

| | | |
|--|------------------------------|----------------|
| 10 September 2015 | | ITEM: 7 |
| Corporate Parenting Committee | | |
| Independent Review Officer Annual Report 2014-15 | | |
| Wards and communities affected: All | Key Decision: None | |
| Report of: Neale Laurie – Service Manager Safeguarding and Child Protection | | |
| Accountable Head of Service: Andrew Carter – Head of Children’s Social Care | | |
| Accountable Director: Carmel Littleton – Director of Children’s Services | | |
| This report is Public | | |

Executive Summary

This report is the annual summary of activity undertaken by the Independent Reviewing Officers (IROs) 2014-15 who provide Independent Scrutiny of the Department’s care plans for all the Children Looked After by Thurrock Council. An Annual Report of the Independent Reviewing Service for Children Looked After is required in the guidance arising from the Adoption and Children Act 2002 section 118 which amended Section 26 of the Children Act 1989. This report also provides information on the role of the Independent Review Officers and update on the Statutory Review Services activity for Children Looked After.

1. Recommendation(s)

- 1.1 The role of the Independent Reviewing Officers is a statutory responsibility and therefore it is recommended that the Corporate Parenting Committee continues to monitor the activity of the IROs and request any further information it requires in its scrutiny role.**
- 1.2 Members are asked to consider and adopt “Areas for development” contained within Section 4 of this report for continued improvement of this service.**

2. Introduction and Background

- 2.1 The Independent Review Officers’ (IRO) service is set within the framework of the updated IRO Handbook, linked to revised Care Planning Regulations and Guidance which were introduced in April 2011. The responsibility of the IRO has changed from the management of the Review process to a wider**

overview of the case including regular monitoring and follow-up between Reviews. The IRO has a key role in relation to the improvement of Care Planning for Children Looked After (CLA) and for challenging drift and delay.

- 2.2 Every Child Looked After should have a named IRO to provide continuity in the oversight of the case and to enable the IRO to develop a consistent relationship with the child. The child's Care Plan must be completed by the Social Worker within 10 working days of the child becoming Looked After and the IRO must be named in it. Thurrock has met this requirement during this reporting period, with most young people being allocated an IRO within 24 hours of being notified that they have come into care.
- 2.3 The IRO has two clear functions: to chair the child's review and to monitor the child's case on an ongoing basis. In order to provide ongoing monitoring, the draft Independent Reviewing Officers, Statutory Guidance recommended that IROs should have caseloads of approximately 50 children. Following representations from local authorities regarding resources, the final version of the statutory guidance has changed this to 50-70 cases. During this period, this has continued to be manageable; however this has been achieved by the employment of an additional reviewing officer, above the establishment of 4 reviewing officers.
- 2.4 IROs must spend time with the child before each review, to prepare them for the meeting and to be satisfied that that the child has been properly consulted about any proposals for their future. IROs regularly meet and remain in contact with young people, either face to face, by phone, text or sometimes email. IROs are expected to either have the skills or access to specialist input so that they can establish the views of children with communication difficulties or complex needs. All of the IROs are highly experienced social workers, who work hard to achieve the above expectations.
- 2.5 The participation of children and young people in their reviews is good (see table at 3.12) but is an area that we are determine to continually innovate and improve. Our ambitious target is to secure 100% participation of those of an age to participate.
- 2.6 Advocacy services are also used to ensure their voices are included.
- 2.7 IROs have the authority to adjourn meetings if they are not satisfied that the review has all the information necessary to make a rounded judgement about the viability of the child's Care Plan and whether any proposals are in the child's best interests. If the review is adjourned, it must be completed within 20 working days. On occasions it is necessary to hold reviews as a series of meetings, this ensures that all the parties and information is available and considered.
- 2.8 Referral by an IRO of a case to CAFCASS (Children and Families Court Advisory Service) should no longer be seen as a last resort but can be considered at any time. Consultations have taken place, however it has not

been necessary to refer a Thurrock case to CAFCASS during this reporting period. The interface between the IROs and Guardians continues to strengthen with joint meetings scheduled to assist with communication and relationships.

