

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CORPORATE PARENTING BOARD

20TH JULY 2016

INDEPENDENT REVIEWING OFFICER (IRO) REPORT

REPORT OF THE DIRECTOR OF COMMUNITY & CHILDREN'S SERVICES

Authors: Ceri Mann Reviewing Team Manager
Ceri.J.Mann@rctcbc.gov.uk
Judith Davis Service Manager for Safeguarding and Support
Judith.Davis@rctcbc.gov.uk
Children's Services Ty Catrin 01443 484520

1. PURPOSE OF REPORT

To provide the Lead Member for children and young people and the Corporate Parenting Board, with information about the activity of the IRO Service.

2. RECOMMENDATION

To note the contents of the attached report

3. BACKGROUND

The Social Services and Well-being (Wales) Act 2014 (referred to as the Act) and the Care Planning, Placement and Case Review (Wales) Regulations 2015 (referred to as the CPPCR Regulations) replace previous legislation and guidance pertaining to the role and functions of an Independent Reviewing Officer (IRO). The Act was implemented on April 6th

IROs convene and chair reviews for all children looked after by the Council, be they subject to care orders, accommodated voluntarily under Section 76 of the Act, placed with foster carers, in residential or secure establishments, living with kinship carers or placed for adoption.

IROs have specific responsibility to raise concerns which cannot be resolved about children looked after, to Chief Executive level within the Local Authority and subsequently to CAFCASS to consider legal action.

4. CURRENT SITUATION

Current guidance requires the IRO service to be managed by an officer who does not have direct or line management responsibility, for individual children's cases or service provision. Therefore within RCT the service is managed by the Service Manager for Safeguarding and Support who has no Line Management responsibility for case work or care planning decisions affecting Children Looked after and who provides this report directly for the Group Director.

Attached at Appendix 1 is the monitoring report for the period 1st October 2015 to 31st March 2016.

5. KEY THEMES

The key themes highlighted within the report include:

- Maintained good performance in relation to reviews being held within timescale.
- The 2Sides website which was developed in consultation with children and young people and went live in April 2016.
- Increasing participation of children, young people and their families in the Reviewing process.
- Use of the resolution process, alongside caseload size and the IRO quality assurance role.
- Implications of the Social Service and Well-being Act 2014
- Strengthening links with Advocacy Providers and with CAFCASS

APPENDIX 1

MONITORING REPORT TO THE GROUP DIRECTOR COMMUNITY AND CHILDREN'S SERVICES

June 2016

Social Services and Well-being (Wales) Act 2014 and Part 6 Code of Practice, Care Planning, Placement and Case Review (Wales) Regulations 2015

Purpose of Report

To provide the lead Director for Children and Young People with information about the discharge of the Independent Reviewing Officer (IRO) functions for children looked after for the period to 1st October 2015 to 31st March 2016.

Background

The Social Services and Well-being Act (referred to as the Act) and the Care Planning, Placement and Case Review (Wales) Regulations 2015 (referred to as the CPPCR Regulations) replace previous legislation and guidance pertaining to the role and functions of an Independent Reviewing Officer (IRO). The Act was implemented on April 6th 2016

In response to the negative feedback from young people about the use of the term LAC, RCT Childrens Services will now use the term Children Looked after (CLA) in all future reports and documentation.

The CPPCR Regulations specify the circumstances in which the local authority **must** consult the IRO and when the IRO **must** consult with the child. The Regulations also specify the actions that the IRO **must** take if the local authority is failing to comply with the CPPCR Regulations or is in breach of its duties to the child in any material way. In RCT, this is addressed through the Resolutions process, which may include making a referral to CAFCASS in accordance with section 100(3) of the SSWB Act.

The Act Code of Practice (Part 6 CLA) sets out the requirements of the IRO and the responsible authority in more detail. The key functions of the IRO are to:

- monitor the local authority's performance in relation to the child's case
- participate in the child's review in line with the regulations
- ensure that the child's wishes and feelings are taken into consideration
- perform any other function prescribed in the Regulations.

The Guidance clearly requires an IRO to chair reviews of children who are: -

- Looked After subject to a statutory order or accommodated with the agreement of parents (s76 SSWB Act) - this includes a series of short term breaks.

- in an Adoptive Placement prior to an Adoption Order being granted;
- detained in Young Offender Institutions and subject to a Care Order or remanded to local authority accommodation or youth detention accommodation
- 18 and under and have a Pathway Plan

All Integrated Family Support Team (IFST) plans are also reviewed by an IRO.

Frequency of reports

Reports are provided twice a year and are also presented to the Corporate Parenting Board.

The Reviewing Service

The Reviewing Service currently sits within the remit of the Head of Service for Safeguarding and Support.

The Act Part 6 Code of Practice (CLA) specifies the categories of persons that the local authority may **not** appoint to carry out the IRO function (regulation 54(3) of the CPPCR Regulations). These are:

- a person involved in preparing the child's care and support plan or the management of the child's case
- the child's social worker or personal adviser
- the representative of the local authority appointed to visit the child
- a person with management responsibilities for any of the above
- a person with control over the resources allocated to the case

At the beginning of March 2016, the Child Protection (CP) and CLA Reviewing Teams were amalgamated in line with good practice as defined in the SSWB Act and to develop more resilience within the service.

