

Annual Report

IRM Cymru

2014 to 2015

1) Summary

The independent Review Mechanism for Wales came into force on 2nd April 2010 and is operated by BAAF Cymru on behalf of Welsh Ministers

In the fifth year of operation 2014-2015, 13 applications were received. 8 of these were accepted the other 5 being ineligible. There were 5 panel dates with 2 of the panels hearing 2 cases. 1 case received in year is due to be heard in May.

Of the 5 cases that were ineligible, 2 were submitted outside the timeframe, which are stipulated in The Independent Review of Determinations (Adoption and Fostering) regulations Wales 2010. The timescales are 28 calendar days for fostering applications and 40 days for adoption applications, and 3 did not have valid qualifying determinations. (See page 3 for explanation re this term)

12 of the applications related to fostering and 1 to adoption. The adoption application was in relation to initial suitability Of the 8 applications accepted 7 related to fostering
Of the fostering applications 3 related to initial suitability and 9 to de-registration.

6 of the recommendations of the independent Review Panel were unanimous and 1 was by majority.

In 4 of the 7 cases heard the Independent Review Panels recommendation concurred with the proposed decision of the fostering service provider that the applicant(s) was not suitable or no longer suitable to act as a foster parent.

In the 3 cases where the recommendation of the review panel was that the applicant was or remained suitable, the Fostering Service Provider subsequently decided to approve/reapprove in none of those cases. In two of the cases the provider gave no specific reason for upholding their original decision (they are required to notify the IRM of their final decision but not necessarily their reasoning). In the third case this is still in the court arena and the agency have said they will give detailed feedback regarding their reasoning once they have leave of the court to do so.

2) 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 has been operated since then, in Wales by BAAF Cymru 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 30th 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

3. Developments in 2014-15

Maureen Ingham who had managed the IRM since BAAF Cymru undertook the contract in April 2010 retired from the post in September 2014. Maureen had developed and managed the service for just short of 5 years and is a significant loss to the work of the IRM.

Fiona Probert remains in post and Jenny McMillan has been appointed as Contract Manager from the 5th January 2015.

The original contract with Welsh Government was extended until 30 September 2014. The contract was re-tendered and it was awarded to BAAF Cymru on October 1st 2014. The revised contract runs until March 2016 with an option to renew on the part of Welsh Government for a further year.

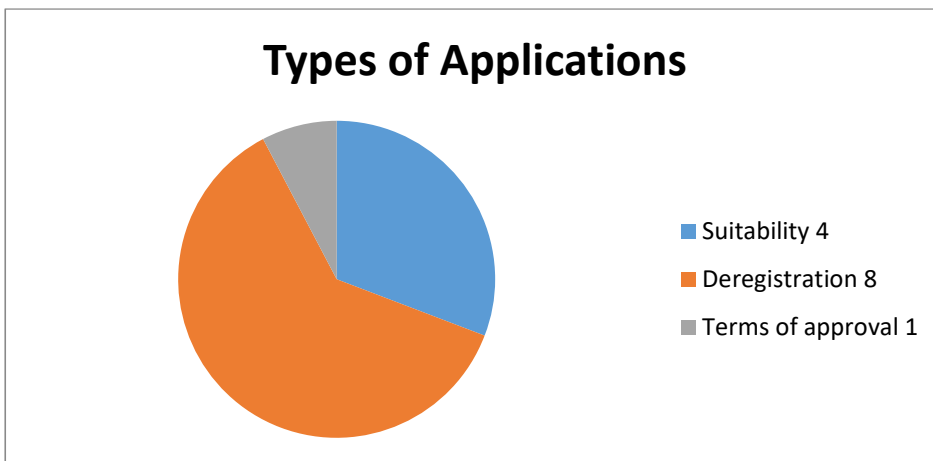
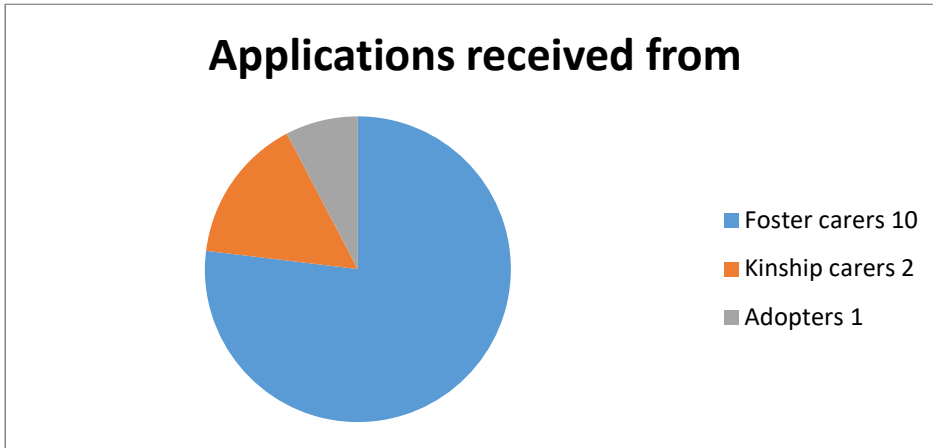
There was a recruitment to add people to the central list. The recruitment was particularly keen to add diversity to panels, in terms of a wider range of age, gender and those with personal experience of adoption and fostering. 7 people were added, including 2 men and 3 people who had personal experience of adoption or fostering

