/children in the household.
- Failure to acknowledge or appreciate the impact of problematic relationships or disruption within the wider family.
- Lack of suitable long-term accommodation, insecure finances or chaotic household.

Parenting capacity and safe care

- Failure to meet a range of competencies related to caring for children and providing safe care.
- Clear and significant concerns and risks from extended family.
- History of parenting own children and/or general poor quality of care.
- Lack of consistency with messages to children.
- Significant progress made by child in subsequent placement.

- Inappropriate sharing of confidential information.
- Kinship carer's collusive relationship with the child's parent and concerns that they would be unable to prioritise the needs of the child when in conflict with those of the birth parent.

Lifestyle issues

- Inappropriate use of emails and social networking websites.
- Smoking.
- Inappropriate use of monies.

Health and wellbeing

- Inability to sustain positive relationships or maintain effective functioning during periods of stress.

Learning and development

- Failure to avail themselves of learning and development opportunities or to take on advice about training.
- Unable to reflect on own practice.

Outcome of applications

In the first two years, 100 per cent of the recommendations made by the independent review panel were unanimous. In the third year, 50 per cent were by a majority.

Of the 21 applications heard which concerned the applicant's suitability or continued suitability to act as foster carers, the independent review panel recommendation concurred with the proposed decision of the FSP not to approve/reapprove in eight cases (in three of these the applicants were kinship carers, and in the other five the applicants were mainstream carers) In one case, the independent review panel had no option as the FSP refused to provide further information requested by the panel.

Out of these eight cases in which the panel concurred with the proposed FSP decision, the final decision in seven cases was that the FSP did not approve/reapprove the applicants. In the other case, the FSP reapproved the carers, going against their original proposal to terminate approval.

Of the 13 cases where the independent review panel recommended that the applicants were or remained suitable to act as foster carers, the final decision of the FSP was that the applicants were or remained suitable in eight of those cases. The final decision in five instances was that the applicants were not suitable/no longer remained suitable.

Of the above 13 cases in which the panel recommended that the applicants were/ remained suitable to act as foster carers, the review panel also gave advice in two cases that the approval status of the foster carer should be reviewed, and in four cases that adequate training should be made available to the foster carers.

Of the three cases in which the qualifying determination related to a change to the terms of approval of the foster carers, the independent review panel recommendation concurred with the proposed decision of the FSP in one case, and the final decision was that the foster carer's terms of approval were changed.

The final decisions of the FSP in the two cases where the review panel did not uphold the proposed change to the terms of approval were as follows:

- 1) Decision not to change the terms of approval (annual review to take place without delay specifically considering parameters of any future placement).
- 2) Decision to terminate approval. In this case, the review panel had not supported the proposed change to the terms of approval because the panel considered that the applicants were totally unsuitable to act as foster carers.

(The IRD Regulations allow the independent review panel to give advice in those cases heard concerning suitability/continued suitability. However, in those cases heard regarding change to terms of approval, the review panel has no remit to recommend termination of approval.)

Reasons for the independent review panel's recommendation concurring with the proposed decision of the FSP not to approve/reapprove

The reasons for the panel's recommendation concurring with the proposed decision of the FSP not to approve/reapprove came under the following categories.

Kinship care

- The wider family relationships and the applicant's lack of understanding of the impact of all the issues and lack of evidence that they had changed or reflected.
- Lack of evidence that the applicant could meet all of the specific child's needs based on their history of parenting their own children.
- Pressure from a birth parent, i.e. son/daughter of applicant.
- Concerns that a kinship carer may not be able to manage contact arrangements.

Insight into and ability to meet child's needs and provide safe care

- Lack of understanding of the child's needs, either generally or in specific areas.
- Lack of evidence that the carer could identify risks or not withhold critical information (based on not having shared significant information during their assessment).
- Insufficient information to conclude that any potential risk could be mitigated.
- The necessity for the welfare of children to take priority over fairness to applicants.