The remodelling of Childrens Services has meant that from November 2015, a Service Manager Safeguarding and Support has been in post who is leading on service development and SSWB Act implementation.

The current average workload for a full-time IRO focussed on chairing CLA Review meetings is **83** children. The team is located at Ty Catrin in Pontypridd, which has good facilities for review meetings although best practice is that these should be held at the child's preferred venue (e.g. placement, school).

Purpose of Reviews

Each child who is Looked After must have a Care and Support plan (referred to as apart 6 care and support plan). This must be based on a current assessment of the child's needs and focus on the well-being outcomes for the child as specified in the SSWB Act. These are:

- protection from abuse and neglect

- promotion of physical and mental health and emotional well-being
- promotion of physical, intellectual, emotional, social and behavioural development
- maintenance or development of family or other significant personal relationships
- involvement in education, training and recreation activities
- development and maintenance of social relationships and involvement in the local community
- social and economic well-being (including not living in poverty)
- living in suitable accommodation.

The Care and Support plan details what needs to happen to achieve the child's agreed outcomes and should be formulated in consultation with the child and their family, wherever possible.

The review of a Care and Support plan is a key component of the care planning process and is a continuous process. The purpose of the review meeting is to consider the plan for the well-being of the child, monitor progress and make decisions to amend the plan or reconfirm previous decisions as necessary in light of changed knowledge and circumstance. This takes place in consultation with all those who have a key interest in the child's life, including the child.

Key issues to be addressed in the review process are:

- the child's participation and involvement, including providing the child with clear explanations of the reason for any changes
- the appropriate involvement of other agencies
- supervision and oversight by responsible managers
- the extent to which progress is being made towards achieving the identified outcomes.

As well as an overall review of the Care and Support Plan, the specific areas that must be covered in a Review meeting include:

- For all children who do not have a Permanency Plan, what is being done to enable them to return home
- Is the placement meeting the child's needs, and are any services being provided as additional to the basic cost of placement appropriate/still required
- Has the child been visited as required both by the CPPCR Regulations and by the needs of the child, and what is the child's perception of their relationship with their social worker
- Has an active offer of advocacy been made and the child's communication/preferred choice of language addressed

The planning and reviewing processes must promote the participation of the child and their family.

The IRO now has specified responsibilities, set out in the CPPCR Regulations and practice guidance, for monitoring the progress of the responsible LA in implementing a child/young person's Care and Support plan. IROs are now required to track the progress of the Care and Support plan between Review meetings, and to consult with the child at any time that there is a significant change to the Care and Support plan. Local authority staff are required to alert the IRO to any significant change to the child's Care and Support plan, or of any failure to implement decisions arising from a Review. The IRO has the authority to determine when a Review meeting should be convened in the light of a change of circumstances. IROs are also required to raise concerns within the LA up to Chief Executive level and refer unresolved concerns to CAFCASS as appropriate. This is explained more fully under the section dealing with the IRO Resolution process

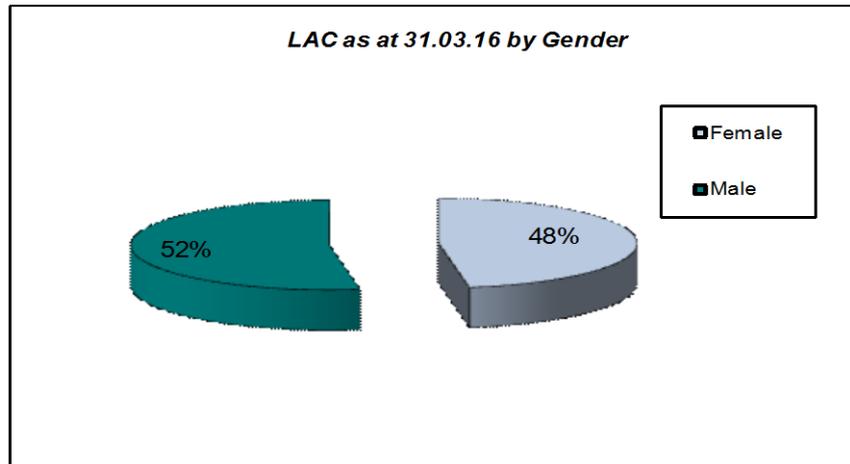
Frequency of Reviews

Looked After children review meetings must be conducted at the following frequency: -

- Within 28 days of a child becoming Looked After, or having an unplanned change of placement
- Subsequently within 3 months,
- 6 monthly thereafter,
- Review meetings should be brought forward if there is a significant change in the child's Care and Support plan, issues around the child's safety or a 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
- Children receiving a series of short breaks should be reviewed within 3 months of the start of the first period and thereafter 6 monthly.
- Reviews of family plans produced by the Integrated Family Support Team are held three times per year. The initial review is held 28 days after the start of the intensive phase, the second review 3 months later and the final review after 6 months.

