

# IRM Cymru

## Annual Report 2015-2016



## Introduction

The Independent Review of Determinations (Adoption and Fostering) (Wales) Regulations 2010 and The Fostering Services (Amendment) Wales Regulations 2010 came into force in April 2010. An IRM service had been in operation since 2005 (operated by Welsh Government). The 2010 regulations extended the remit of the IRM to include fostering and the extended service was operated by BAAF Cymru on behalf of Welsh Government until the 4<sup>th</sup> September 2015 when BAAF ceased to operate. From the 14<sup>th</sup> September 2015 the service became hosted by Children in Wales, who again operate the service on behalf of Welsh Government.

The Independent Review Mechanism (IRM) 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 some of the most vulnerable children in our society.

Where a fostering or adoption agency is planning (following its own panels consideration) not to approve, or cease the approval of foster or prospective adoptive parents or change the terms of approval of foster carers this gives what the regulations refer to as a 'qualifying determination' and offers the opportunity for the situation to be reviewed by an IRM panel before the final decision is made by the agency.

The IRM is not an appeals process, and the final decision regarding suitability or continuing suitability, or in the case of foster carers their terms of approval remains with the agency, but they must take into account the views of the IRM panel when they make their final decision.

The other area where the IRM panel can give a recommendation is to adopted adults who were adopted on or after the 30<sup>th</sup> December 2005, or to the birth relative of someone adopted on or after that date. Two areas can be considered

- That the agency will not proceed with an application for the disclosure of protected information, or
- That it will disclose the information against the will of the subject of the information.

There have, not surprisingly given the timescale, been no such applications to date.

IRM panels are made up of people from a central list. These are people with a range of personal and professional experience. All will have been appointed to the list following a recruitment process and references and DBS checks will have been undertaken. Panel members are provided with annual training and ongoing appraisals.

## **Developments in 2015-16**

As has been stated above a significant change was the hosting of the service by Children in Wales. The personnel who had been operating the service when it was managed by BAAF were employed by Children in Wales. So the expertise in relation to the service was not lost. Jenny McMillan and Fiona Probert both work for 14 hours per week.

The service is being run by Children in Wales under a government grant until March 2017.

The majority of people on the central list continued to serve with the new contract. There has been a loss of some members and targeted recruitment took place to ensure there was sufficient representation on the central list. 2 people were added, 1 to undertake the role of panel advisor or social worker and 1 the role of social worker.

A development day was held for panel members in November 2015. The focus of that was in relation to health and legal matters. The legal discussion allowed an exploration of the key changes that would be brought in by the Social Services and Wellbeing Act 2014 and at the role of the IRM in relation to disclosure applications. The medical advisor to the panel discussed key issues in relation to the health of applicants.

A newsletter was sent to all panel members in July 2015 and it is planned to send that twice a year to ensure panel members are kept as up to date as possible.

With the move to Children in Wales, the IRM website has been re-sited and updated sections have been added such as frequently asked questions. The revisions are close to conclusion.

## **Applications to the IRM in 2015-16**

There were 5 applications received by the IRM in 2015-2016

4 of these applications were from foster carers who the agency were 'minded to de-register'