Working in partnership

- Lack of trust between the local authority and the applicant.
- Foster carer's failure to follow correct procedures.
- Unrealistic expectations regarding support.
- Lack of regard for vulnerable service users.
- Overstepping or blurring of professional boundaries.

Health concerns

- Anxiety/depression.
- Smoking/alcohol use.
- High blood pressure/diabetes/obesity.

Communication

- Threatening and intimidating style.
- Inappropriate use of social networking websites.

Training and development

- Failure to recognise importance of self-development.
- Unmet competencies.

Reasons for the independent review panel's recommendation not concurring with the proposed decision of the FSP

The reasons for the review panel recommending that the applicants were or remained suitable related to the following areas.

Training and support

- The independent review panel considered that the applicants had not received sufficient support from the local authority, for example, to enable understanding of the responsibilities of a kinship carer, the reasons for partnership working, or to assist with accommodation.
- Relevant and accessible training opportunities were not always available to the (kinship) carer.

(Under National Minimum Standard 33, the support needs of family and friends carers are expected to be met in the same way as for any other foster carers.)

Partnership working

- The carers had demonstrated their willingness and ability to work in partnership with the local authority and other professionals, e.g. in relation to contact and education.
- There had been a history of good working relationships.
- The carers were good at supporting contact and keeping the FSP informed of issues.

Experience/skills

- Previous parenting experience.
- Evidenced ability to meet the needs of the child and to provide a safe and caring environment.
- Positive track record of fostering and positive review reports.
- Ability to cope with the stress of an investigation and to continue to work with the FSP through stressful times.

In several of the kinship care cases, the existing placement with a grandparent/s was considered to be stable or the placement, if made, was considered to be likely to be in the child's best interests, taking into account:

- a) positive messages from research into placements with kinship carers, particularly grandparents and the benefits to the child of remaining within the extended family;
- b) evidenced commitment of the grandparents.

Good practice identified by the independent review panel

It was clear in a number of the cases considered that by the time the matter was considered by the independent review panel, the FSP had already learnt from their experiences and had taken steps to improve practice or procedures.

The positive feedback from the independent review panel fell into three main areas.

Partnership working

- History of a positive relationship between the FSP and the foster carers.
- All parties had been respectful to each other.

Training and support

- The foster carers had been offered a good range of training and/or had been well supported, in particular by the fostering team.
- The local authority had funded independent support for the foster carer.
- There had been regular contact between the local authority and the foster carer.

Practice and process

- Clear, balanced, well-written reports.
- Assessment reports completed within a reasonable timeframe.
- The FSP had been open and reflective/was open to acknowledging errors and omissions.
- A good standard of qualifying determination notices containing all relevant information.
- The FSP panel had offered the carers a probationary period.
- Children had either been placed within the extended family or the local authority had explored placing the child with connected people.
- Prompt commencement of assessment of the kinship carer following the placement of the child/ren.

Presentation of FSP representatives at the independent review panel

The Statutory Guidance permits agencies to send up to two representatives to the IRM panel. The IRM Cymru recommends that these should be the social worker who undertook the assessment or review and the relevant line manager.

Generally, it was felt that the FSP sent the appropriate representatives, although in some instances the social worker who had undertaken the assessment was no longer employed by the FSP or available.

The representatives, in particular the social workers, mostly presented well, were knowledgeable about the cases, gave clear, comprehensive accounts and were respectful towards the applicants and review panel, although there were a couple of instances of disrespectful behaviour. Some FSP representatives were better prepared than others. There were a few cases where the review panel noted that the social worker representatives either had no support in the form of a second representative or were poorly supported by the latter.

Practice concerns identified by the independent review panel

Concerns were noted in relation to the following areas.

Assessment or review reports

(Ref: NMS 17 'Sufficient carers with the right skills/experience')

Overall, the quality of the assessment reports considered in the second and third years was better than that seen in the first year. Some of the concerns identified are listed below.