A development day was held in March 2015 where panel members were updated on the developments within the National Adoption Service and the place of the IRM within that. There

were legal updates and an opportunity for panel members to review processes and reflect upon their approach to panels and decision making (see feedback to IRM).

4. Applications to the IRM in the year 2014-2015

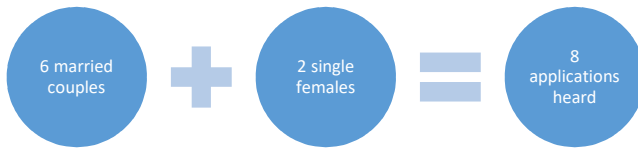
There were 13 applications to the IRM in 2014-2015



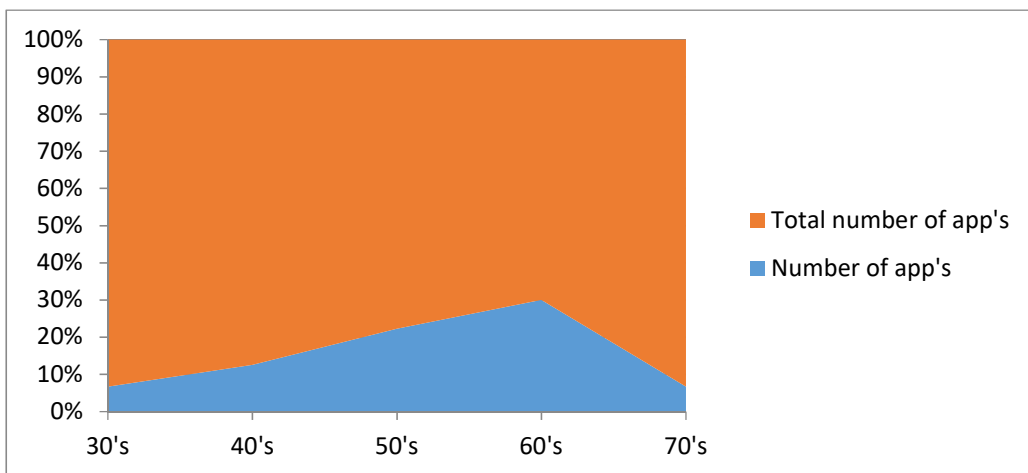
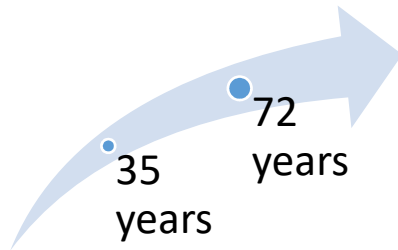
5 Applications were not eligible