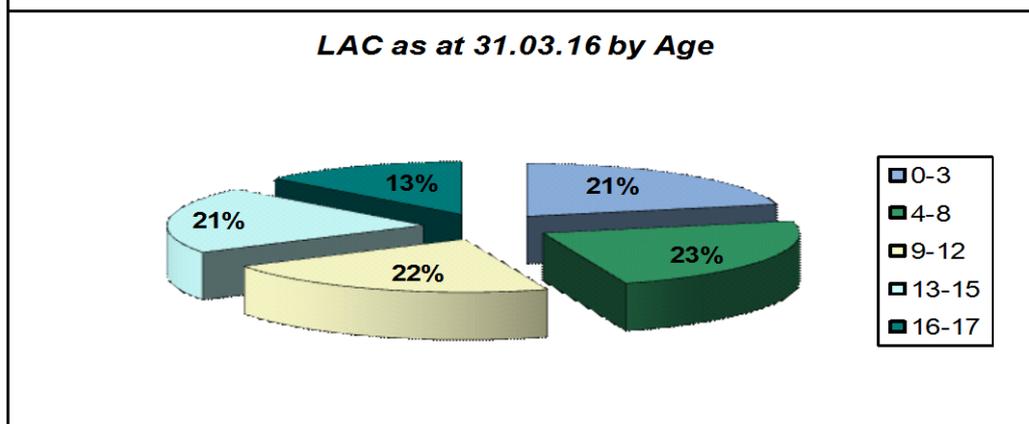
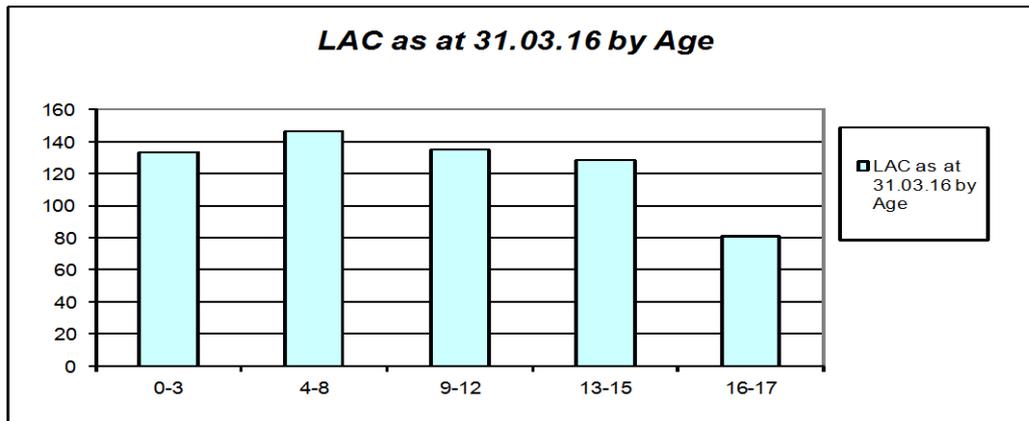
Looked After Population (31st March 2016)

1. Looked After Population by Gender



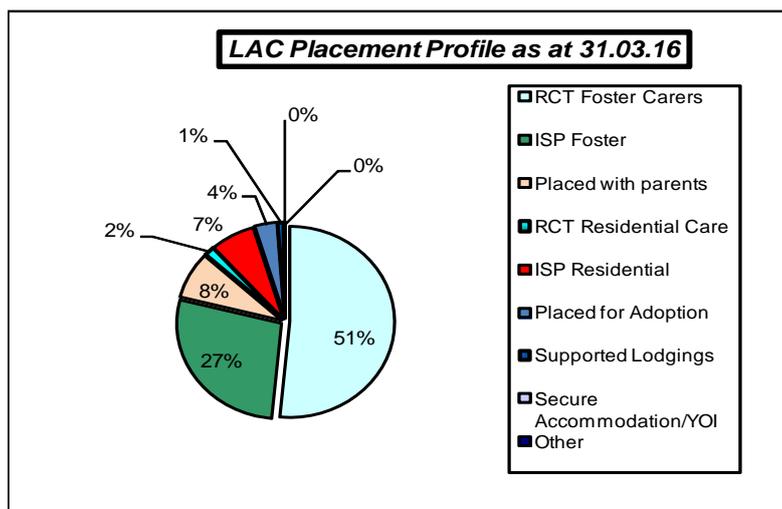
	LAC as at 31.03.14 by Gender	LAC as at 30.09.14 by Gender	LAC as at 31.03.15 by Gender	LAC as at 30.09.15 by Gender	LAC as at 31.03.16 by Gender
Female	310	316	299	296	296
Male	341	351	322	314	327
Total	651	667	621	610	623

