

## **The Monitoring Report November 2017**

### **Adoption and Children Act 2002 and The Review of Children's Cases (Amendment) (Wales) Regulations 2004**

Independent Reviewing Officers Guidance Wales 2004 sets out the requirements of the IRO's and Responsible Authority in more detail. The key outcomes envisaged are:

- Focus on needs of children and ensuring they are addressed.
- Minimising drift.
- Consistency of care planning and decision-making.
- Involvement of appropriate persons in the process. The Reviewing Officers Guidance 2004 clearly requires an IRO to chair reviews of children who are:
  - In an adoptive placement prior to an adoption order being granted;
  - Looked after subject to a statutory order or accommodated with the agreement of parents.
- Young people in Young Offender Institutions subject to a Care Order or on remand as required under Legal Aid Sentencing and Punishment of Offender's Act 2012 (LASPO 2012)

### **Frequency of reports**

The Independent Reviewing Service provides a report to the Corporate Parenting Advisory Committee twice a year and will also provide twice yearly reports to the LSCB.

### **The Reviewing Service**

The Service comprises of 14 IROs in post made up of full and part time positions. Due to previous staff changes there is currently one agency worker covering a vacant post. There has been much change over the last twelve months to ensure that all vacant posts and spare capacity within the team has been filled on a permanent basis. As a result, the service offers a combination of IROs who have substantial experience and new staff member's joining the service within the last 12 months. There is a buddying system in place to support new staff. 3 IRO's have been previously trained to undertake reviews for the Integrated Family Support Team (IFST), but this arrangement is now under review due to the level of activity within this role.

All IRO and Child Protection (CP) chairs in the service are able to carry dual functions chairing Looked After Children reviews and/or child protection conferences. This has improved the effectiveness of the IRO function and quality assuring the support available for Looked After Children.

Immediate line management responsibility for the IROs is undertaken by the Service Manager Safeguarding and Review. The current Service Manager post is vacant following the departure of the previous manager, and an interim arrangement is being considered due to a failure to appoint to the post, and until a new recruitment process is initiated.

There are two Service Manager Safeguarding and Review posts, with both posts managed by the Operational Manager Safeguarding. The second Service Manager is responsible for the Adult Safeguarding Team and the Education Safeguarding Officers Service. Under the management of the Operational Manager, the Service Manager posts work on a strategic level to guide and advise on the safeguarding agenda across the council and the city.

The Corporate Safeguarding Board continues to develop and implement the recommendations made by the Welsh Audit Office in the Review of Corporate Safeguarding Arrangements in Welsh Councils (July 2015). The Corporate Safeguarding Board will:

- i. Ensure the compliance of all Council Directorates with key safeguarding requirements in relation to children and vulnerable adults
- ii. Support the Statutory Director of Social Services in the discharge of his/her wider safeguarding duties.
- iii. Support HR in the delivery of key vetting and barring requirements and workforce development.
- iv. Provide an Annual Corporate Safeguarding Report, setting out the performance of all Directorates, in relation to vetting and barring, staff safeguarding training, and the operation of front-line services in terms of their effectiveness in identifying and referring safeguarding concerns.
- v. Review and develop relevant corporate safeguarding standards and policy.
- vi. Review and develop appropriate corporate safeguarding performance measures.
- vii. Advise the Head of the Paid Service and recommend relevant action in relation to corporate safeguarding standards and policy.
- viii. Promote effective cross Directorate safeguarding practice particularly in terms of information sharing and data collection, front-line operational awareness, staff training and wider partnership engagement.

The corporate safeguarding board meets quarterly to review and update an agreed work plan arising from the recommendations made by the Welsh Audit Office.

### **Independent Reviewing Officer workload**

The independent Reviewing Officer (IRO) service is a statutory function within each Local Authority. Each authority must appoint a person (IRO) in respect of all looked after children known to the authority. As part of this role each IRO must participate in all reviews for the child, monitor the performance of the authority's function, and refer the case of the child to the Children and Family Court Advisory Support Service if they consider it appropriate to do so. In addition to these duties, here in Cardiff the aim has been to split the role with the role of Conference Chairs in Child Protection

cases. This ultimately increases the duties and roles placed upon the individual officers.