- In 1 the full assessment had not been completed
- 2 applications were received out of timescale
- In 1 there was not a valid Qualifying Determination as the applicants had resigned
- In 1 the applicants did not have a Qualifying Determination as it was an initial approval but not on the terms they had hoped for. Where the agency change terms of approval there is a qualifying determination, (for information regarding qualifying determinations see page 3 and for more detail visit the IRM web-site www.irmcymru.org.uk)

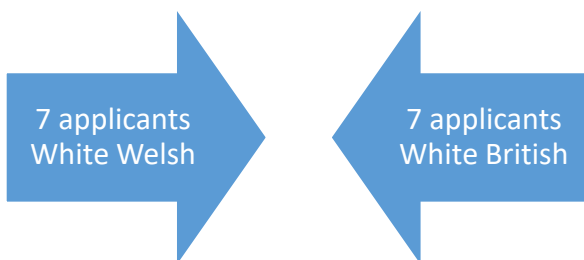
Status of the applicants



The age range of the applicants were



The ethnicity of the 14 applicants were



Geographical spread of applicants in applications

North Wales	0
Mid Wales	0
South East Wales	5
South West Wales	7
England	1

Only applications from Welsh agencies can be reviewed but applications are received from potential kinship carers in England where the child is resident in Wales.

Geographical spread of fostering service providers and adoption agency

Blaenau Gwent	1
Caerphilly	1
Cardiff	3
Carmarthenshire	2
Neath Port Talbot	2
Rhondda Cynon Taff	2
Swansea	2

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 chart.

Geographical spread of applicants in accepted cases

5 of the accepted applications were from South–East Wales and the remaining 3 from South West Wales

Geographical spread of fostering service provider and adoption agency in accepted cases (see above note).

Blaenau Gwent	1
Caerphilly	1
Cardiff	1
Carmarthenshire	1
Neath Port Talbot	1
Rhondda Cynon Taff	2
Swansea	1

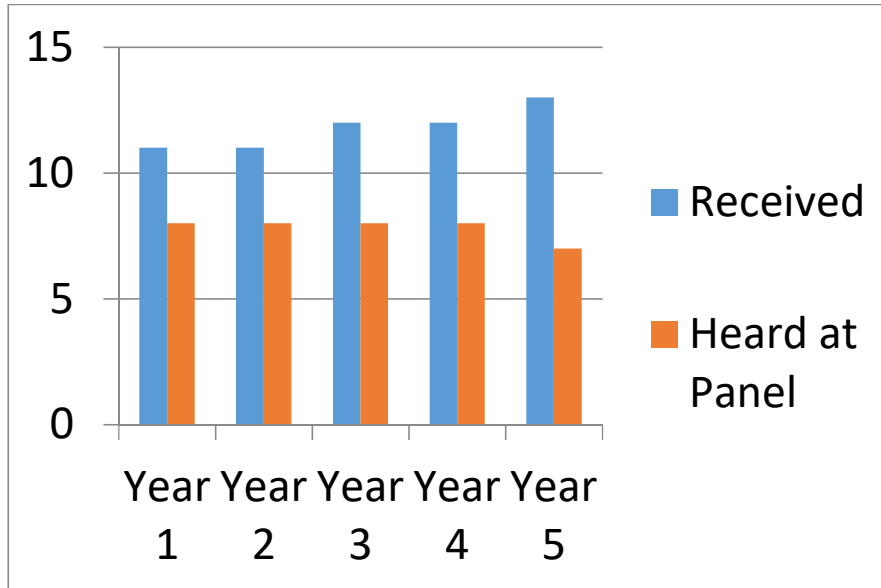
Specific Needs

The IRM Cymru checks beforehand about any disability or impairment in relation to the applicants and agency representatives and takes that into account in arranging a venue. There were no requests in year for such consideration.