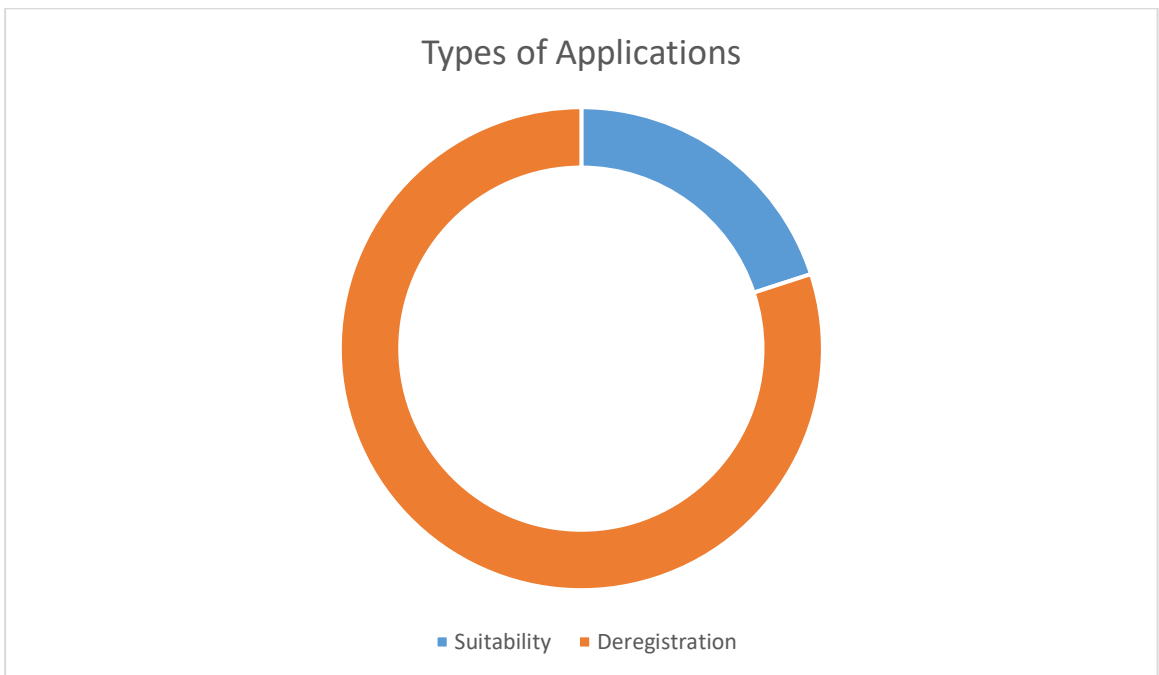
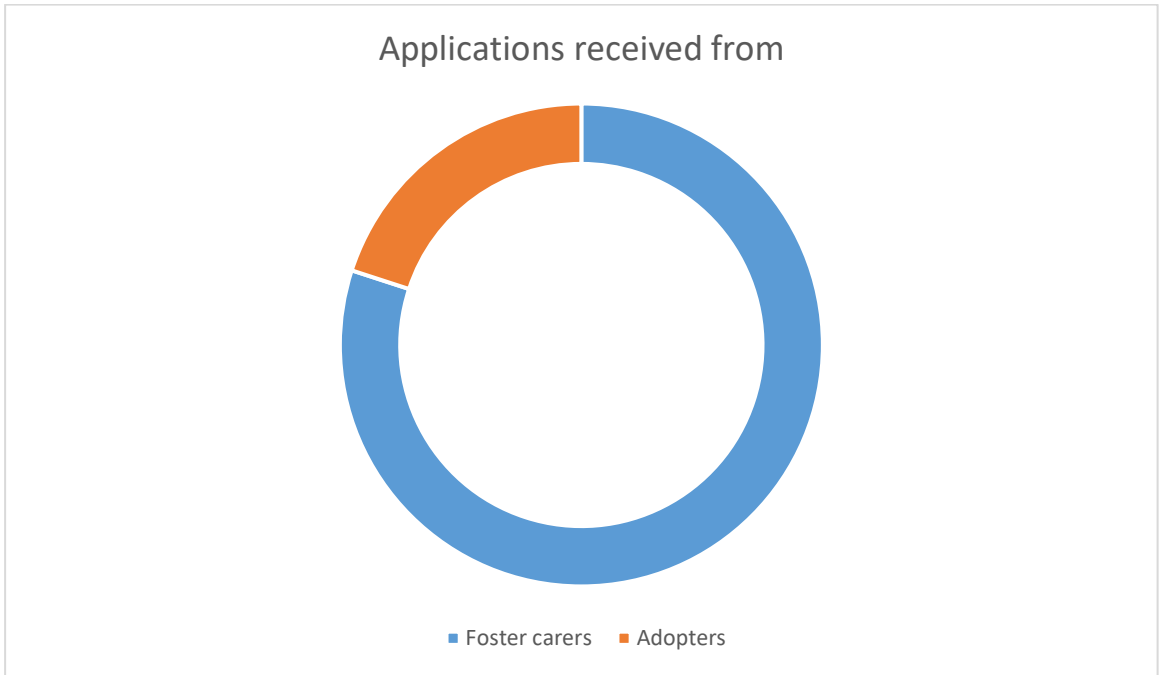
1 was from a prospective adopter who the agency were 'minded not to approve'

This is the lowest number of applications that have been received since 2010. There is no known reason for this drop in applications.