The IRO role is key to improving outcomes for children in care, it is the critical mechanism in determining crucial decisions affecting a child's future and increasingly, IRO's are being called to account for the robustness of these decisions. The Social Services and Well-being (Wales) Act 2014 challenges local authorities to do things differently and to improve consistency and quality of practice, ensuring that children and young people are seen and heard and play a meaningful part in the decisions that are made about them and in determining their own wellbeing and outcomes.

Within Cardiff Council, the Social Services Department currently employs 9 FTE and 5 PT IRO/Conference Chairs who undertake the above statutory duties. Since the implementation of the Social Services and Well-being (Wales) Act 2014 combined with additional pressures placed on the department, the current number of IRO posts are now inadequate to respond to the increasing demands. The current caseload for IROs within Cardiff is approximately 753 cases divided amongst all team members. This currently equates to a FTE IRO with a caseload of approximately 90 cases. National guidance advocates that the caseload should be within the remit of 65-75 in number. Figures in Cardiff also demonstrate that the caseload number across the team has increased by 13.6% in the last year.

Increased numbers of Court proceedings have also impacted considerably on the work of the IRO whereby there is a requirement by the judiciary for IROs to take an active role in the proceedings, read and inform themselves of all documentation provided to the Court, and also present a statement on their view and opinion of the plans and support for the child. Whilst elements of this role were previously seen as good practice but not mandatory in all cases, this is now identified as a firm expectation on behalf of the courts. As a result of this, the Operational Manager has presented a Pressure Bid application to identify an additional resource of two further IRO posts within the service.

The team is located at County Hall, although the majority of the reviews are conducted within the community, usually in the child or young person's placement setting. There are travelling requirements involved in these reviews where some children have been placed in, for example, North of Scotland, London, Manchester, Devon and Cornwall. We currently have 249 looked after children placed outside of the authority.

All IROs and Safeguarding officers have completed the relevant Signs of Safety Training. The Signs of Safety framework is part of the wider change programme within the service that is designed to significantly improve our ability to achieve better outcomes for the children and families we work with. Signs of Safety requires a fundamental change to our overall approach when working with children and families. The purpose in implementing Signs of Safety is to:

- Promote the need for children and families to remain together where it is safe for them to do so.

- Develop its workforce in order to make sure children are as safe as possible.
- Create a culture which empowers staff to proactively manage risk and engage with children, young people and their families.
- Ensure that there is clear and supportive leadership and open communication across the service.
- Focus on the practice that will provide the necessary interventions for the needs of children and their families.

The Service Manager role of the Safeguarding Service has been identified as one of the practice leads for the support and implementation of the Signs of Safety model and is currently facilitating peer support groups for effective and comprehensive SoS implementation.

### **Purpose of reviews**

The purpose of the review meeting is to consider the plan for the child, monitor progress and enable decisions to be made. Part 6 of the Social Services & Well-Being Act (Wales) 2014 relates to Looked After Children and the role of the IRO. Under this part of the Act, it is a statutory requirement for each looked after child to have an effective Care & Support plan that meets their day to day long term needs and which identifies the outcomes for the child. and also demonstrates the multi-agency plans to meet child's needs. The plan achieves this by settings objectives for work with the child, birth family and caregivers in relation to the child's developmental needs. These needs include health, education, emotional wellbeing and behavioural development, identity, family and social relationships, social presentation, and self-care skills.

A significant change of note is that section 20 of the Children Act 1989 'voluntary accommodation' is replaced with Section 76 of the 2014 SSWBA.