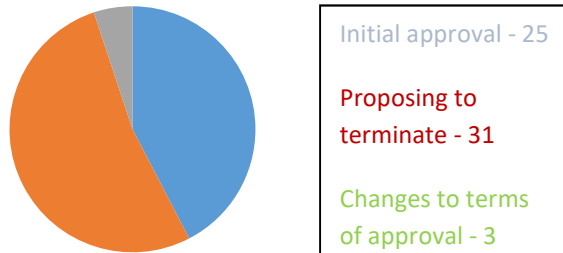
There were no requests in year for applications to be heard through the medium of Welsh.

Comparative Data 2010-15

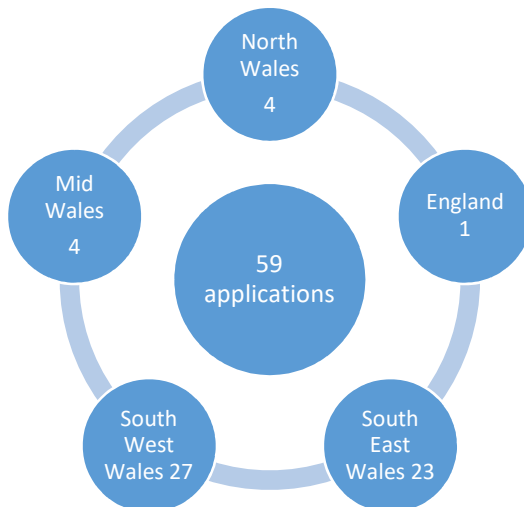
No of Applications Received



Type of Applications



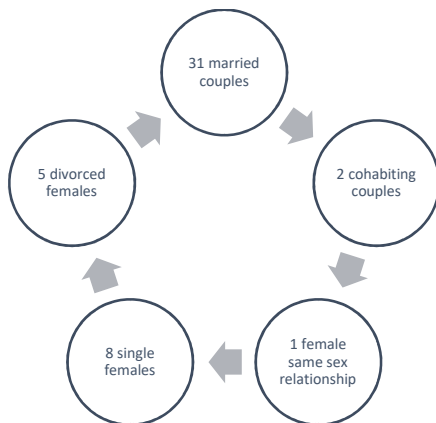
Location of applicants



Location of agencies in the 59 applications received

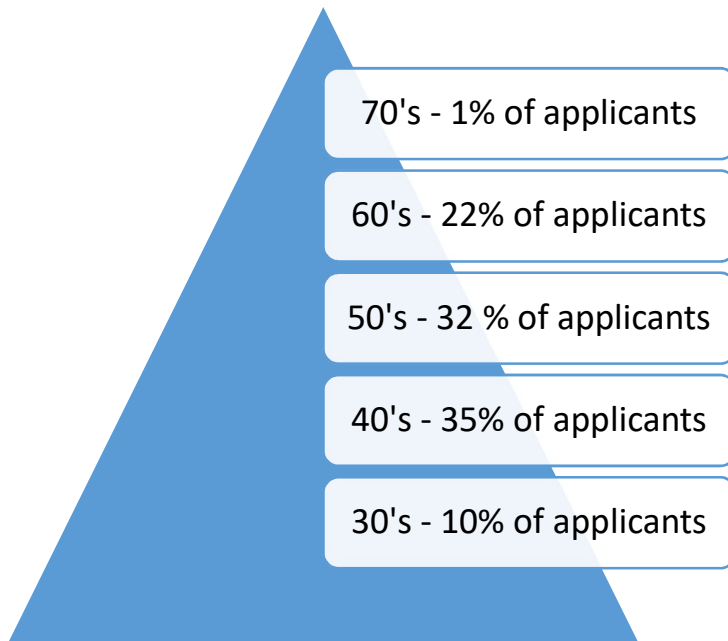
Blaenau Gwent	1
Caerphilly	2
Cardiff	11
Carmarthenshire	3
Ceredigion	2
Flintshire	1
Gwynedd	1
Merthyr Tydfil	1
Neath Port Talbot	6
Newport	2
Pembrokeshire	1
Powys	1
Rhondda Cynon Taff	10
Swansea	14
Vale of Glamorgan	1
Wrexham	2