Over the year awareness raising sessions have been undertaken in both North and South Wales. A leaflet providing a 'simpler version' of the IRM process has been made available to applicants and agencies and a frequently asked questions has been added to the web-site with the aim of ensuring information about the IRM is as accessible as possible.

With the change of host agency for the IRM three sets of communication have been sent out to alert agencies to the change of contact details. 4 of the 5 applications in year were received when the hosting arrangement had changed to Children in Wales

With the change of host agency the website has been changed but the previous website has remained active to ensure that potential applicants could access all relevant information during the transition period.



All the applications received during the year were eligible (this is the first year in which that has occurred) 1 was not heard within the agreed timeframe. This is the first time that has happened. It was delayed by 1 month at the request of the applicants and with the consent of the agency. 1 is pending review.

### **Geographical spread of applicants in applications**

All of the applications received were from applicants residing in South Wales.

### **Geographical spread of fostering service providers and adoption agency**

<b>Blaenau Gwent</b>	<b>1</b>
<b>Bridgend</b>	<b>1</b>
<b>Cardiff</b>	<b>2</b>
<b>Newport</b>	<b>1</b>

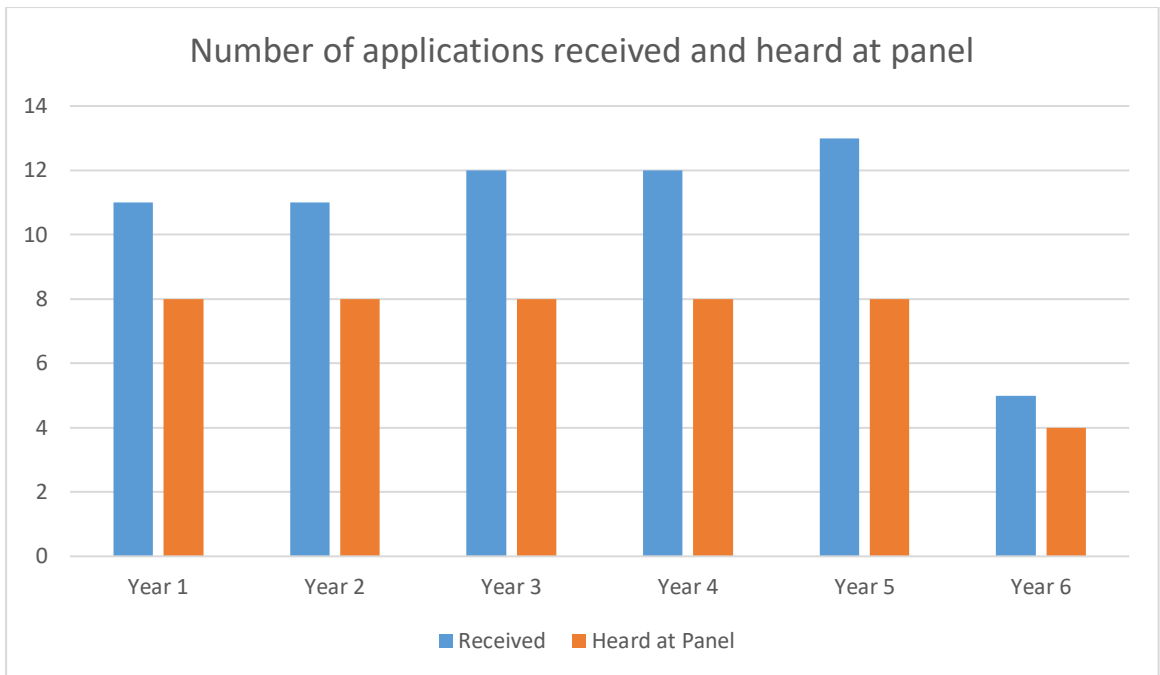
Where the applicants are foster carers with an independent fostering agency the location is that of their head office for the purpose of the above figures, which does tend to make Cardiff look over represented.