- Variation in the quality of the assessments.
- Lack of clarity regarding what written information was given to the applicants about what the assessment would entail.
- Over-reliance on verbal reports.
- Information shared by applicants not followed up or corroborated.
- Lack of evidence to support in-depth discussion of strengths and areas for development.
- Poor analysis, with either no clear concluding recommendation or recommendation incongruent with earlier analysis and/or insufficient evidence.
- Lack of contribution from the child's social worker in the assessment of the prospective kinship carer.
- Inconsistencies in the report.
- Documents unsigned and undated.
- Foster carers not provided with reports concerning them in a timely manner, nor given adequate time and opportunity to respond to reports.
- Lack of risk assessment in respect of health issues.

FSP panel

(Ref: NMS 9 'Fostering Panels')

- FSP panel recommendation made without having had access to the full appropriate documentation.
- Omitting to make changes to addendum reports before presenting to the FSP panel when mistakes had been identified by the carer.
- Foster carers not invited to attend the panel (particularly important if there is a possibility that termination of their approval may be recommended).
- The report not being shared with the applicant beforehand.
- Carers approved as long-term even when this was not recommended by the FSP's medical adviser.
- Panel and decision-making process unclear.
- FSP recommendations that fostering approval be brought back to their own panel for monitoring, within a specified timeframe, not always followed up.

Complaints and allegations

(Ref: Welsh Government Best Practice Guidance 'Protecting Children, Supporting Foster Carers')

Many issues were raised in respect of those applications where there had been previous complaints or allegations and the way in which these had been dealt with.

- Lack of evidence that FSPs had balanced the considerable strengths of the foster carers against one failure or incident or taken their fostering career into account.
- Lack of evidence that allegations had been fully investigated.
- Lack of written information for carers regarding complaints process and entitlement to support.
- Unclear if previous allegations had been addressed. Old concerns/allegations were frequently referred to in the documents provided by the FSP where the outcome had not been made clear to the foster carer or provided in writing at the time.
- Failure to conduct a formal review following an investigation.
- Delay of three months before starting an investigation into a placement breakdown.
- Confusion – treating an investigation as a review.
- Failure of a local authority to provide written outcomes in respect of allegations against foster carers.
- Documents and reports not meeting the guidance criteria set out in the Welsh Government's Best Practice when responding to allegations against foster carers.

- Inappropriate to accept resignation or pressure the carer into resigning where there were concerns which justify termination of approval.

Kinship care

(Ref: FSW Reg 38)

- In some of the applications heard in the first two years, the child had already been in the placement for a considerable period before the assessment was undertaken.
- Delay in undertaking basic safeguarding and health and safety checks where the child had already been placed.
- The independent review panel felt in a number of cases that the fostering team should have been engaged vigorously with the placement from the outset of the assessment rather than assessing carers for specific children in a vacuum.

Training and support for foster carers

(Ref: FSW Reg 17 as well as NMS 21 'Management and Supervision of Carers', NMS 23 'Training of Carers' and NMS 33 'Family and Friends as Carers')

- Many instances of appropriate training not having been provided and of inadequate support and/or supervision, including for some new carers.
- The relationship between the carers and the fostering service social worker was often seen as better than that with the child's social worker. In a number of cases, the visits from the child's social worker were infrequent.
- A need for guidance in relation to use of social networking websites.
- (For kinship carers) Lack of pre- and post-approval training and support, e.g. to attend support groups.

Placement and matching issues

(Ref: FSW Reg 34(b); FSW Reg 35; FSW Reg 17(3); NMS 8 'Matching', NMS 6 'Securing and Promoting Welfare' and NMS 9 'Protecting from Abuse and Neglect')

- Poor communication between the child's social worker and the foster carers and the child's social worker and/or the FSP.
- Poor matching.
- Statutory visits by the child's social worker failing to take place.
- No evidence that safe care issues were monitored during the placement.
- Approving carers as long-term contrary to the recommendation in the assessment report and that of the medical adviser.