### **Frequency of Reviews**

Looked After Children reviews must be conducted at the following frequency:

- Within 28 days of a child becoming looked after.
- Subsequently within 3 months
- 6 monthly thereafter,

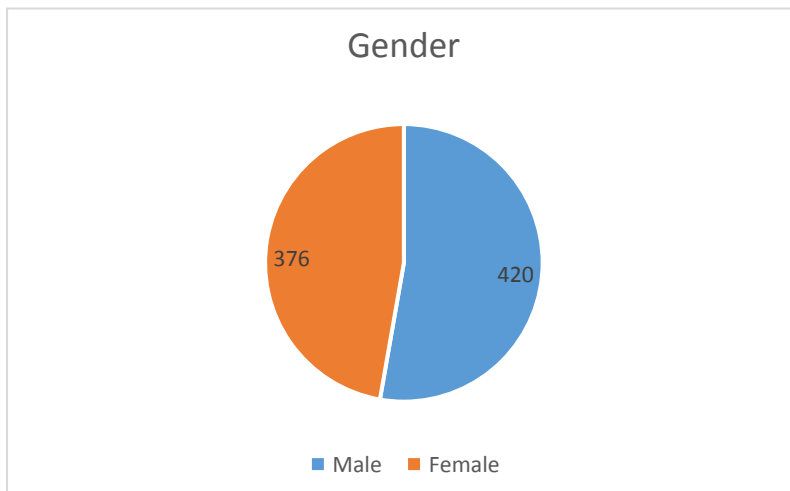
Reviews should be convened earlier if there is a significant change in the child's care plan or failure to carry out an important aspect of that plan. The cycle begins again from the date the child is placed with an adoptive family.

### **Quality Assurance role**

The IRO's provide a quality assurance role through regular review of cases. This provides appropriate challenge to social work practice and care plans for looked after children. As part of their input to the new Quality assurance frame work, IRO's

will be required to audit one case file each month and provide feedback of their findings to the Quality Assurance Officer. The Quality Assurance Framework provides a systemic monitoring and evaluation of practice, policies and procedures. This will be achieved through monthly case file auditing. The findings from the monthly audits will drive service improvement, identify areas of practice that are good or in need of further development through training.

## Looked After Children Performance Information

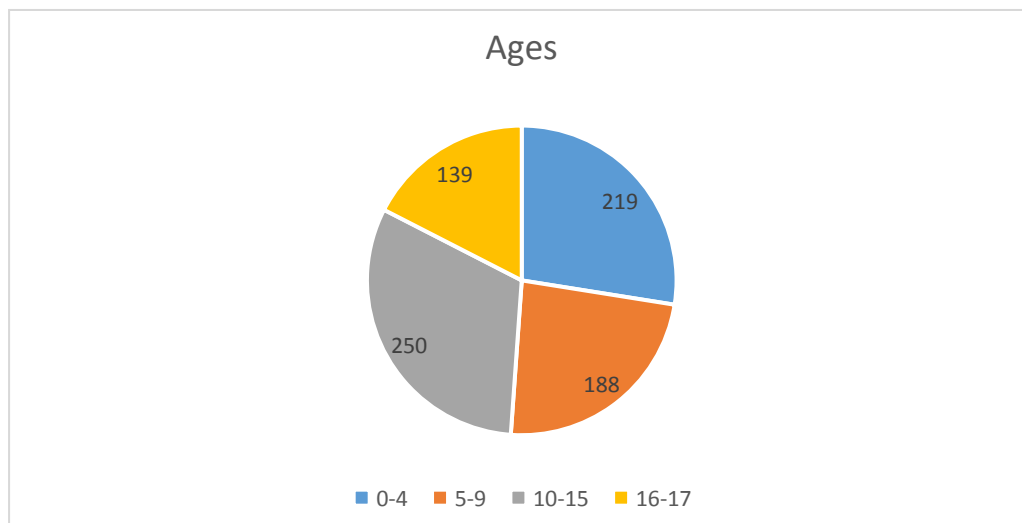


### Gender (at 31/10/2017)

Male	420	52.8%
Female	376	47.2%
<b>Total</b>	<b>796</b>	

The Looked After Children Population as of the end of October 2017 was 796. We have seen a significant increase in the number of looked after children since the last reported figures of 709 in October 2016. This is an increase of 87 children. At present we are unable to provide specific details as to this increase although audit and case management reviews are taking place to look at any trends or issues that may have attributed to this significant increase. Across children's services concerted efforts are made to refer all children into edge of care arrangements such as Rapid Response and the Adolescent Resource Centre (ARC) as a means of preventing the child from ending up in the formal care process. Despite these arrangements, however, current numbers of children being looked after continue to increase. As detailed in the figures above neither males or females appear to be over represented within the Looked After population.