### **Specific Needs**

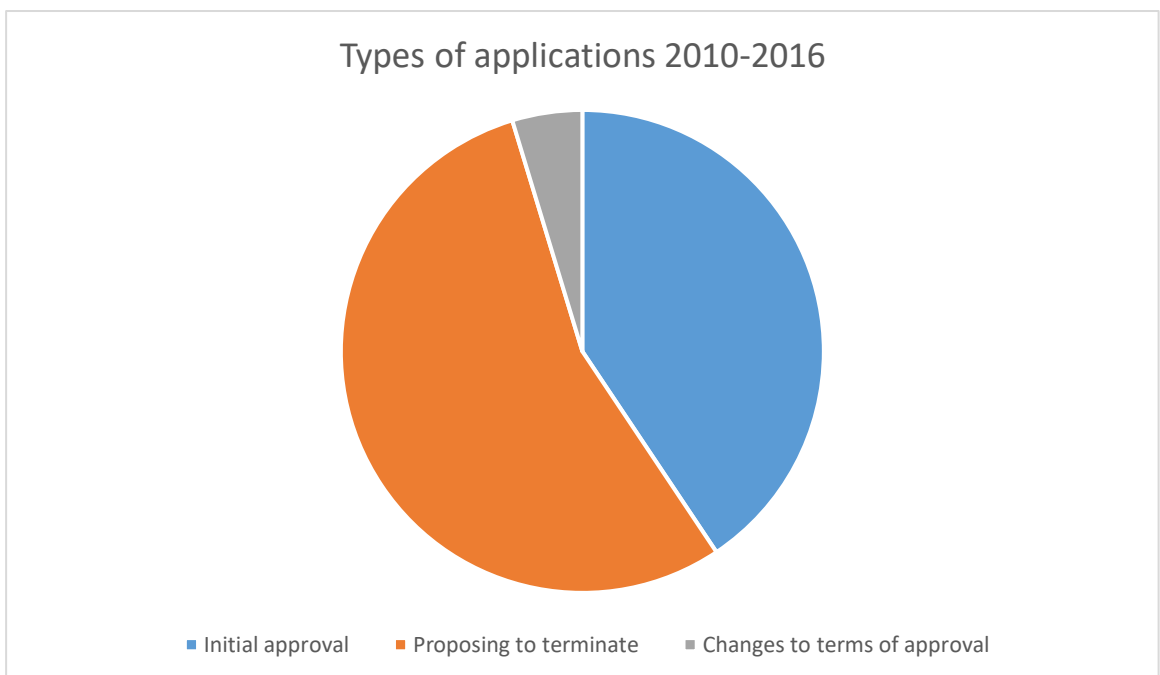
The IRM Cymru ensures at an early stage in the review process that it is aware of any disability or impairment that the applicants or agency representatives might have that would need to be taken into account in arranging a panel. There were no requests in year for such consideration.

There were no requests in year for applications to be heard through the medium of Welsh.