2. Looked After Population by Age Group



	0-3	4-8	9-12	13-15	16-17	Total
LAC as at 31.03.14 by Age	161	159	130	112	89	651
LAC as at 30.09.14 by Age	159	163	137	118	90	667
LAC as at 31.03.15 by Age	134	160	136	110	81	621
LAC as at 30.09.15 by Age	130	146	132	120	82	610
LAC as at 31.03.16 by Age	133	146	135	128	81	623

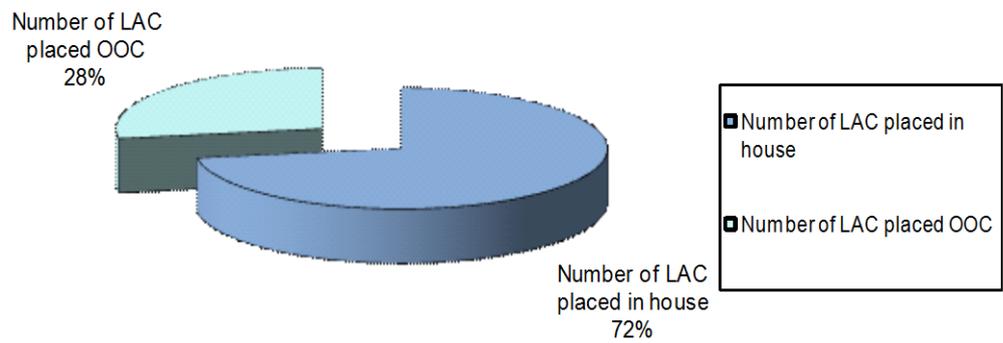
3. **Placement Details – including numbers in foster care, residential placements, placements within and external to RCT, those provided by Independent agencies etc.**



	Mar-14	Sep-14	Mar-15	Sep-15	Mar-16
RCT Foster Carers	304	324	295	289	321
ISP Foster	210	199	174	166	171
Placed with parents	52	56	55	59	49
RCT Residential Care	10	13	8	12	10
ISP Residential	40	45	48	44	43
Placed for Adoption	27	26	38	34	22
Supported Lodgings	5	3	2	4	6
Secure Accommodation/YOI	0	1	1	2	1
Other	3	0	0	0	0
Total	651	667	621	610	623



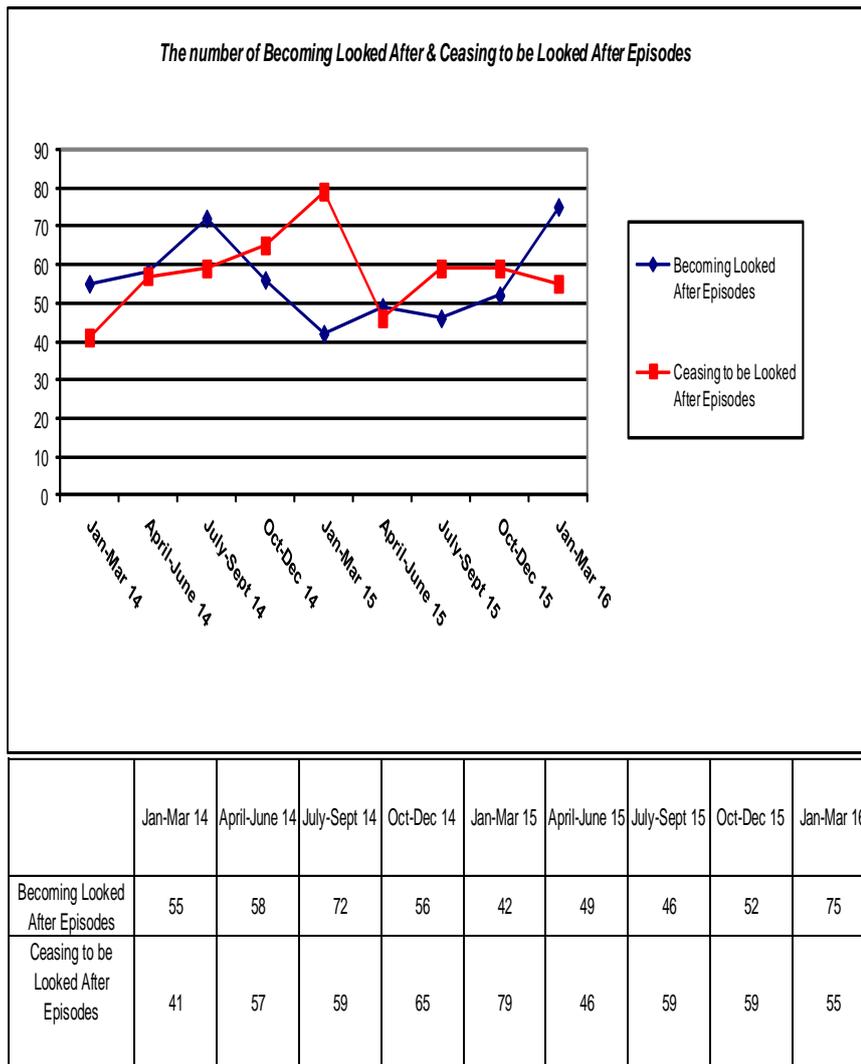
Number of In House/OOC Placements as at 31.03.16