- Placing a very demanding and complex first placement with newly approved carers.
- The local authority supported a placement of children sharing a bedroom where there was information to suggest that this was detrimental to them.
- Failure of the local authority to provide full looked after children information at the time of placement, even though the foster carers were inexperienced.
- Use of a baby alarm to monitor children's conversations.
- Use of carers outside of their approval status.

Ending of placement

- Not consulting with the foster carers regarding a change of care plan and to take child's wishes and feelings into account.
- Not informing the foster carers that the local authority had given required notice to remove the child.

Contact

(Ref: NMS 10 'Promoting Contact')

There were many issues raised in relation to contact, including those listed below.

- The local authority not ensuring that the foster carers fully understood restrictions regarding contact.
- Complex contact issues, where contact was set at an unrealistic level with little regard for the disruption to family life or the negative impact on the child.
- Lack of a clear written agreement reading the contact arrangements, e.g. transport and involving the foster carers in the planning.

Other FSP practice issues

(Ref: NMS 22 'Supervision of Foster Carers')

- Poor recording and loss of recording by the FSP.
- The FSP not complying with its own policies and procedures.
- The FSP withholding information from the carers to avoid disruption of placement.
- The FSP not providing the carer with an up to date handbook (Ref: NMS 22.5).

Qualifying determination notification

Overall, the standard of the qualifying determination notices improved over the three years studied, with most FSPs using the same or similar version to the model

letter as set out in paragraph 43 of Annex A of the Welsh Government Statutory Guidance to FSPs (February 2010), i.e. setting out the foster carer's right to an independent review or to make representation to the FSP within 28 calendar days of the notice. However, there were still some inaccuracies, such as:

- The qualifying determination notice not being compliant or only partially compliant with Reg 28(6) or 29(7), i.e. set out the right to an IRM review or to make representation to the FSP within 28 calendar days;
- the qualifying determination not being valid as the panel recommendation and decision-maker's decision had been made on an incomplete assessment;
- in one case, the notice to an applicant had wrongly assumed that the carer had resigned;
- conflicting dates on the qualifying determination notice;
- during the first year, there had been in some cases a significant time lapse between the original recommendation and the issuing of the qualifying determination notice. This was not the case in the second and third years;
- in the first two years of operation of the IRM Cymru, some local authorities reported being under pressure from the courts to make recommendations and decisions before all checks had been completed.

Timescales

Applicants and FSPs have in most instances been good at responding promptly to requests from the IRM Cymru for information and providing documentation as soon as it has been available.

All independent review recommendations were posted to the FSP within 10 working days. Where requested, for example, in the case of ongoing care proceedings, the recommendation has been provided to the FSP informally at an earlier time.

All the applications were acknowledged and the FSP informed within the required timescales. In all cases, the independent review panels were arranged to review the applications within the required timescales of two-and-a-half months, except in one case where the review panel was postponed, with the agreement of the FSP, due to the holiday arrangements of the applicants. One panel had to be postponed for a month at the request of the court to await completion of an independent assessment, commissioned as part of the ongoing care proceedings. In three cases, the hearings were adjourned after the first independent review panel hearing when the review panel requested further information.

(The Independent Review of Determinations (Adoption and Fostering) (Wales) Regulations – Reg 15 allows for adjournment where there is insufficient information on which to make a recommendation or where the panel wishes to request further information. Where this happens, the review panel must be reconvened as soon as reasonably practicable when the outstanding information is available, but in any event no later than 28 calendar days from the date of the adjourned panel.)

In one case, the panel was arranged within the timescale and then had to be adjourned shortly before the scheduled date at the request of the court and local authority due to the ongoing care proceedings. The care plan for the children changed and the application was subsequently withdrawn as the applicant was subsequently approved by the local authority's own panel in line with the revised care plan.

Where adoption agencies and FSPs have anticipated that their prospective or existing adopters/foster carers may apply to the IRM Cymru upon receipt of a qualifying determination notice, they have been able to check with the IRM Cymru staff if an application has been made before making their final decision. The IRM Cymru office regularly receives such calls from FSPs. This helps ensure that premature final decisions have not been taken, as some applications from foster carers have been received by the IRM Cymru on the 28th day (the eligibility deadline for fostering applications).