### **Comparative Data 2010-16**

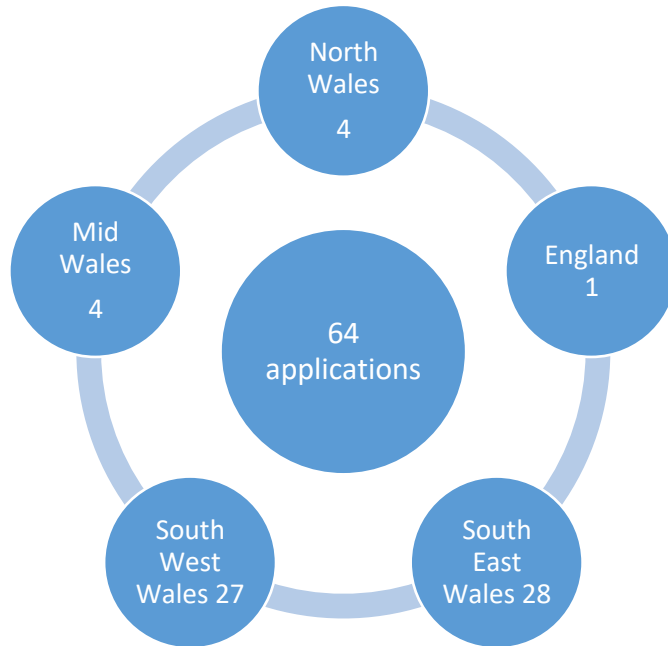


Year 6 while having a small number of applications was the first where all applications received were eligible to be heard by the IRM. 1 case is yet to be heard at panel although it is eligible.



Over time it is the proposal to terminate foster carers approval that has become the dominant application to the IRM. In the last year it was 4 out of the 5 cases.

### Location of applicants



In 2015-16 all the applications came from South Wales.

### Location of agencies in the 64 applications received

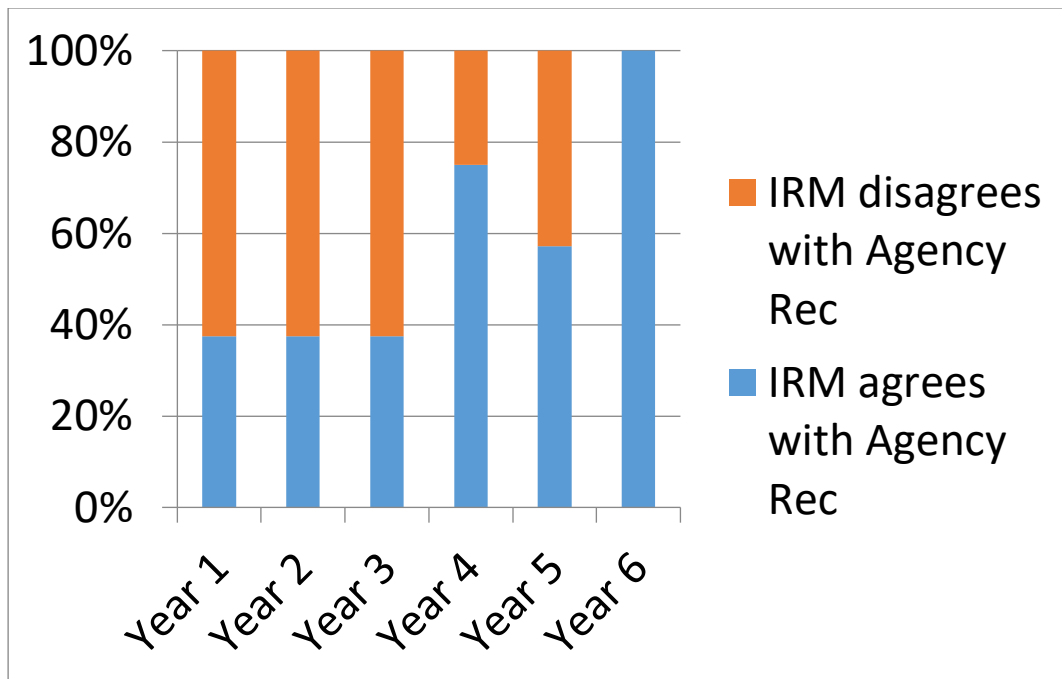
Blaenau Gwent	2
Bridgend	1
Caerphilly	2
Cardiff	13
Carmarthenshire	3
Ceredigion	2
Flintshire	1
Gwynedd	1
Merthyr Tydfil	1
Neath Port Talbot	6
Newport	3
Pembrokeshire	1
Powys	1
Rhondda Cynon Taff	10
Swansea	14
Vale of Glamorgan	1
Wrexham	2