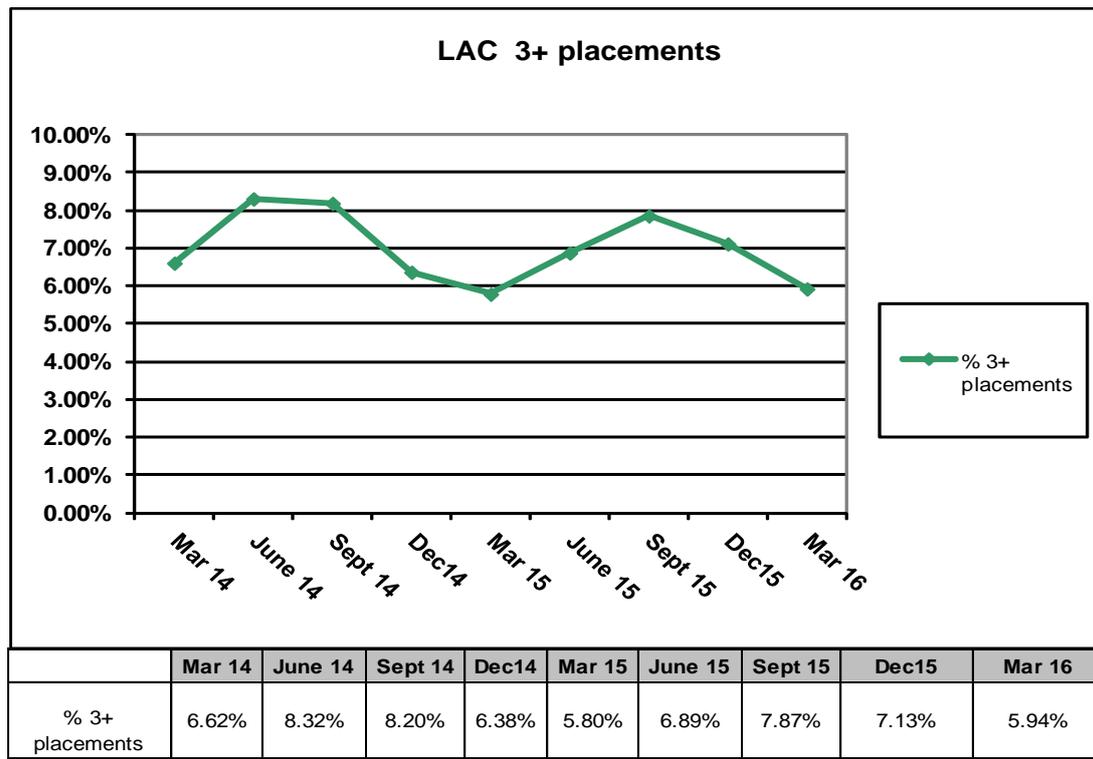
	Mar-14	Sep-14	Mar-15	Sep-15	Mar-16
Number of LAC placed in house	476	485	449	446	451
Number of LAC placed OOC	175	182	172	164	172
Total LAC	651	667	621	610	623
% OOC	26.9%	27.3%	27.7%	26.9%	27.6%



4. Admissions and Discharge Information

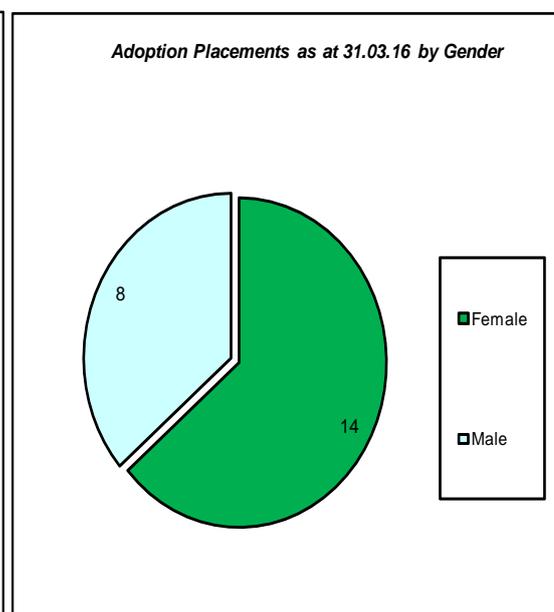
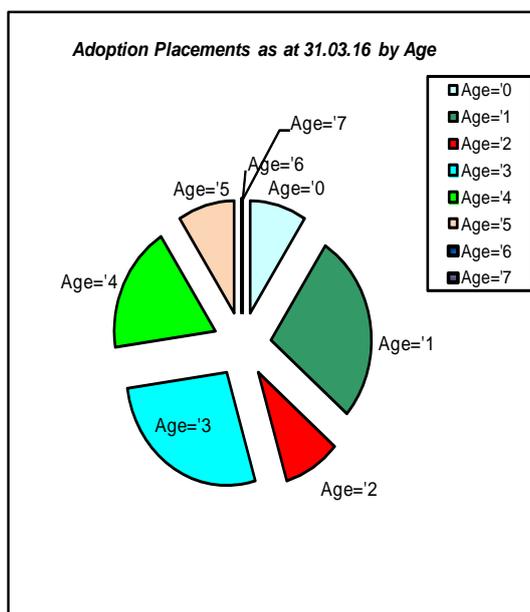