Feedback on the IRM Cymru

- The IRM Cymru has received no formal complaints since the service was introduced.
- Feedback on the service and experience at the panel is collected via questionnaires from service users and review panel members in every case.
- Applicants and FSP representatives have reported general satisfaction with the service. All those who responded described the service variously as prompt, very professional, well-coordinated and helpful, and considered that there had been good, clear communication. The documentation in the packs presented to the review panel has been found to be very helpful.
- Practical arrangements such as the venue and organisation on the day of the review panel meeting were mostly considered to be satisfactory or excellent, with comments that the panel process was professional, smooth and thorough, the chairing was of a high quality and the recommendations balanced.
- Representatives reported that they had been treated fairly and with respect at the panel and that they had had the opportunity to give their account. Attendees found it helpful to be provided with profiles of the panel members prior to the meeting.
- Some FSPs noted that they intended to introduce aspects of the review panel process to their own panel process, for example, providing applicants with a profile brochure of panel members before meeting them, and altering the way in which the documentation was provided for the panel.
- Feedback from panel members and service users has highlighted the valuable role played by the professional, legal and medical advisers to the review panel.
- Applicants and FSP representatives mostly considered that they were able to present the information they wished to present, although some FSP representatives would have liked more opportunity to provide clarity on some matters.
- There was one instance of applicants and review panel members being dissatisfied with an FSP introducing new documentation at the meeting, even though it had been made clear that this was not acceptable.
- The feedback from the Administrative Justice and Tribunals Council (AJTC) representatives, both informally at the end of meetings and in the written reports provided, has been very useful in helping the review panels to learn and develop. The AJTC representatives involved to date have spoken very positively about the way in which the service operates and the quality of the documentation provided

for the panel. They have considered the hearing process to be clear and efficient, with questions being put to attendees in an objective and fair way.

- The role of the panel adviser at the review panel meetings has been highly rated by the review panel members, particularly in helping keep the panel focused on the relevant issues. The AJTC also highlighted this role as crucial in keeping the panel on track.

Recommendations for FSPs

1. FSP panels must ensure that recommendations are not made by the FSP panel until an assessment has been fully completed and has included all the information, as set out in Schedule 3 to the FSW. Any qualifying determination made following a recommendation where the assessment has not been completed will not be a valid one.
2. A qualifying determination notice must identify itself clearly as such. It should include reasons and a copy of the panel's recommendation as required by Reg 28(6) or 29(7) of the FSW.
3. There should be rigorous quality control systems in place to ensure that the panels have full and clear documentation before making a recommendation (Ref: NMS 4 'Monitoring and Controlling').
4. Services and panels need to have robust quality assurance mechanisms (Ref: NMS 4 and 31.4).
5. Assessors must have high-quality training and supervision (Ref: NMS 19 and 20).
6. Clear contracts with independent assessors should include agreement about the responsibility of the assessor once the assessment is completed and clarity regarding who is responsible for undertaking checks.
7. Assessment reports prepared for the FSP panel must be evidence-based, include robust analysis, show consistency, include a clear recommendation for the assessor and be signed and dated (Ref: NMS 31.4).
8. Within assessments, all relevant parties must be interviewed and requests for information from any third party should be made directly to the third party and not via the applicant.
9. Reports or information on applicants being presented to panels should be seen by the applicant prior to the panel (save for third party information) and there should be evidence in writing confirming that this has happened. The reports should be shared with them in a timely manner and adequate time given in which to respond.
10. In relation to allegations against carers, FSPs should follow the guidance in the Welsh Government's Best Practice Guidance, *Protecting Children, Supporting Foster Carers* (2011).