Status of applicants

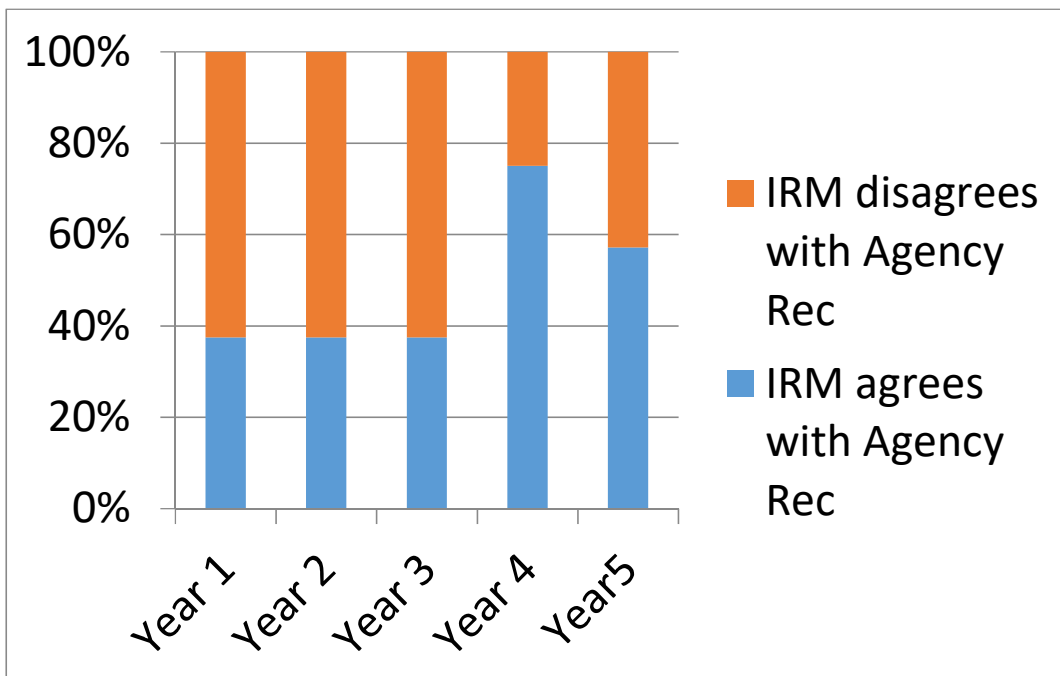


For the known ethnicity of applicants they have all been White Welsh / White British with the exception of 2.