## Ages of Looked After Children



### Ages (at 31/10/2017)

0-4	219	27.5%
5-9	188	23.6%
10-15	250	31.4%
16-17	139	17.5%

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<b>Total</b>	<b>796</b>
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There has been an increase in all the age groups over the last year, apart from the 16-17 age group in comparison to last years' figures.

## Start and End Becoming Looked After

	Starts	Ends
Nov-16	17	29
Dec-16	13	20
Jan-17	37	21
Feb-17	26	18
Mar -17	28	12
Apr-17	18	7
May-17	39	26
Jun-17	32	23
Jul-17	41	28
Aug-17	24	20
Sep-17	22	7
Oct-17	22	10
<b>Total</b>	<b>319</b>	<b>221</b>

## Number of Unaccompanied Asylum Seeking Children in Care Nov 16 – Oct 17

We have had 17 Unaccompanied Asylum Seeking Children (UASC) come into care during the last six months. The Local Authority has previously worked closely with the Home Office and Welsh Government in offering Care & Support to UASC who were being dispersed to the UK following the closure of the 'Jungle' camp in Calais. The majority of these have since been reunited with their families in various parts of the UK. For those not reunified with family the Local Authority will continue to support them as Looked After Children.

## Number of children who have had 3 or more moves

<b>2015/16</b>	64/644	9.90%
<b>2016/17</b>	79/725	10.90%

As the figures show there has been an increase in children who have experienced three or more placement moves in 2016/17. This figure includes a percentage of children who have moved from out of county placements back into the authority area. The Reviewing Service continues to support children and social workers to ensure that placements offer stability and are meeting their individual needs. Any increase, however, will be monitored continuously to ensure that all children have a greater degree of permanency and stability.

## Children placed for adoption between 01/11/2016 – 31/10/2017

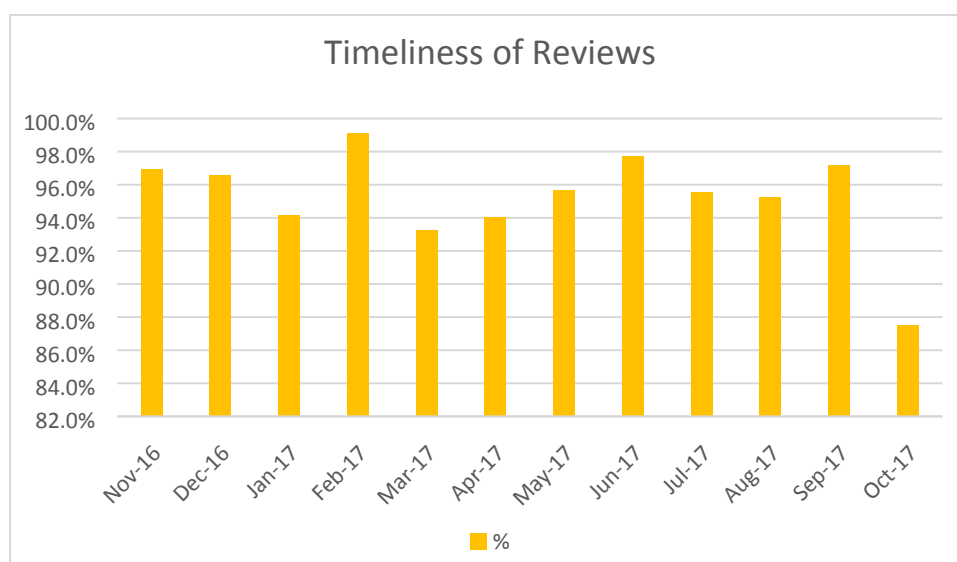
<b>Age</b>	<b>Female</b>	<b>Male</b>	<b>Total</b>
<b>0-4</b>	21	14	35
<b>5-9</b>	1	1	2
<b>Total</b>	<b>22</b>	<b>15</b>	<b>38</b>

A total of 38 children were placed for adoption between November 2016 and October 2017. The increase in these numbers can be attributable to the significant numbers of care proceedings that have taken place within the preceding months and concluding within this period.

