

# Corporate Parenting Board

11 November 2015

<b>Report title</b>	Annual Report of the Independent Reviewing Officer Service 2014-15
<b>Cabinet member with lead responsibility</b>	Councillor Val Gibson Children and Families
<b>Wards affected</b>	All
<b>Accountable director</b>	Linda Saunders- People
<b>Originating service</b>	Safeguarding and Quality
<b>Accountable employee(s)</b>	Dawn Williams Head of Service: Safeguarding and Quality Tel 01902 550655 <a href="mailto:Dawn.williams@wolverhampton.gov.uk">Dawn.williams@wolverhampton.gov.uk</a> Mandy Lee Safeguarding Manager: Children Tel 01902 550654 <a href="mailto:Mandy.lee@wolverhampton.gov.uk">Mandy.lee@wolverhampton.gov.uk</a>

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## Recommendation(s) for action or decision:

The Corporate Parenting Board is recommended to:

Utilise this report to inform strategic planning for Wolverhampton's Looked After Children population.

Hold the Safeguarding Service to account in their delivery of services to Looked After Children

### 1.0 Purpose

1.1 Wolverhampton Safeguarding Service has statutory responsibility for overseeing and ratifying the care plans for Looked after Children (LAC) via the activity of the Independent Reviewing Officers. As a result, the service is duty bound to provide the Corporate

Parenting Board with an annual report that outlines the activity of the service, the impact for children and recommendations for service improvement that will enhance young people's experiences.

## **2.0 Background**

- 2.1 The Children and Young Persons Act 2008 reinforced and strengthened the role of the Independent Reviewing Officer (IRO), enabling more effective independent oversight and scrutiny of the child's case. It has ensured that the child is able to meaningfully participate in planning for their own care and that the care plan that the local authority prepares for them is based on a thorough assessment of the individual child's needs.
- 2.2 In March 2010 the Government issued statutory guidance, The IRO Handbook, for Local Authorities and IROs on care planning and reviewing arrangements for LAC. The IRO Handbook states that the statutory duties of the IRO are to:
- monitor the Local Authority's performance of their functions in relation to the child's case;
  - participate in any review of the child's case;
  - ensure any ascertained wishes and feelings of the child concerning the case are given due consideration by the appropriate authority;
  - perform any other function which is prescribed in regulations.
- 2.3 The guidance became effective on April 1, 2011, as a revision to the Children Act 1989. Volume 2 of the 'Care Planning, Placement and Case Review Regulations and statutory guidance 2010'. There is an expectation that IROs are more involved with children who are looked after, not just in the Looked After Children review meeting. More contact with the child, the carers and the staff involved is also expected. This is particularly the case in matters where the IRO has concerns about the case and needs to monitor the matter between statutory reviews.
- 2.4 All looked after children, including children who are in an adoptive placement prior to an Adoption Order, are covered by the legislation. This applies to all children who are the subject of a care order (under section 31 of the Children Act 1989), or who are voluntarily accommodated for a period of more than 24 hours (section 20 of the Children Act 1989), including those described in this report as in Short Break Care, or who are placed for adoption under the Adoption and Children Act 2002. It also covers those who are compulsorily looked after, such as those remanded by the court to local authority accommodation. Since the publication of the Legal Aid Sentencing and Punishment of Offenders Act (LASPO) in December 2012, it has been the responsibility of the Local Authority to look after all young people who are remanded into custody. These young people now require an allocated IRO and LAC reviews in their place of custody.

**3.0 Progress, options, discussion, etc.**

3.1 The annual report provides an outline of activity covering the period 2014/15 and determines actions to be progressed in 2015/16.

**4.0 Financial implications**

4.1 There are no direct financial implications from this report. [GS/04112015/K]

**5.0 Legal implications**

5.1 None – the annual report meets legal requirements. RB/03112015/L

**6.0 Equalities implications**

6.1 The Annual report recognises issues of equality for Children who access the safeguarding service and how equality is represented within the service.