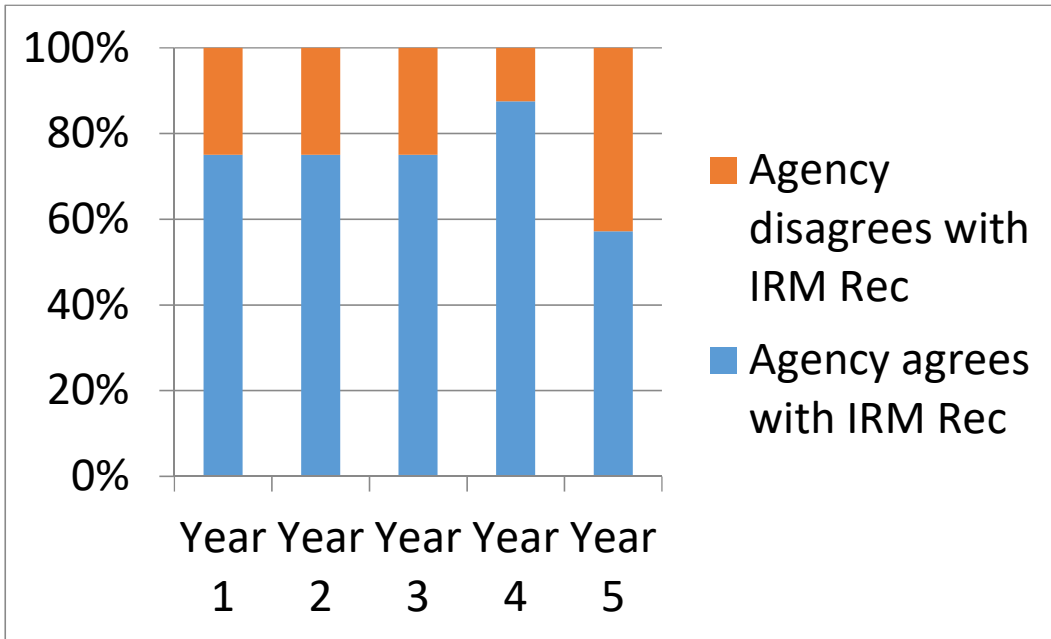
Age of applicants



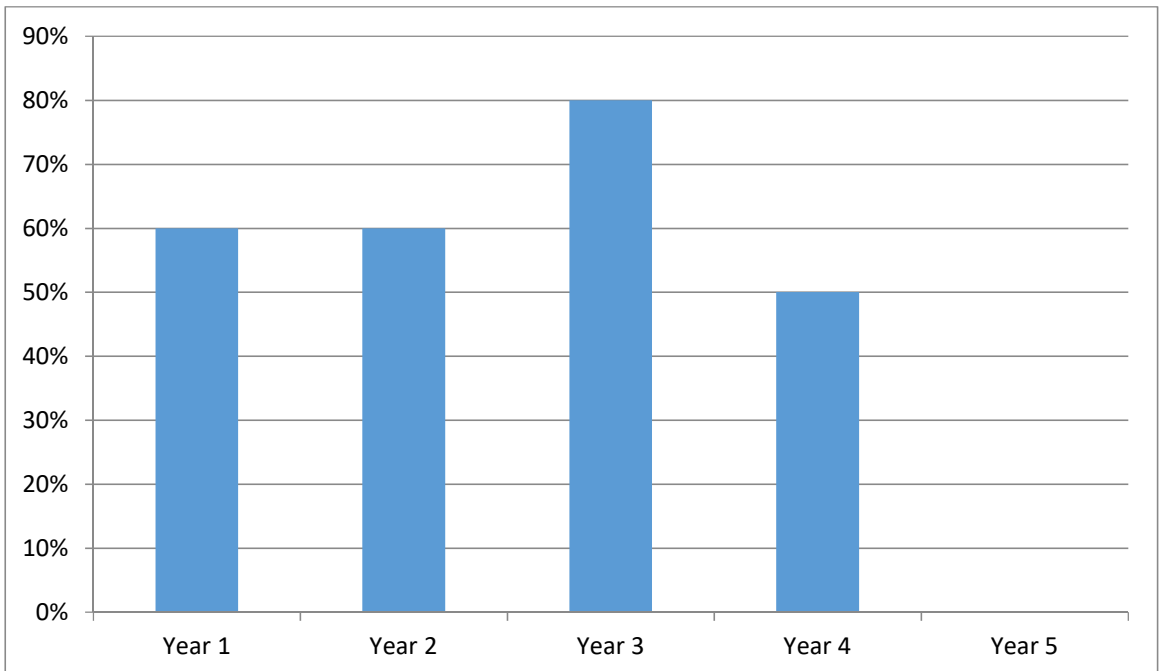
The chart below shows as a percentage, where the IRM disagrees or agrees with the Agency recommendation.



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



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 (1 case pending – if agency’s final decision is to approve, the figure for year 3 will change to 25% i.e. 1 out of 4 cases)



The applications to the IRM have been primarily in relation to prospective and current foster carers. Given the relatively small numbers it can be risky to draw too many inferences from the data.