11. Kinship carers need help to understand what will be expected of them during an assessment, to be offered ongoing training, and to be well supported at all stages, including being supported to attend training (Ref: NMS 33).
12. In assessments of kinship carers, the needs of the child must be clearly documented, including details of how the prospective carers can meet those needs.
13. In kinship cases, the child care team need to ensure that information on the child is robustly communicated to the assessing social worker.
14. FSPs need to be mindful that if specific questions are not put to prospective carers during the assessment, the applicants do not always volunteer relevant information because they are unsure of what is expected of them.
15. All foster carers need to be provided with sufficient, relevant and ongoing support and to be provided with information about support services available (Ref: NMS 21).
16. Foster carers should be provided with guidance about appropriate use of social networking websites (Ref: NMS 23).
17. Training needs identified in the prospective foster carer/Form F report should be followed up.
18. A risk assessment should be undertaken prior to each placement and safe care issues monitored on an ongoing basis.
19. It is important that FSPs balance their concerns about a particular incident against the total fostering career of a carer.
20. It is not safe or appropriate for an FSP to pressure a foster carer into resigning where there are concerns that justify termination of approval.
21. Foster carers need to be included in the planning of contact arrangements. They should be provided with a copy of the contact plan and given clear guidance about the arrangements and related boundaries.
22. Independent fostering providers need to consider the implications of any decision made by the local authority concerning a placement and how these may affect the foster carer.
23. Pre-disruption meetings should be considered where relevant.

Conclusion

It should be borne in mind that the IRM Cymru only gets involved in those cases where there are contested and complicated issues. It is recognised that assessments are complex and that there is a great deal of successful work which does not come to the attention of the IRM.

There has been much useful learning for FSPs in relation to practice and procedures arising from the applications to date.

- The standard of the qualifying determination notices has improved since the IRD Regulations came into force, with most FSPs using the model as set out in the Welsh Government Guidance to the IRD Regulations. The notices are also being dated and sent to applicants in a more timely fashion; however, they still do not always include the reasons or a copy of the panel's recommendation.
- The number of applications received and heard in each year of operation has been consistent and all the eligible applications have been in relation to fostering. Whereas during the first year of operation there was a high proportion of applications from kinship carers, in the second and third years this has been balanced with applications from prospective or approved mainstream foster carers. Although there were several applications during the first year relating to a proposed change in the terms of approval of a foster carer, there have been none in the second and third years. It is not known what factors are determining the number and type of applications.
- The applications relating to kinship carers have thrown up many issues and have been complicated by ongoing care proceedings and other assessments taking place. In particular, these cases have shown that better guidance, training and support for kinship carers is needed from the outset. Some have not been clear about the local authority's expectations of them during assessment and post-approval.
- The applications heard have raised many issues relating to allegations and complaints and how these were dealt with. In several instances, the outcome of these was not clear either to the foster carer or to the independent review panel.
- The independent review panels have been reassured to note that FSPs have shown that they are not prepared to take risks in approving carers where parenting capacity has not been sufficiently evidenced nor ability to provide safe care or to work in partnership with the FSP demonstrated.
- It is good to know that most of the FSPs have welcomed feedback and have taken the opportunity to improve their policies or procedures. One FSP produced a very

comprehensive action plan as a result of the feedback. Some have adapted their panel processes to reflect the review panel process.

- There has been ongoing learning for the IRM Cymru service. The members and advisers of the independent review panels have continued to demonstrate a high level of commitment to their role and to providing a fair and professional service.

Any staff of FSPs or adoption agencies who would like the IRM contract manager to visit their teams or panels to share information about the IRM in Wales are invited to contact the IRM Cymru at irm@irmcymru.org.uk.

Information about the IRM Cymru is available at www.irmcymru.org.uk, or contact the IRM Cymru office at irm@irmcymru.org.uk or on 0845 873 1305.

Published in 2013 by

Independent Review Mechanism Cymru

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British Association for Adoption & Fostering is a registered charity no. 275689
(England and Wales) and SC039337 (Scotland)
Registered as a company limited by guarantee in England and Wales no. 01379092
Registered office at Saffron House, 6–10 Kirby Street, London EC1N 8TS

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