**7.0 Environmental implications**

7.1 None

**8.0 Human resources implications**

8.1 None

**9.0 Corporate landlord implications**

9.1 None

**10.0 Schedule of background papers**

10.1 The annual report for 2014/15 is attached. The Corporate parenting Board has received Annual reports in preceding years

# Wolverhampton

## City Council



## Annual report

## Safeguarding Service

## Looked After Children 2014- 2015

## **1. Introduction**

- 1.1 The IRO Handbook (issued in March 2010) is the statutory guidance for Independent Reviewing Officers (IRO) and local authorities on their functions in relation to case management and review of children in care, known as looked after children (LAC). It states that the IRO Manager (known as the Safeguarding Manager – Children, in Wolverhampton) should be responsible for the production of an annual report for the scrutiny of the members of the Corporate Parenting Board. It should also be available to the public on the Council website.
- 1.2 This report covers the period from April 2014 – March 2015. This is the 6th annual report. The report follows the format recommended by the National IRO Managers Group.
- 1.3 The Safeguarding Service is based at the Priory Green Building in Pendeford, Wolverhampton.
- 1.4 Dawn Williams is the Head of Safeguarding and Quality (HOS) and has overall responsibility for the IRO functions and ensures independence from the line management of cases and the allocation of resources within Children and Families Services. Mandy Lee is the Safeguarding Manager- Children, who commenced in September 2014. Prior to that the service was managed, by Interim manager, Nicki Pettit. The management of the IRO team involves the provision of supervision to the IROs and responsibility for the team including ensuring that reviews are held on time and that they are correctly administered. The Safeguarding Manager also manages the IROs who undertake foster home reviews.
- 1.5 As prescribed by the national IRO Managers Group, this report will endeavour to ‘highlight areas of good practice and areas which require improvement, identify emerging themes and trends, describe areas of work which the service has prioritised during the year, and will prioritise in the coming year.’
- 1.7 The IROs have a key role in assuring the quality of the case planning for those children and young people who are looked after by the local authority. The purpose of this report is to provide information on the work undertaken by the IROs in 2014 – 15 and to outline the priorities for the next year.

## **2. Purpose of service and legal context**

- 2.1 The arrangements for the statutory reviews of children in care, known as looked after children (LAC) in Wolverhampton, were amended and updated by Section 118 of the Adoption and Children Act 2002. The Act introduced the new statutory role of the

Independent Reviewing Officer. In September 2004, local authorities were required to appoint Independent Reviewing Officers with the remit of:

- chairing the authority's LAC reviews
- monitoring the authority's review of the care plan
- and where necessary, referring cases to the Children and Families Court Advisory and Support Service (CAFCASS) to take legal action as a last resort if the failure to implement the care plan might be considered to breach the child's human rights.

In addition, there is an expectation that the IROs will quality assure the local authority's care planning for children in care.

2.2 Legislation for the reviewing of LAC cases is supported by detailed guidance which has been taken into account in making arrangements in Wolverhampton. The guidance includes Every Child Matters, Care Planning, Placement and Case Review (England) Regulations 2010 and Statutory guidance, the IRO Handbook.

***Looked After Children:***

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

2.4 In March 2010 the Government issued new statutory guidance, The IRO Handbook, for Local Authorities and IROs on care planning and reviewing arrangements for LAC. The IRO Handbook states that the statutory duties of the IRO are to:

- monitor the Local Authority's performance of their functions in relation to the child's case;
- participate in any review of the child's case;
- ensure any ascertained wishes and feelings of the child concerning the case are given due consideration by the appropriate authority;
- perform any other function which is prescribed in regulations.

2.5 Since April 2011 there has been an expectation that IROs are more involved with children who are looked after, not just in the LAC review meeting itself. More contact with the child, the carers, and the staff involved is expected. This is particularly the case in matters where the IRO has concerns about the case and needs to monitor the matter between statutory reviews.

2.6 All looked after children, including children who are in an adoptive placement prior to an adoption order, are covered by the legislation. This applies to all children who are the subject of a care order (under section 31 of the Children Act 1989), or who are voluntarily

accommodated for a period of more than 24 hours (section 20 of the Children Act 1989), including those described in this report as in Short Break Care, or who are placed for adoption under the Adoption and Children Act 2002. It also covers those who are compulsorily looked after such as those remanded by the court to local authority accommodation. Since the publication of the Legal Aid Sentencing and Punishment of Offenders Act (LASPO) in December 2012, it has been the responsibility of the Local Authority to look after all young people who are remanded into custody. These young people now require an allocated IRO and LAC reviews in their place of custody.