5 Placement Stability



6. Adoption Information

Total numbers of children placed for adoption or adopted, including age and gender breakdown



Adoption Placements as at 31.03.16 by Age	Total
Age=0	2
Age=1	6
Age=2	2
Age=3	6
Age=4	4
Age=5	2
Age=6	0
Age=7	0
Age=8	0
Total	22

Adoption Placements as at 31.03.16 by Gender	Total
Female	14
Male	8
Total	22

Adoption Information	Total
Number of children placed for adoption as at 31.03.16	22
Number of children placed for adoption between 01.04.15-31.03.16	27
Number of Children adopted between 01.04.15-31.03.16	42

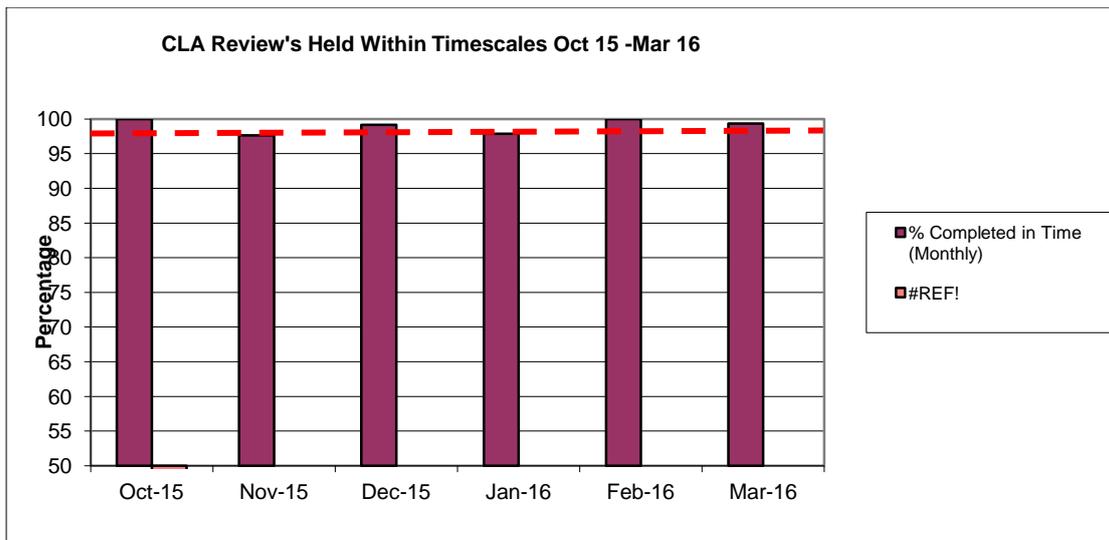
Review Activity 1st October 2015 - 31st March 2016

There has been overall positive performance during the last 5 years in respect of review meetings being held within timescale, performance for the period reported on has risen very slightly.

783 review meetings were due in this 6 month period, which is a reduction since the last reporting period reflecting the decrease in CLA numbers and also the different arrangements for reviewing short term breaks for disabled children. This will actually be in compliance with the SSWB Act with its emphasis on keeping children with their families whenever it is safe to do so. 8 of the review meetings were held outside of the required timescale, overall performance is nearly 99% compliance and above our target of 98.5%. This continues yet again to be an excellent performance given the logistics of co-ordinating such a large volume of meetings with a considerable and varied range of participants, as well as the challenges of covering all review meetings despite having one IRO post unfilled until very recently following the promotion of the current Team Manager, who now holds the post on a permanent basis.

The excellent Business Support arrangements and systems which contribute to the work of the Reviewing Team continue to be absolutely essential in enabling the team to perform at this current level. The practice of setting review dates with flexibility to reschedule within timescale if problems occur; remains firmly established, along with the commitment of both IROs and Business Support staff to performance improvement.