There remains disparity between the numbers of children placed for adoption within the 5-9 age range, this emphasizes the need to develop best practice to increase the chances of older children being considered and eventually adopted.

## Timelines of Looked After Children Reviews

	Late	On Time	Total	%
<b>Nov-16</b>	5	158	163	96.9%
<b>Dec-16</b>	5	141	146	96.6%
<b>Jan-17</b>	11	177	188	94.1%
<b>Feb-17</b>	1	112	113	99.1%
<b>Mar-17</b>	14	194	208	93.3%
<b>Apr-17</b>	11	174	208	94.1%
<b>May-17</b>	9	199	185	95.7%
<b>Jun-17</b>	4	171	208	97.7%
<b>Jul-17</b>	8	173	175	95.6%
<b>Aug-17</b>	8	161	181	95.3%
<b>Sep-17</b>	7	243	169	97.2%
<b>Oct -17</b>	23	162	250	87.5%
<b>Total</b>	106	2064	2170	95.1%



Cardiff continues to perform slightly below the Welsh average of 95.9% for reviews taking place within timescale with our current average of 95.1%. When looking at factors impacting on timeliness it was identified that issues relating to sickness; availability of workers and late notification of start of being looked after impacted on achieving 100% compliance with this timescale. It must, however, be stressed that given the increase in the number of looked after children within Cardiff over the year, and as discussed previously, the need for additional resource, that the ability of the IRO service to continue to maintain such a high level of timeliness highlights the team's commitment to ensure that we remain within statutory timescales.

The Service Manager for the Reviewing service is informed by the performance team on a weekly basis of all children that become looked after. This provides consistency and timeliness of allocation to an IRO, which in turn has resulted in less reviews being held out of timescales. There has also been changes to the internal notification system of start being looked after children which is now incorporated into



our Carefirst System. Due to the current vacancy of the Service Manager post, consistent allocation has proved difficult to maintain effectively. Once the post is filled then this will be implemented effectively moving forward.

Timeliness of Looked After children reviews is essential to ensure no child or young person has their welfare compromised due to the delay or cancellation of a review. The system in place ensures operational managers must approve a review being cancelled or postponed.

### **Placement with Parents (as at 31/10/17)**

There are currently 97 Placement with Parent (PWP) arrangements that are subject to review by the IROs.

### **Out of Area Placements**

	OOO	
DOH Type Description	OOO	Grand Total
Children's home outside LA boundary	45	45
Foster placement with relative / friend outside LA	7	7
Independent living	2	2
Placed with foster carer provided by LA outside LA	8	8
Placed with parents / person with parental resp.	14	14
Placement with agency foster carer outside LA	140	140
Resid accom not subject to Children's Home regs	1	1
Residential School	2	2
YOI or Prison	3	3
<b>Grand Total</b>	<b>222</b>	<b>222</b>

The above details the number and breakdown of children currently in out of area placements. As detailed above, there is a significant number of children with agency carers outside of the Local Authority. Work continues to look at the appropriateness of all placements outside of area and an Out of Area Placements Panel takes place on a monthly basis to consider all requests for out of area placements. This is represented by Childrens Services senior management and representatives from Education and Cardiff & Vale Health Board.

### **IRO Resolution of Problems**

IRO's are in a unique position within a local authority they carry out a critical monitoring and challenging role. They can highlight both positive and negative issues that affect children, ensuring that children's views are heard. They should be able to evidence how their role has made a positive difference to the child and helped to improve life chances of children they are involved with.

If an IRO believes that the practice or policy of the Local Authority is detrimental to the child's welfare, they have a duty to assertively challenge the Local Authority. A

key feature of the IRO role is that they should provide an independent perspective uninfluenced by managerial or resource pressures of the local authority.

The Local Authority has an active Dispute Resolution Protocol (DRP) in place. This enables issues to be addressed via a formalised document that is retained and responded to within the Carefirst system.

There have been several IRO DRPs that have been escalated to Operational Manager level in the last six months, in line with the protocol. These have resulted in clear agreements to progress that cases discussed effectively.