### **3. Quantitative information about the service**

- 3.1 The Service has an establishment of 9 FTE IRO's. The team has been fully staffed since December 2014. Agreement was given to add an agency member of staff to the establishment in April 2013 due to the high numbers of new LAC and this has remained in place to April 2015.
- 3.2 The team has remained stable, other than the use of three agency workers, over the period, and is increasingly experienced. Two new members of staff who commenced in November and December 2014 have been well supported by all members of the team in being inducted to the role. The majority of the team have a mixed caseload of LAC and CP. 3.5 of the permanent IROs only hold LAC cases. The makeup of caseloads is regularly reviewed.
- 3.3 The persistent increase in the number of looked after children over the last two years has not allowed the service to fulfil all of its functions as outlined in the IRO handbook. The number of LAC has continued to be high (769 on 31/3/14, 778 on 31/3/15) and indeed had exceeded 800 during the year.
- 3.4 The IRO Handbook recommends IRO caseloads of 50 – 70 children per IRO. Despite being fully staffed and having an additional agency IRO it has not been possible to achieve this recommended caseload due to the high number of children requiring reviews. The average caseload (including LAC, children on a CP plan, and those receiving care through short breaks (S20) on 31 March 2014 was 103 children. On 31 March 2014 it was 106 and indeed had been as high as 111 during the year.
- 3.5 The team, including agency staff, has 9 full time IRO's and 2 half time IRO's. There are 4 men and 7 women. The team is made up of IROs from different ethnic backgrounds. (2 black/Asian, 1 black Afro/Caribbean/mixed heritage and 6 white British.) This adequately reflects the children we are serving. The looked after children of Wolverhampton were from the following backgrounds on 31.3.13. 58% white British, 21% Asian, 8% black Afro/Caribbean, 11% mixed heritage and 2% other.

- 3.6 The service also has 1.5 Independent Foster Home Reviewing Officers who are responsible for chairing Foster Home reviews.

#### **Quantitative information regarding the LAC population**

- 3.7 The gender and age of the LAC in Wolverhampton is as follows (last years in brackets): Female 349/45% (343/45%) Male 429/55% (426/55%) Age: under 5 –203/26% (224/29%) 5 - 9 year olds 203/26% (192/25%) 10 – 15 year olds 260/33% (247/32%) and 16-17 year olds 109/14% (106/14%). The proportions remain fairly consistent year to year.
- 3.8 The legal status of the looked after children is as follows (last years in brackets): Care Order 492/63% (394/51%) Interim Care Order 81/10% (118/15%) Placement Order 119/15% (123/16%) Section 20 – 82/11% (113/17%) Remand 4 (1). This shows an increase in the number of children subject to full Care Orders, but less becoming subject to Interim Care Orders and a decrease in the number of children subject to S20. This suggests a high number of children have remained in care and have not moved on to permanent alternatives.

#### **4. Qualitative information about the IRO service**

- 4.1 Under the provisions of the *Review of Children's Cases Regulations (1991)*<sup>3</sup> local authorities are required to review the case of any child who is Looked After or provided with accommodation as follows:
- First review must take place within 28 days of the date upon which the child begins to be looked after or provided with accommodation;
  - Second review must be carried out no later than 3 months after the first review; and
  - Subsequent reviews shall be carried out not more than 6 months after the date of the previous review.
- 4.2 The date of the next review should be brought forward:
- If there is an unplanned change of placement or other substantial changes to the care plan.
  - If the IRO has specific concerns about a child and directs that the review be brought forward.
  - Any request from the child or parent(s) for a review to be brought forward should be given serious consideration.
- 4.3 91.1 of all LAC in 2014/15 were reviewed in line with statutory timescales (91.6 in 2013/14). This is a very slight decrease on the previous year, but still excellent performance, given the high numbers of looked after children. This should improve as caseloads reduce in 2015/16.

- 4.4 A total of 1832 (1558) Looked after Children (LAC) reviews took place in the relevant period. This was an increase of 274 reviews held compared to last year. This will in part will be due to the increase in the number of looked after children, but may also relate the introduction of the 26 week care proceeding timescales, which can mean that additional reviews are requested to fit with the courts timetable, rather than the usual Statutory timescale.
- 4.5 An IRO is allocated to all LAC within 24 hours of the Safeguarding Service being informed of that child's entry into care. Written information about the IRO and the reviewing service is shared with the child prior to their first review, in the form of child friendly postcard type information booklets. Children can make direct contact with their IRO's mobile phone by calling, by text or by email.
- 4.6 The majority of sibling groups, whether placed together or not, are allocated to the same IRO. This ensures consistency of information exchange, oversight of care planning and decision-making, including sibling contact, and is particularly of benefit when children have different social workers.
- 4.7 The involvement of children in their own reviews is regarded as an essential part of the process. *'A key task for the IRO will be to ensure that the review processes, and particularly review meetings, remain child and family centred'* (IRO Guidance, Adoption and Children Act 2002.) The IRO has an important role in ensuring that the child:
- can make a meaningful contribution to their review;
  - speaks for themselves if they are able and willing to do so; and where this is not possible that their views are conveyed by someone else on their behalf or by an appropriate medium; and
  - has been given the opportunity to make a written contribution to the meeting, particularly if they have chosen not to attend or are unable to attend for some other reason.
- 4.8 The recorded achievement in this area of activity is also a measure of local authority performance, although no longer a national performance indicator. (PAF C63, Participation in Reviews.) At 31 March 2014, the figure in Wolverhampton was 92.5% for the previous year. On 31<sup>st</sup> March 2015 it was 98%, which is a good improvement. This is a positive figure considering the higher number of reviews held. The figure will need to be maintained, however, the focus now needs to move towards ensuring the quality of that participation
- 4.9 Children aged 7 and over receive a written invitation to their review meeting along with the consultation document inviting their contribution to the review. The IRO is required to speak with the child alone prior to the first review and before every subsequent review (regulation 36). The requirement for direct contact with the child extends to observation of babies and younger children.

