**West Sussex – Practice Guidance**

IROs are qualified social workers with at least five years’ experience, and who have acquired the right skills to carry out this role.

**Independent Reviewing Officers and Child Looked After Reviews**

**Status of this Guidance**

This guidance replaces the Children’s Looked After Children’s Services: Independent Reviewing Service Policy, Guidance and Procedures Version 5[[1]](#footnote-1) and Children’s Safeguarding Unit Expectations, commitments & quality assurance framework[[2]](#footnote-2).

This guidance outlines ‘what good looks like’ in the discharge of the Independent Reviewing Officer (IRO) function in West Sussex.

Key underpinning statutory guidance:

The IRO Handbook March 2010

<https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/337568/iro_statutory_guidance_iros_and_las_march_2010_tagged.pdf>

The Children Act 1989 Guidance and Regulations

Volume 2: care planning, placement and case review June 2015

<https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/441643/Children_Act_Guidance_2015.pdf>

**IRO Role**

The role of the IRO is to seek assurance that the Care Plan for the child fully reflects the child’s current needs and that the actions set out in the Care Plan are consistent with the local authority’s legal responsibilities towards the child. Key considerations are therefore:

* Is the Care Plan relevant, viable and achievable?
* Is there an up to date needs assessment? Where is this recorded?
* Does the assessment involve the right people?
* Does the assessment address the appropriate issues?

In practice the IRO should:

* Speak to the child before the Review
* See the child within their placement
* Speak to the Social Worker 15 days before the Review
* Scrutinise:
* The current Care Plan
* Health Plan
* PEP
* Any relevant reports

Assure themselves that the child is aware of their:

* Entitlement to an advocate
* Right to complain
* Right to apply for an order under Section 8 CA1989

Assure themselves that the views of parents, those with PR, other significant adults, carers have been sought and relevant professionals have been consulted

**Review of the Care Plan**

All reviews of a child’s Care Plan must consider:

* The effect of any change in the child’s circumstances
* Whether the decisions of the last Review have been implemented
* Whether the legal status remains appropriate
* Whether there is a Permanence Plan and the timescales are viable for the child
* Contact arrangements
* Whether the placement is meeting the child’s needs
* Educational needs
* Health needs
* Leisure activities
* Identity
* Transition planning (if relevant)
* Whether the Social Worker has taken reasonable steps to establish the child’s wishes and feelings
* Whether statutory visits have been undertaken within required timescales

The written output from the Review must:

* State whether the Care Plan can be confirmed or needs to change
* Outline the actions needed to implement the Care Plan, by whom and in what timescale

The Recommendations and Decisions of the Review will clarify the key actions required to progress the Care Plan and must outline any remedial actions/timescales if actions have not progressed or if there is any risk of drift and delay.

**Permanence Planning**

By the **Second CLA Review** the child must have a plan for permanence even if this is a parallel plan, whereby the primary plan should be clearly identified alongside timescales expected for any parallel plans to be progressed. The IRO should be assured that:

* The local authority has explained fully to the child and parents the implications of the permanence plan
* The local authority has provided information on post adoption/SGO support to parents and extended family

Pre-placement considerations should include:

* Progress in matching
* Whether adoption is still the right plan
* Whether there is a Placement Plan in place if the child has been matched
* How far parents should be included in the Review process

Once a child is placed for adoption the Review should also consider:

* How far parents can exercise their parental responsibility
* The arrangements for adoption support

Review Recommendations and Decisions must include timescales for:

* Lifestory Work
* Later Life Letter
* Post Adoption Support Plan

**Timescales for Review of the Care Plan and Production of Records**

* 1st CLA Review within 20 days of the child becoming looked after
* 2nd CLA Review within three months of the 1st
* Sub CLA Reviews within six months of the last

Consideration can be given to Sub CLA Reviews being held annually for children that are permanently matched with their carers and the placement is intended to last until they reach adulthood. In such circumstances the child must lead this decision.

In discharging their responsibility to monitor the performance by the local authority of their functions in relation to the child’s case[[3]](#footnote-3) the IRO should not convene early Review meetings, other than in the circumstances set out in (7). Ongoing oversight should be undertaken by scrutiny of the child’s file and liaison with key professionals. This should be recorded on the child’s MOSAIC file in ‘case notes’.

There are three elements to the IRO Record of Review in West Sussex:

* Quality Monitoring Form
* Recommendations and Decisions
* IRO Summary

The IRO will produce the Recommendations and Decisions of the Review within five working days. The Practice Manager should appraise these and alert the IRO to any disputes.

The IRO will produce a full record of the Review within 15 working days to allow for distribution within 20 working days to those participating. Any exceptions to this should be recorded with the reason why someone is not receiving the record within the child’s file.

**Keeping the IRO up to date**

Between Reviews, if the Care Plan continues to meet the needs of the child there may be no need for any communication between the IRO and the Social Worker or the child.