### **Elements of the role of the IRO include:**

- To ensure that the welfare of the child in care is safeguarded.
- To provide consultation and advice for the child, social work teams, professionals, carers.
- To make effective challenges through the dispute resolution process when plans are not serving a child needs appropriately.

An IRO can raise any issues of practice with the social worker and team manager. If the issues are not addressed within an acceptable timescale the matter is escalated to the Operational Manager, in the relevant service area.

The IRO service provides robust challenge to social work team regarding case that have gone into drift or where the quality of care plan is not good enough.

Occasionally, this challenge has met with some resistance from some social workers or managers. Where matters have not been resolved satisfactory they have been escalated to the Assistant Director for resolution. In an effort to raise awareness and a better understanding of the IRO. The IRO service will be attending team meetings to discuss the role of the IRO and develop better working relationships. The escalation protocol has also been updated to reflect what will constitute the trigger for a case alert and/or escalation and will be distributed to all social work staff. Regular IRO's and Manager forums will take place to discuss cases and general practice to ensure better partnership working.

The range of powers available to the IRO include seeking of legal advice if they are not happy with the Local Authority's decisions regarding the long term plans for a child or young person. The Lancashire Judgement – 2012, a case brought by two teenage brothers, against Lancashire County Council and an Independent Reviewing Officer, found the Local Authority and the IRO had breached the boys' human rights by not challenging the care plan.

The Independent Reviewing Officer (IRO) was found personally responsible, alongside the Local Authority, because he did not hold the Local Authority to account for failing to implement its care plan and review decisions. In response to the Judgement, we have ensured that all IRO's have direct access to independent legal advice, which will aid challenge or should they need to attend court to give evidence. This will be spot purchased as and when required.

The monitoring forms are now embedded as part of the quality assurance framework.

It is a statutory requirement for IRO views to be included within all care plans submitted to court. This practice has not been widely adopted across Wales, however, Cardiff has embedded this practice, with the IRO being provided all care plans and relevant assessments prior to being filed and their views being recorded in all court care plans.

## **Pathway Plans**

IRO's also chair pathway plan reviews for Young People from age 16 to 17 years who had previously been Looked After. Work is currently underway to develop reviews for Young Adults 18+ years in response to "When I'm Ready" for Young Adults who want to remain in their foster placement or continue in full time education or training. Evidence within the service suggests, however, that many of the 18+ age group do opt to disengage with the IRO service, and as such consideration needs to be given as to how the department attends to these cases in future.

## **Consultation with children and young people**

The IRO ensures during the reviewing process that wishes and feelings of the child/young person are sought and they are encouraged to participate in their review. Parents and foster carers are able to contribute to the review process, and also ensure that younger children also have an opportunity to discuss their feelings about the reviewing process and their experiences in foster care.

The Independent Reviewing and Safeguarding Service are reviewing the way they engage children and young people in the reviewing process and will be undertaking a review of how they can encourage children and young people to chair their own reviews. IRO's also visit children and young people in between reviews to ensure they are happy in the placement and they have the opportunity to share their views independently, this also takes place if there are issues of concerns. The service is keen to strengthen further children's participation in reviews. The IROs are currently communicating with other Local Authorities and gathering examples of good practice in this area to contribute to effective communication and engagement with Looked After Children. Some examples provided have used apps, phones and other devices which has proved very successful in improving engagement and communication.

It is intended that the Service Manager for the Reviewing Service will work with the Quality Assurance Officer (post currently vacant) to undertake quality assurance visits to young people to inform other areas in which we can develop good practice in engaging children and young people in the reviewing process.

## **Adoption**

The IRO team and the adoption team have worked closely together to improve adoption reviews. Timescales remain the same, but in many cases these placements are usually out of county arrangements, and this has an impact on capacity for IRO's and can affect caseloads. IRO's ensure they remain the chair for children until adoption is fully completed.

### **Next Steps:**

- Recruitment to the vacant Service Manager post
- Ongoing recruitment to permanent posts
- Embed Signs of Safety across all areas of work
- Contribute to overall Safeguarding Action Plan and identify key areas for development
- Prioritise the participation and engagement of children & young people within their Looked After Reviews
- Explore use of software/apps to replace outdated modes of communication with young people and their families