- 4.11 The Independent Reviewing Officers Guidance, Adoption and Children Act 2002, states that *'The IRO has an important role in ensuring that all parties to the review are able to make an effective contribution.'* In order to assist in this aim, age appropriate consultation papers continue to be sent to the child/young person, and to parents and carers, prior to a review. The child's consultation paper provides the IRO with a comprehensive picture of the child's feelings about the various aspects of their care and the services he/she is receiving, and assists the IRO in ensuring the child's voice is heard. This is also a way of ensuring that parental contributions are taken into account by the IRO, particularly if they are unable or unwilling to attend the review. IRO's are also increasingly speaking with parents outside of the review meeting, if their presence is not in the best interests of the child, to ensure they can represent their reviews both in the meeting and in the record of the meeting.
- 4.12 8 children were reviewed by IROs under the Short Break Statutory Guidance (Section 20(4) of the Children Act 1989) in 2014 – 15 (10 in 2013/14).

## **5. Conduct of the organisation in relation to the review**

- 5.1 From August 2013 new quality assurance questions were asked of IROs following LAC reviews. This was to enable more detailed quality assurance information and data to be collected from CareFirst (CF), the electronic database used. It was hoped that this report would include the more detailed information, including the following:
- Quality of preparation for review by social worker, including report preparation, preparation of the child/young person and sign off by manager,
  - Quality of care planning, including how up to date the care plan is,
  - Quality of contribution by the child/ young person and other attendees, to review,
  - Quality of management decision making on key issues affecting young people (care placements/school placements/funding issues)

At the time of writing this report these details are not available from the Business Information Team.

- 5.2 The RAG system, in respect of the LAC reviews and associated activities, has been used consistently in Wolverhampton since August 2014. Forms are completed on the CareFirst database before the review record is completed. In 2014-15, RAG ratings were issued in relation to 2098 LAC reviews. 1832 were awarded Green ratings (87%), 222 were awarded Amber ratings (11%) and 44 were awarded Red ratings (2%).
- 5.3 A notification is automatically sent to the responsible social workers and team manager, and ensures they are alerted to the status (red, amber or green) of the child's plan. It identifies any concerns the IRO has about a child or their CP plan, and should be a clear and valuable

part of the quality assurance of the Local Authority's work which is provided by the IRO. There is an expectation that the responsible Children's Social Care manager responds to the IRO in all red and amber cases. There have been some difficulties due to the complexity of the system, and the turnover of Children's Social Care managers in that last year, which have impacted on the effectiveness of this system. A revised system is under development, which should simplify the process.

- 5.4 The IROs complete a Recognition of Excellent Practice notification when there is evidence of exceptionally high quality practice underpinning all aspects of the case intervention. Four notifications were awarded in 2014-15. Since April 2015 the IRO service have been working to improve the use of the awards, and have introduced a notification of 'Good Practice' in addition so that the service can capture a greater range of good work and bring it to the attention of managers. This will be reported on in 2015-16.

## **6. Conduct of the organisation in relation to Case Management**

- 6.1 During 2014 - 15 a number of formal dispute resolution protocols were implemented in Wolverhampton, but none went beyond stage 1. The RAG system is an early alert system for identifying and raising issues with care planning for children and young people and if this does not achieve the required improvements in an appropriate timescale, the resolution protocol is implemented. This system has been more consistently applied than was the case in the previous years.
- 6.2 Those cases that have been issued a red RAG tend to be highlighted as concerning due to drift in care planning and keys tasks not being undertaken. This is often because of changes of social worker.