Some areas have been more represented than others and even allowing for demographic differences North Wales does appear to be under represented in respect of applications to the IRM. It has been suggested by colleagues within North Wales who are IRM panel members that the use of an independent family group conferencing service may avoid some of the kinship applications that go to panel in the South as the conferences may resolve a difference of view. However at a recent briefing session in North Wales, Fostering Agency managers did not agree with this hypothesis. They felt the key was establishing open and honest relationships with foster carers.

The number of kinship applications remains high as a percentage, although lower this year than in previous years.

Year 1 – 64%

Year 2 – 45%

Year 3 – 25%

Year 4 – 17%

Year 5 – 15%

Reasons for the making of the Qualifying Determinations

There was rarely a single reason for the making of the qualifying determination. With the de-registration applications, often a single incident appeared to spark the decision of the agency to de-register but then a number of historic concerns were used to support the recommendation. This could be difficult for applicants as sometimes they felt that issues they believed to have been dealt with were 'brought up'. For agencies it could be an accumulation of concerns that led to them making the decision to recommend de-registration.

While in several applications relationships had been sustained, in others there had been a breakdown of relationships and applicants were seen as being 'unable' to work with professionals. This was then given as 1 reason not to approve or de-register.

Health concerns were raised in a number of applications. As can be seen from the age profile, the age of applicants this year was older than in previous ones and a number of applicants had chronic health problems, while these were not cited as individual reasons for a qualifying determination there could be concern that the lifestyle would limit the opportunities for children who were placed with the applicants. This could be particularly challenging in kinship applications where a balance had to be sought between such concerns and the opportunity for the child(ren) to remain within the wider family.

Good Practice Identified

This year showed no significant differences in the good practice identified.

In the main the appropriate representatives attended panel, were well prepared and presented well. It provided challenges where there had been a change of personnel.

Some agencies provided comprehensive assessments with good analysis and a use of appropriate research and reflection.

In a number of situations good professional relationships had been maintained despite the challenges where a difference of view had been ongoing.

The use of independent support and on occasions the commissioning of independent reports had been helpful where there were allegations or differing perspectives.

Feedback to the IRM

The IRM received no complaints during 2014-15.

All independent review Panel Members, the applicants and the agency representatives are provided with questionnaires to complete on the service that was provided by the IRM Cymru which includes their experience at the review panel.

Overall the responses were very positive with people commenting upon the high quality of administrative support. Even where applicants did not get the outcome they had hoped for they talked about 'having a voice' and 'being treated professionally'.

Feedback from participants at panels has been shared at the Development Day and used to inform practice development.

Developmental Issues for the IRM

- Over the coming year the literature that is available to potential applicants will be reviewed to ensure that it is as accessible as possible. Colleagues from the Fostering Network have kindly agreed to assist with that work using the knowledge and views from current foster carers.
- The current web-site will also be reviewed and updated again with the aim of ensuring that the information is accessible.
- Workshops will be offered to fostering and adoption agencies across Wales to ensure that there is an understanding of the IRM and of any emerging themes. Colleagues will be asked to ensure that any applicants or current carers who have a 'qualifying determination' are given information in relation to the IRM.

Conclusions

- The number of applications to the IRM has remained constant over the past 5 years. 2014-15 has seen an application from adopters in relation to initial suitability. The application has been heard but the outcome is awaited.
- Of the fostering applications 2 were from kinship carers which is a reduction from previous years and the majority (8) were in relation to a proposed deregistration.
- The kinship applications often coincide with ongoing legal proceedings and time pressures can be a challenge in completing those applications. There does still not appear to be a consistent approach to offering training opportunities to prospective kinship carers.
- As has been noted above applications continue to be received almost exclusively from South Wales.
- All the applications have been heard within timescale.
- Despite the small number of applications panel members from the central list have remained committed to the work of the IRM.