CLA Reviews Held Within Timescales				
Month	Reviews Due	Number held within Timescale	Reviews outside of Timescale	Compliance
October	134	134	0	100%
November	128	125	3	97.66%
December	118	117	1	99.15%
January	141	138	3	97.87%
February	108	108	0	100%
March	154	153	1	99.35%
Total	783	772	8	98.98%



Month	Reviews held out of timescale	Reason
October	0	
November	3 reviews for individual children	<p>1 review went out of time because child was in care of relative and Children's Services mistakenly thought this meant child was no longer Looked After.</p> <p>2 reviews held out of time as Reviewing Team not informed children had become Looked After</p>
December	1	Review held out of time as Reviewing Team not informed child had become Looked After
January	3 reviews for individual children	3 Cancelled and rearranged due to placement breakdown, unavailability of family members and social worker
February	0	
March	1	Cancelled and rearranged because family members unwell

Comparators (last year)

April 2014 to September 2014

949 reviews held within timescale 29 outside Total 978= 97.03%

October 2014 to March 2015

884 reviews held within timescale 18 outside Total 902= 98%

April -September 2015

831 reviews held within timescale 11 outside Total 842 = 98.69%

The Resolutions process

As outlined earlier the IRO has responsibility to monitor the LA performance in relation to individual children and to raise areas of good practice as well as problems and issues. IROs forward compliments and positive comments to staff and managers to ensure good practice is recognised.

The current guidance is focussed on resolving matters at the earliest opportunity directly with those involved however it does include a face to face problem resolution meeting if necessary which is co-ordinated by the Reviewing team. If problems or issues are not resolved there continue to be arrangements in place to escalate them through the management structure to the Service Director, to the Group Director and to the Chief Executive as required by guidance if necessary.

The aim of the guidance is to:-

- Keep children and young people as its focus
- Streamline the process and make it more consistent, understandable and straightforward for all
- Improve communication between IROs, social workers and their managers and thereby achieve prompt resolution of issues raised
- Ensure records of the process are included on the child or young person's file
- Ensure IROs fulfil their responsibilities as set out statutory guidance.

The Team Manager and Service Manager are currently completing work on updating the guidance.

Current issues for the Reviewing Service

Capacity

There are currently 7.6 full time equivalent CLA IRO posts and during this reporting period, case loads are approximately 83 children per full time IRO, which is a decrease since the last reporting period. One full-time post has

recently been filled following the appointment of a permanent Team Manager; there is currently one part-time vacancy which is being recruited to.

A key challenge for the service when there are vacancies is the allocation of an IRO for all children Looked After: this has been achieved for this reporting period. However as a consequence of these capacity issues it has not always been possible to distribute the record of the review meeting within the 2 week timescale

The team use conference calling for some Review meetings but only when the IRO determines that this will not undermine the quality of the experience for the child or young person.

Issues raised by IROs October 2015 to March 2016

There were 18 issues for resolution raised using the IRO resolution process during this period. This is twelve less than was raised in the previous 6 months.

The issues raised this period are varied and include the following themes plus individual case examples:

Theme: Statutory Visits

The frequency of statutory visits to children looked after has always been established in guidance and performance monitored although the SSWB Act has changed these requirements in certain circumstances. IROs will continue to address this issue within review meetings.

Case Example

Siblings had been in their adoptive placement since October 2015. At the review meeting concerns were raised that no social work visits had taken place since the initial adoption review in November. A newly allocated social worker was unaware of this due to an incorrect electronic system entry.

The IRO identified the placement as fragile and at risk of breakdown, to which the lack of social work visits was a contributory factor.

Resolution: The IRO raised a resolution. The Team Manager arranged to visit the placement with the newly allocated worker and Children's Services have since agreed funding for further assessments to enable the prospective adopters to meet the children's needs. The IRO is confident that statutory visits are now being undertaken.

Theme: Legality of Placement

An increasing number of children are being placed with extended family members. Initially a viability assessment must be completed within a fortnight which will consider whether the placement is likely to meet the child's identified physical and emotional needs. A placement may be deemed illegal if this



process is not followed or carers have failed a viability assessment and the child remains in their care.

Case Example

The IRO for a 4 year old boy who was in the care of a relative was informed that his review meeting had been cancelled because he was no longer looked after. The IRO queried this as the child was still living with the relative.

Resolution: A resolution meeting convened with Legal Services in attendance. Legal Services advised that in the circumstances a private arrangement could not be entered into in these circumstances. The child became looked after once more whilst assessments continued to determine a plan for permanence .

Theme: Drift and Delay

The review meetings are outcome focussed and therefore tasks and timescales are agreed upon to avoid unnecessary and avoidable drift and delay. Outcome focussed tasks might range from making an emergency health appointment to completing a referral for a specialist service.

Case Example

A 17 year old disabled young person required an assessment to confirm her eligibility for services from the Adult Community Support Team. Unfortunately the Psychologist who would need to undertake the assessment was absent from work.

The young person had expressed a wish to remain in her placement after her 18th birthday but no arrangements could be finalised until a decision was made as to which team from Adult Services would support her.

Resolution: The IRO raised a formal resolution because transition planning issues around eligibility for CST had been ongoing for some time. All transition requirements had been completed by DCT and indicated the need for ongoing support post 18. CST identified which team would support the young person post 18 and her plans are proceeding.

Theme: Care and Support Planning

A central function of the IRO role is to monitor practice and decision making in respect of Care and Support plans. The IRO has an important role in ensuring that a Local Authority has a consistent approach towards the care of children for whom it is corporately responsible. The independent nature of the IRO should also facilitate the opportunity for monitoring the activities of the local authority as a corporate parent, assess the quality of services and challenge activities where necessary.