## **7. Resource issues**

- 7.1 The increase in the number of LAC, and the number of LAC reviews over the last year has put a strain on the IRO service, on placements and on the social work teams. This increase and its impact will need to be monitored over the next 12 months.
- 7.2 The increasing LAC caseloads of IROs has an impact on their ability to monitor the progress of cases where some areas of shortfall have been identified.

## **8. Review of last year's priority areas for improvement and action**

- 8.1 ***Aim for full implementation of the IRO handbook.*** The size of caseloads and significant increase in the number of LAC reviews has made full implementation of the IRO handbook impossible. Despite this the IROs report that they remain committed to meeting as many children as possible between reviews. It envisaged that with increased staffing in the team and reducing numbers of LAC there will be improvements in this area. As of September

2015, 3 additional agency IRO's have been appointed, which has meant that the picture for 2015-16 will be much improved.

8.2 **Monthly reporting of key information to be provided to the IRO service.** There continues to be very limited regular reporting available to the service. The new CF forms ensure that the child's views, wishes and feelings are better recorded, that an improved section for explicitly recording the views of parents and carers would be implemented and that there would be improved information on the views of parents and carers on the service they have received from the local authority. This has not yet been available to the Safeguarding Service. It remains a priority for improved and more regular reporting to the Safeguarding service in respect of:

- Timeliness of reviews/conferences
- Participation
- Quality assurance information
- RAG ratings and timeliness of responses

Participation information is still currently collected manually by staff in the IRO unit, although it should be available from careFirst.

Ensuring that reports are regularly available to the Safeguarding Service from CF remains a priority for 2015 – 16.

8.3 **Centralised recording of the number of Recognition of Excellent Practice notifications to be held and updated.**

Completed and an additional award for recognising Good Practice has now been introduced.

8.4 **A review of the quality of reviews to be undertaken - the exceptionally high number of reviews held may impact on good quality practice.**

Work has been undertaken with the IRO service to review consistency and quality of recording practice and guidance provided regarding expectations. Clearly high workloads will inevitably impact on the level of detail and the rigour applied to the process. A priority for 2015-16 will be increased quality assurance of the IRO's records.

8.5 **Training pathway for IROs to be reviewed and implemented.**

The IRO Post qualifying module delivered by Birmingham University is now well established. Four IRO's undertook the course in 2014-15.

8.6 **A whole service review to be progressed to ensure resources reflect the required capacity for delivery of a robust service.**

A review has been undertaken and the need for increased resources for the IRO service has been identified. In addition for temporary agency IRO support referred to in the report, a temporary 2 year fixed term IRO post has been established (not yet filled). The Foster Home

Review service has been reviewed and 0.5 Foster Home Reviewing Officer post will be diverted to the IRO role for a 2 year period.

While most IRO's continue to also act as Child Protection Conference Chairs, the service is moving towards increased specialisation, whereby, while those staff will not work exclusively in either the LAC or CP field, they will have either a predominantly CP or LAC caseload and with that an expectation that they provide a service development role in that specialism.

## **9. Priority areas for improvement and action in the IRO service in the coming year.**

- 9.1 Aim for full implementation of the IRO handbook. Increased staffing in 2015-16 and reducing numbers of LAC should enable full implementation.
- 9.2 Monthly reporting of key information to be provided to the IRO service. It remains a priority for improved and more regular reporting to the Safeguarding service in respect of:
- Timeliness of reviews/conferences
  - Participation
  - Quality assurance information
  - RAG ratings and timeliness of responses
- 9.3 Develop Quality Standards for IRO records against which IRO performance can be monitored.
- 9.4 Revised Quality Assurance and RAG rating process to be implemented and incorporated in to the LAC Review procedure.
- 9.5 Complete a service self-assessment using the National Association of Independent Reviewing Officers Toolkit and develop action plan to address any identified shortfall.
- 9.6 Improve capacity of the service to report on IRO challenge to the delivery of the Who Cares Trust Five entitlements for Looked After Children and Five entitlements for Care Leavers

## **10. Conclusion.**

- 10.1 This report has highlighted the work of the IROs in Wolverhampton from April 2014 to March 2015 and is an update on the last annual report.
- 10.2 The service needs to increasingly evidence, through the enhanced quality assurance role and consistent recording of RAGs, that they are an effective service with a culture of intervening and challenging when there is drift and delay or issues effecting children's human rights and/or their safety.
- 10.3 The next report will cover the period from 1 April 2015 to 31 March 2016.

This report is PUBLIC  
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