- 2.9 The team also leads on Children's Participation, monitoring and tracking all Children Looked After (CLA).
- 2.10 There is an expectation that the IRO service scrutinise the care planning and are actively taken forward with more robust tracking and challenge.
- 2.11 IROs continue to monitor cases highlighted as at risk of drift and continue to use the escalation protocol, managing the greater number of escalations at the Manager level, which leads to a quicker resolution of the issue.
- 2.12 IROs are continuing to work in partnership with the Children in Care Council. The Team, in conjunction with the Children in Care Council, has developed an alert card, to be used at times when a young person is worried about their safety and is unable to raise this with their carer.

3. Issues, Options and Analysis of Options

- 3.1 The IRO team is made up of 1 senior and 3 IRO Full Time posts (with an additional temporary full time IRO).
- 3.2 The core team of IRO's has remained stable during this financial year however as mentioned additional resource has continued to be provided to meet increased demand.
- 3.3 The team is supported by 78 hours administration support via Serco. Capacity issues have been a challenge due to long-term sickness of an administrator.
- 3.4 At the end of 2014/15 there were 283 children (71.6 per 10,000 children) in care. This represents 0.7% of all children and young people in Thurrock and is a decrease of 2 children from 2013/14. From the total number of children in care at year-end, 41 were recorded as Unaccompanied Asylum Seeking Children (UASC), there were 32 recorded as UASC, 2013/14.
- 3.5 Of the total 671 reviews, 640 were completed on time this represents a performance of 95.3% completed on time which is significantly above the English and Statistical Neighbour data at 90.5% and 90.6% respectively.

3.6 Ethnic Origin of Children Looked After at 31st March 2014

| | |
|-----------------------------|-----|
| White British | 175 |
| Traveller of Irish Heritage | 3 |
| Gypsy/Roma | 10 |
| Mixed white/Black Caribbean | 4 |
| Mixed white/ Asian | 2 |

| | |
|----------------------------|----|
| Mixed white/ African | 3 |
| Any other white background | 9 |
| Any other mixed background | 11 |
| Pakistani | 1 |
| Any other Asian background | 20 |
| Caribbean | 1 |
| Any other black background | 5 |
| Any other ethnic group | 15 |

TOTAL : **283**

- 3.7 The IRO's within the care plan explore issues of diversity and ensure they are addressed appropriately where necessary.
- 3.8 Culturally sensitive and appropriate placements are identified for children and young people. Interpreters, signers and communicators are routinely used to identify and meet young people's linguistic and communication needs both within the care planning and review process.
- 3.9 The Department provides a dedicated team for young people with a disability and reviews are conducted in a manner that is sensitive to their communication methods, to enable participation where possible, for example, signing or picture/computer input.
- 3.10 Recognition of young people's ethnicity is also promoted, for example through the use of the Travellers Welfare Service to ensure that services are reviewed within a culturally appropriate framework.
- 3.11 As the population of children who are looked after has fluctuated over the period caseloads have varied between 70 and 85. This is set against a recommended 50-70 within the IRO Handbook. Additional capacity has been maintained within the IRO service to manage this and the service is currently over establishment by one full-time IRO.
- 3.12 IROs average between 35 - 50 Reviews in any given month, a mix of first Reviews and subsequent Reviews. All Reviews are booked by the administration of Plans and Reviews to ensure that an IRO is available within timescale and also acts as the allocation process for new work.
- 3.13 IROs continue to represent the service on a number of strategies.
- 3.14 Disruptions of long term and placement breakdown and other meetings related to children in care are carried out by IROs.
- 3.15 Caseload for IRO - The size of caseload alone does not indicate the workload for each IRO; this is also based on the number of Out of Borough placements(68% as of 31st March 2015), large family groups, disability, UASC, Pathway Plan reviews for 18 year olds, Section 85 (Young people in

Hospital for three months plus) and since December 2012, Young People in remand.