### Status of applicants

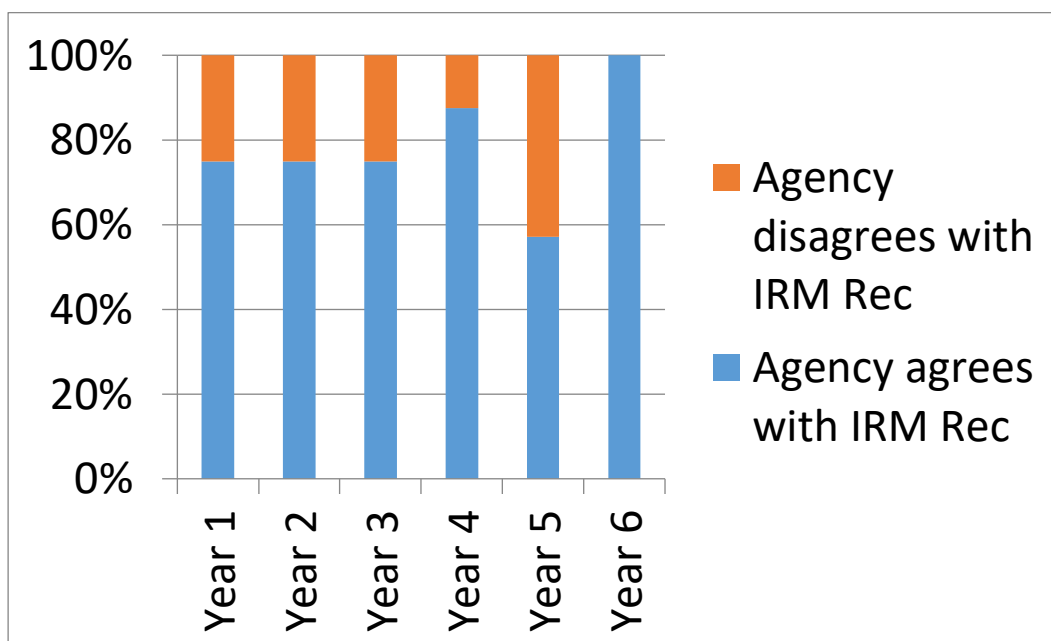
For the known ethnicity of applicants they have all been White Welsh / White British with the exception of 2.

The chart below shows as a percentage, where the IRM disagrees or agrees with the Agency recommendation.

2016-17 was the first year where the IRM agreed with the proposed agency decision in all cases. 1 case remains to be heard at panel so this may change.