However, in the event of a **significant change/event** in the child’s life, the **Social Worker must inform the IRO**. This includes:

* Any proposed change of Care Plan for example arising at short notice in the course of proceedings following on directions from the court
* Where agreed decisions from review are not carried out within the specified timescale
* Major change to contact arrangements
* Changes of allocated Social Worker
* Any safeguarding concerns involving the child, which may lead to enquiries being made under section 47 of the 1989 Act (‘child protection enquiries’) and outcomes of Child Protection Conferences, or other meetings not attended by the IRO
* Complaints from or on behalf of child, parent or carer
* Unexpected changes in the child’s placement provision which may significantly impact on placement stability or safeguarding arrangements
* Significant changes in birth family circumstances for example births, marriages or deaths which may have a particular impact on the child
* Where the child is charged with any offence leading to referral to youth offending services, pending criminal proceedings and any convictions or sentences as a result of such proceedings
* Where the child is excluded from school
* Where the child is running away or missing from the approved placement;
* Significant health, medical events, diagnoses, illnesses, hospitalisations, serious accidents
* Panel decisions in relation to Permanence

**When a CLA Review must be held**

It will not be necessary for a full Review of the Care Plan following the IRO being informed of significant changes/event in the child’s life.

However, a CLA Review **must** be convened in the following circumstances, prior to any of the following changes being implemented:

* Whenever there is a proposal for a child to leave care before the age of 18, i.e. for the child to become a relevant child, rather than an eligible child [respectively section 23A and Schedule 2, paragraph 19B of 1989 Act] (see Annex 3)
* Wherever there is a proposal for the child to move from foster care, a Children’s Home or other placement, to supported lodgings, or to other kinds of ‘semi-independent’ or ‘independent living’ before the age of 18 (i.e. from accommodation regulated under the Care Standards Act to unregulated accommodation)
* Prior to children subject to care orders being discharged from custody
* Wherever any unplanned change is proposed to a child’s accommodation that would have the effect of disrupting his/her education or training
* Where a change of placement is proposed that would interrupt the arrangements for the education of a child in Key Stage 4
* Where a change of placement is proposed for a child who has remained settled and established with the same carer for a significant period of time
* In line with timescales for Court proceedings to provide the IRO with the opportunity to endorse/challenge the final Care Plan

**Local Dispute Resolution Process**

Chapter 6 of the IRO Handbook outlines that “one of the key functions of the Independent Reviewing Officer (IRO) is to resolve problems arising out of the care planning process; for example in relation to care planning, the implementation of the care plan or decisions relating to it, resources or poor practice ”. Furthermore that “it is the task of each local authority to put in place a formal process for the IRO to raise concerns and to ensure that this process is respected and prioritised by managers”; and that the formal dispute resolution process “should have timescales in total of no more than 20 working days”.

**Quick Reference Guide**

**Remember that the local authority legal duty is to be the ‘best possible parent’!**

* The IRO manager must be notified within two days of child becoming looked after
* A named IRO should be allocated within five working days and must be allocated prior to the 1st CLA Review
* The IRO visits the child to ‘negotiate’ the 1st CLA Review[[4]](#footnote-4). This should be within the child’s placement unless there is a defensible reason as to why this is not appropriate. The venue for the child’s Review meeting must be negotiated with them and a series of meetings may be necessary to facilitate the Review process being child centred e.g. If in proceedings it is likely that more than one meeting will be required
* The IRO liaises with the Social Worker to confirm the 1st CLA Review arrangements to include the review process and who should be included
* The IRO sends QA, Conference and Review Admin the list of those to be invited to participate in the Review.
* QA, Conference and Review Admin sends out written invitations to all those listed to include Consultation Documents for the child, parents and carers
* The IRO will lead the Review process in line with the expectations outlined in Sections 2/3/4/5
* IROs should pose the following questions to themselves:
* How assured am I that the Care Plan is relevant, realistic and achievable?
* How do I know? What evidence have I seen?
* Social Workers and their managers must keep the IRO informed of any significant change/event in the child’s life (6)
* The IRO must convene an early Review where necessary (7)
* The IRO will complete the Quality Monitoring Form within one working day
* The IRO will produce the Recs & Decs within five working days
* Practice Managers should appraise these and raise any disputes. If this does not happen the Recs & Decs will be assumed to be agreed
* The IRO will produce a Record of the Review for distribution within 20 working days

**Reference Points;**

<https://www.gov.uk/government/publications/independent-reviewing-officers-handbook>

1. Effective from 01.09.04 and Revised 16.06.14 [↑](#footnote-ref-1)
2. There is no version control within this document. However, was introduced circa April 2017 [↑](#footnote-ref-2)
3. IRO Handbook Para. 2.9 / [section 25B(1), 1989 Act] [↑](#footnote-ref-3)
4. The means for ongoing consultation and communication will be discussed. The use of MoMO will be promoted as part of this with the child and placement provider [↑](#footnote-ref-4)