- 3.16 There has been a steady increase in young people attending their reviews and positively participating in them. IROs have been told to actively seek the views of children who do not wish to attend their reviews and to see what would assist in getting them there. There have been a number of cases where the IRO has supported the young person in chairing their own review or setting their own agendas.

| Participation | Number of Reviews |
|--|-------------------|
| Child aged under 4 at the time of the review | 145 |
| Child physically attends and speaks for him or herself | 280 |
| Child physically attends and an advocate speaks on his or her behalf | 10 |
| Child physically attends but does not speak for him or herself, does not convey his or her view symbolically (non-verbally) and does not ask an advocate to speak for him or her | 9 |
| Child does not attend physically but briefs an advocate to speak for him or her | 41 |
| Child does not attend but conveys his or her feelings to the review by a facilitative medium | 121 |
| Child does not attend nor are his or her views conveyed to the review | 65 |
| | |
| Grand Total | 671 |

- 3.17 Parents' active participation continues to improve with an average of 77% of parents being involved in reviews either through attendance, completing a consultation booklet or meeting the IRO separate to the review meeting.
- 3.18 Distribution of completed review 'Outcomes' and reports remains a significant challenge and does not always meet the required timescale, with around only 41% being completed within 20 working days of the review. Within current resources this remains a significant pressure. Within the wider changes to the Council's administrative support structures (ending of the SERCO contract) the service is scoping processes to potentially include administrators supporting the IROs with this task to improve performance.
- 3.19 IROs complete 98.5% of their first reviews in a series of meetings to ensure we meet timescale.
- 3.20 IROs continue to be mindful of the need to ensure that statutory review 'Outcomes' (Decision / Recommendation Sheets) and 'Reports' are accessible to children and parents. Attention is therefore paid to avoiding unnecessary jargon and producing documents using plain English.

3.21 IROs continue to review the written care plans and comment on the quality in the review. The quality of care planning varies and IROs continue to work with the Social Work teams around expectations.

3.22 Dispute resolution and escalation

The department has a dispute resolution protocol.

3.23 The cases of concern process is in place to both record escalations to Senior Managers as well as looking at those cases resolved at a lower level between IRO/Practice Managers/ Managers.

3.24 In total 61 cases have been raised by IROs with the biggest majority being dealt with at SW/Team Manager level. Eight at Service Manager level and two at Head of Service level. The Head of Service has taken a personal over view of all missing young people including those who are looked after.

Areas escalated have included:

- Drift and delay in the progression of individual care plans
- Case recording
- Education and health issues
- Management oversight
- Transition planning
- Changes to care plans without the notifications to IRO
- Quality of mental health services

3.25 The challenge of Child Sexual Exploitation is particularly relevant to the role of the IRO, especially for those young people placed out of borough. IROs have been working hard with the operational staff to recognise those at risk and to ensure that risk assessments are completed and plans put in place to minimise the risk. This is an increasingly challenging aspect of the work.

3.26 The IRO service is represented at Children Looked After Surgeries, which are chaired by the Head Of Service. This provides further scrutiny of the care plans and challenges any drift.

3.27 The IRO role is not to identify the resources needed to meet a young person's needs but to ensure that those resources utilised match the needs of the young person and are of a high quality.

3.28 IROs challenge when the placement fails to address the young person's needs. An alert is raised and consultation is undertaken with the fostering manager to resolve the issues.

3.29 The processes involving the Fostering teams are working well and have improved as has the communication between IROs and Fostering through the sharing of the information.