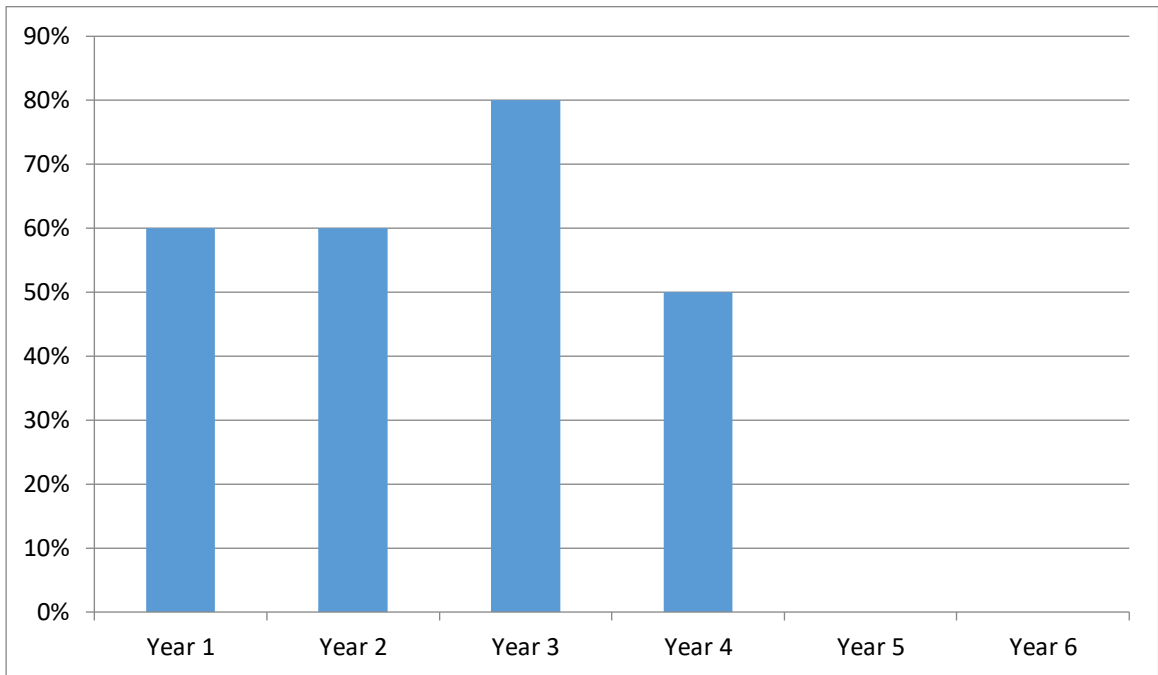


The chart below shows as a percentage, where the Agency disagrees or agrees with the IRM recommendation (again 1 case remains to be heard)





The bar chart below shows the percentage of cases where the IRM disagreed with the initial QD and the Agency then concurred with the IRM recommendation.



### **Applications from connected persons (kinship)**

There have been no kinship applications brought to the IRM this year. The number of kinship applications has seen a year on year decline. This could be that there are more robust early viability assessments and agencies are not progressing applications that are unlikely to be approved. It also coincides with a higher use of special guardianship orders which might in some instances be seen as more appropriate than approving connected people as foster carers.

Year 1 – 64%  
Year 2 – 45%  
Year 3 – 25%  
Year 4 – 17%  
Year 5 – 15%  
Year 6 – 0%

### **Good Practice identified by the IRM**

The representatives who attended the IRM on behalf of their agencies were generally well prepared and presented well and able to give a clear response to the questions

Agencies provided all the information required by panel in a timely manner.

### **Areas for development identified by the IRM**

As in previous years some applicants to the IRM had been subject to a child protection investigation following an allegation. There remains a mixed response in terms of the support that is provide to foster carers during what is inevitably a stressful process. Foster Carers should receive appropriate support during such a period and it would be helpful if all agencies adopted a common approach to this

### **Feedback to the IRM**

The IRM received no complaints during 2015-16

The applicants to the IRM, the agency proposing the qualifying determination and all Independent review panel members are provide with questionnaires to complete on the quality of the service that was provided by the IRM Cymru. That includes their experience at the review panel.

Overall the feedback continued to be very positive in relation to the service even though from the applicant's perspective none got the outcome they hoped for.

The following quotes are representative of the feedback

*We felt that our case was explored fully and even the difficult questions were asked sensitively and treated us with respect. We understood why certain questions were asked but did not feel any were unnecessary. We were able to say all we wanted, though as always when you leave such a situation you think of more 'you could have said'. We were given time to say what we wanted as well as to answer questions.*

*I would like to thank the panel for their respect, courtesy and compassion during a process that was for us the culmination of an extremely distressing time in our lives.*

*We were given clear information about what the process could or could not do and what information was permissible.*

### **Developmental issues for the IRM**

- The IRM will continue to ensure that it is in regular contact with agencies and that accessible information is available to prospective applicants. It will respond to any requests for information about the IRM from agencies or foster carer groups.
- Over the coming year a review of the work of the IRM will occur to ensure the requirements are being met in the most effective way.

## Conclusions

- The 1<sup>st</sup> 5 years of the IRM saw a consistent number of applications to the IRM. Year 6 saw a significant decline to 5 applications
- 4 of the 5 applications were in relation to proposed fostering de-registrations.
- 1 of the applications was in relation to the proposed non approval of a prospective adopter.
- This was the first year where there were no applications from connected persons (kinship carers)
- All the applications received were from South Wales
- 1 application was not heard within timescale. That was at the request of the applicant to allow them more time to prepare their application and was agreed with the consent of the agency.
- This was the 1<sup>st</sup> year where the IRM panels agreed with the proposed recommendations of the fostering/adoption agencies in all cases
- With the change in host agency there were some resignations of panel members. There has been a targeted recruitment to fill specific gaps. Overall panel members remain committed to the work of the IRM