Case Example

Children placed in the care of their father under Placement with Parent Regulations. Childrens Services reported that they were considering discharging the Care Orders in respect of the children but the children's contact

with their mother needed to be addressed prior to proceeding with the discharge. At the Review, the IRO was informed that an application to discharge the Care Order was to proceed even though the issues of contact between the children and their mother remained outstanding.

Resolution: The IRO's view was that before any discharge application was made it would be in the children's best interests for contact between them and their mother to be realistic and sustainable without the long-term involvement of Childrens Services. Two resolution meetings were held and a plan was agreed that addressed the issues with family members. By the next review all parties were satisfied that contact arrangements were stable, the children were happy with the arrangements and family members were willing for those arrangements to remain. It was agreed that the Care Orders be discharged.

Theme: Life Story Work.

Life Story work is an integral part of the work that should be undertaken with any child who is unable to live with their birth family. Life story work may help a child understand why their birth parents could not care for them temporarily or permanently, give the child sense of personal/family/cultural history, and build a sense of racial/ethnic/national identity. It may help the child understand the reason for placement moves as well as recording memories for the child of previous carers.

Case Example

In an initial adoption review meeting it was recommended that life story work and the later life letter should be completed by the second review meeting. In the second adoption review the worker (who attended in place of the allocated social worker) stated that she hadn't been able to locate the life story work and later life letter although they may have been completed.

Resolution: The IRO raised a resolution with the Team Manager who confirmed, after further enquiries, that the previous Social Worker had neither started the life story work or gathered any photographs which would have been an integral part of the work itself. New timescales were agreed and the court has granted an adoption order on the understanding timescales will be adhered to.

Development work

Short term breaks

The IROs took on responsibility for reviewing children with disabilities who receive a series of short term breaks formally from September 2011, as the reviews arose.

Continuing on with the work undertaken in 2014 led by the DCT Service Manager, short breaks are now allocated as a Child with Care and Support Needs or CLA service. IROs chair the reviews for those children who are looked after. As a result the reviewing team continues to focus on a reviewing smaller number of children with complex additional needs. This is actually compliant with the new SSWB Act 2014

Consultation Documents.

The feedback from looked after children using the new consultation documents continues to be positive.

The Reviewing Team Manager, the Fostering Team Manager and the Kinship Team Manager have revisited the consultation documents for carers and proposed amendments have been agreed upon. This work will be finalised over the next 6 months.

The Service Manager and Reviewing Team Manager have begun to consider how to consult with parents to update the parents consultation document although this is clearly work of a particularly sensitive nature.

2Sides Website

The 2Sides Website enjoyed a successful launch on the 21st April 2016. The website is primarily targeted towards looked after children and young people of secondary school age and it is hoped will be somewhere that they can access far more information about what it means to be looked after regardless of where they are placed, and complete an online review consultation document should they wish to do so.

To encourage children and young people to revisit the website, the Blueprint Forum has been invited to use the website to publicise events and its ongoing project.

The Service Improvement, Engagement and Complaints Manager and the Reviewing Team Manager have met separately with the Corporate Press and Publicity Officer to raise the profile of the website and are developing a proposal to take this forward.

Merthyr CBC has asked whether it would be possible to extend the website across Cwm Taf. This is being explored.

Blueprint and Voices from Care

The Reviewing Service is keen to develop a positive working relationship with Voices from Care and to encourage young people looked after by RCT to become active participants. It is hoped that it will not only broaden their own experiences, but also to explore the part they could play in developing effective

and creative ways to engage with RCT's looked after population. To this end the Team Manager has consulted with VFC on the 2Sides Website and recently attended the RCT/Merthyr/Vale/Cardiff regional meeting.

Open offer of Advocacy

The Team Manager has been in discussion with representatives of NYAS (advocacy service) about the best way to ensure that children and young people who are looked after in RCT are made an active offer of advocacy as stipulated in the SSWB Act. The reviewing officers have prepared a letter for this purpose and consideration is being given as to the most effective way of distributing this letter. Information about Advocacy is on the 2Sides website.

Children and Family Court Advisory and Support Service (CAFCASS)

The "Local Authority IRO Services in Wales and CAFCASS Cymru" protocol issued in 2014 promotes a positive working relationship between both the IRO and the Children's Guardians throughout care proceedings, which might include constructive communication by telephone, email or face to face meetings.. The protocol refers to the need for timely discussion regarding a child's care and support plan and whether or not there are any issues which need to be raised in court. At the conclusion of proceedings where a Care Order has been made and the child remains looked after, a final discussion between the IRO and the Children's Guardian should raise any particular monitoring issues to be addressed through the CLA review process.

The Reviewing Service recently invited the CAFCASS Practice Manager to one of its team meetings and as a result it was agreed that the effectiveness of the protocol might be enhanced with 6 monthly meetings in which practice issues could be discussed.

Ceri Mann, Reviewing Team Manager

Judith Davis, Service Manager for Safeguarding and Support

June 2016