- 3.30 The issue relating to a move from regulated placements (Ofsted registered and inspected residential or fostering agencies) to unregulated placements (having no formal registration requirements) has been carefully considered and it is clear the IRO should be made aware immediately there is any suggestion that the young person's plan is such a move. 16+, semi-independent placements that are unregulated can provide a valuable resource but need to be appropriately monitored to ensure that the quality of care is of a high standard. In the absence of a formal Ofsted rating it is vital that the IRO scrutinises the quality of any such proposed placement provision.
- 3.31 "Staying Put" gives young people in foster care the option of remaining in the carers' homes post 18. This enables them to continue to mature and develop independence skills with the support of the carer before choosing to live independently. IROs have taken an active role in promoting the "Staying Put" Policy where it is appropriate.
- 3.32 The role of the IRO is very specific and whilst line managed through the Department it is a role which should provide challenge and scrutiny of the Council in regards to its care plans and services to individual young people. In order to maintain independence and peer support, links have been established with colleagues in the Eastern Region, which also provides some level of benchmarking across the region.
- 3.33 Things young people have said about IROs / Social Care:
- "I would like to share a description about L (social worker), as her client. I started cooperating with L since 2014, since then I have become more active in education, socialising and leisuring. Because I see that she's very talent in her position and taking her responsibility very seriously. That's why I became very active with her and when I see she works very honestly with me."
- "She (carer) is amazing and my LAC reviewing officer is amazing too!"
- "Summer 2014, I was in care and wanted to return home, my social worker and team made it happen."

Areas for Development

- 3.34 IROs to continue to raise awareness of the possibilities for sexual exploitation amongst Thurrock's looked after population; especially those placed out of the borough, and ensure that appropriate risk assessments and actions are undertaken.
- 3.35 The Plans and Reviews service continue to work on improving the timeliness of minutes being completed, without loss of quality.
- 3.36 IROs continue to actively challenge the service in all areas of CLA and formally raise disputes where these matters are not resolved within a satisfactory timescale.

- 3.37 The IRO service to continue to raise the rate of participation for children and young people in their reviews and care planning. Young people (16+) to be offered the opportunity to chair their own review with the support of the IRO where appropriate.
- 3.38 IROs to be mindful of the implications of the increase of UASC in the looked after population and to ensure that the quality of care planning and standards reflects the individual and collective needs of this group of children.

4. Reasons for Recommendation

- 4.1 To improve service development and provide scrutiny.

5. Consultation (including Overview and Scrutiny, if applicable)

None

6. Impact on corporate policies, priorities, performance and community impact

- 6.1 As a statutory service the performance of the IRO service is a key part of the Council's responsibilities for Looked After children and ensuring it fulfils its duties.

7. Implications

7.1 Financial

Implications verified by: **Sean Clark**
Head of Corporate Finance

The additional appointment of a fulltime IRO, to meet the volume pressures has impacted upon the budget creating an overspend for 2015/16, equivalent to a full time salary. It is predicted that this post is likely to be required in the short to medium future; therefore plans are being explored to make arrangements for a fixed-term contract to reduce agency costs.

7.2 Legal

Implications verified by: **Lindsey Marks**
Principal Solicitor, Children's Safeguarding

Section 118 Adoption and Children Act 2002 introduced the concept of Independent Reviewing Officers (IROs). The Children and Young

Persons Act 2008 extends the IRO's responsibilities from monitoring the performance by the Local Authority of their functions in relation to a child's review to monitoring the performance by the Local Authority of their functions in relation to a child's case as set out in sections 25A - 25C of the Children Act 1989. The intention is that IRO's should have an effective independent oversight of the child's case and ensure that the child's interests are protected throughout the care planning process. The IRO Handbook provides clear guidance on the IROs' role in and processes around the case review:

7.3 **Diversity and Equality**

Implications verified by: **Natalie Warren**
Community Development & Equalities
Manager

The IRO's within the care plan explore issues of diversity and ensure they are addressed appropriately where necessary.

Culturally sensitive and gender appropriate placements are identified where necessary and appropriate. This is particularly relevant to the increase of unaccompanied asylum seekers. Interpreters are routinely used to identify and meet their needs both within the care planning and review process.

The Department provides a dedicated team for young people with a disability and reviews are conducted in a manner that is sensitive to their communication methods, to enable participation where at all possible, for example, signing or picture/computer input.

Recognition of young people's ethnicity is also recognised for example the inclusion of Travellers Welfare Service for some young people.

7.4 **Other implications** (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

None

8. **Background papers used in preparing the report** (including their location on the Council's website or identification whether any are exempt or protected by copyright):

None

9. **Appendices to the report**

None

Report Author:

Neale Laurie

Service Manager Safeguarding and Protection

Children's Services