**Kirklees Fostering Panel Handbook 2022**

**1. Introduction**

The fostering panel has a crucial role in the provision and monitoring of foster care for children and young people. As an independent body, the making of recommendations about approval, the terms of approval, matching, and assessing the continuing ability of foster carers to meet the needs of children is a central task focused on ensuring the child's welfare is paramount. An effective Fostering Panel is an essential part of a high-quality fostering service and has a key role in quality assurance. Fostering Panels play a key role in supporting good outcomes for children placed through the agency.

This guidance clarifies roles and responsibilities in terms of the panel and its members, as well as outlining the protocols and procedures for the effective management of panel business. This protocol is consistent with Kirklees council policy and procedures

**2. Relevant Legislation and Guidance**

* The Fostering Service (England) Regulation 2011
* National Minimum Standards (NMS) for Fostering Services 2011
* Children Act Guidance Volume 4: Fostering Services 2011
* Children Act 1989 and the Care Planning, Placement and Case Review (England) Regulations 2010
* Care Planning, Placement and Case Review of Fostering Services (Miscellaneous Amendments) Regulations 2013
* Adoption and Care Planning (Miscellaneous Amendments) Regulations 2014
* Care Planning and Fostering (Miscellaneous Amendments) (England) Regulations 2015
* Children Act 1989 Guidance and Regulations, Volume 2: Care Planning, Placement and Case Review, June 2021
* Assessment of Approval of Foster Carers: Amendments to the Children Act 1989 Guidance and Regulations, Volume 4: Fostering Services, July 2013
* Family and Friend Care: Statutory Guidance for Local Authorities 2011

Other relevant legislation and guidance

* Fostering for Adoption: Practice Guidance 2017
* “Staying Put” Arrangements for Care Leavers aged 18 and above to stay on with their former foster carers DfE, DWP and HMRC Guidance, May 2013
* Children and Young Person’s Act 2008
* Children and Families Act 2014
* Children and Social Work Act 2017
* Independent Review of Determinations (Adoption and Fostering) Regulations 2009
* Short Breaks: Statutory Guidance on how to Safeguard and Promote the Welfare of disabled children using Short Breaks (2010)
* Promoting the Education of Looked After Children: Statutory Guidance for Local Authorities (2014)
* Promoting the Health and Wellbeing of Looked After Children: Statutory Guidance for Local Authorities, Clinical Commissioning Groups and NHS England (March 2015)
* Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children (July 2018)
* Family and Friends Care: Statutory Guidance for Local Authorities (2011)

**3. Panel Functions**

Kirklees Fostering Panel has the responsibility of considering matters brought before it and the responsibility to arrive at clear recommendations which will then go to the agency decision maker for the agency decision (Qualifying Determination) with any recommendation by the Independent Review Mechanism (where involved).

The Fostering Panel monitors the range and type of foster carers available to the local authority in comparison with the needs of children and plays a key role in the improvement of standards within the fostering service.

As part of this function, the Panel oversees the conduct of assessments and annual reviews of approved foster carers, advises on any relevant matters in relation to the fostering service and makes recommendations to Children's Services about quality issues and performance standards.

In particular, the Panel makes recommendations as to the following:

1. The suitability of applicants to act as foster carers and terms of their approval (including Connected Persons foster carers).
2. The continued suitability of the foster carers and whether the terms of the approval remain appropriate (after the first annual review of foster carers or, on any other review as requested by the agency).
3. Long term matches between Looked After Children and foster carers.
4. Any representations challenging a decision not to approve an applicant as suitable, or to terminate or revise the terms of a foster carer's approval where the applicant is not in agreement with such changes.
5. Extension to Regulation 24 (Connected Person) requests.

In relation to points a-e above, the Fostering Panel can make one of three recommendations to the Agency Decision Maker. These are:

* Approve
* Defer
* Not approve

The Panel also:

* Receives notification of a foster carer resignations.
* Considers any other special matters relevant to a foster carer which the Chair of the Panel in conjunction with the Panel Advisor considers appropriate to be referred.

And,

* Monitor, review and advise on the standard of and quality of reports submitted to the Panel. The Chair is expected to communicate any issues of concern to the Fostering Service Manager and take part in regular meetings with them and the Vice Chair to review the Panel's functioning and report on the quality of work being presented to Panel; to ensure good standards are maintained.
* Contribute to the setting of service standards, policies, and practice guidance

Kirklees Fostering Panel currently takes place 3 times per month.

**4. Panel Membership**

Kirklees Family Placement Service endeavors to ensure that the composition of the Fostering Panel is such that it has sufficient members, and that those members have between them the experience and expertise necessary to effectively discharge the functions of the panel. National Minimum Standard 14.8 requires that:

*“The number, skills, knowledge and experience of persons on the central list are sufficient to enable the fostering service to constitute panels that are equipped to make competent recommendations to the fostering service provider, taking into account the nature of the children and carers that the service caters for”*

To ensure smooth effective Panel performance and a continuing fresh perspective, the membership of the Fostering Panel will be regularly reviewed. This will normally take place during the appraisal process; appraisals are held annually and are jointly undertaken by the Foster Panel Chair and Foster Panel Advisor.

The Fostering Panel operates a ‘central list’ of a maximum of 18 people, including the Chair. This includes a ‘core’ membership who are regularly invited to attend panel, with other central list members attending on a less regular basis. In line with good practice, the appointment of panel members is undertaken by the Fostering Panel Chair in conjunction with the Fostering Panel Advisor. Appointment of the Chair involves the Agency Decision Maker and the Fostering Panel Advisor.

Panel members receive a letter of their appointment, outlining their duties and responsibilities and confirming terms and conditions. They also receive a copy of the CoramBAAF guidance ‘Effective Fostering Panels’ and the Kirklees Fostering Panel Handbook.

Panel members have an opportunity to speak with the Panel Chair and/or Panel Advisor to clarify their duties and responsibilities to observe at least one Panel meeting as part of their induction prior to taking on the full role of panel member. All Panel members receive an induction to the Fostering Service and the Fostering Panel within ten weeks of joining the central list.

All Panel members sign the Panel Member and Confidentiality Agreement which outlines roles and responsibilities of the Kirklees Family Placement service and the Panel Member to ensure compliance with GDPR.

Panel member performance is continuously assessed through various feedback and evaluation forms as well as monitoring by the Chair of the Panel and the Panel Advisor. The Panel Advisor will plan and coordinate formal annual reviews (appraisals) for Panel members and the Chair/Vice Chair. For the Panel chair, this is undertaken by the Agency Decision Maker and Panel Advisor, informed by information gathered by the Advisor. For Panel members, appraisals are undertaken by the Panel Chair and Panel Advisor.

If Kirklees Family Placement Service consider any Panel member to be unsuitable to remain in post, the Panel member’s appointment may be terminated by giving one month’s notice in writing. A Panel member may also resign at any time by giving 1 month notice in writing.

It is expected that core Panel members attend a minimum of 2 panels per month, with other members attending less regularly.

All Panel members are offered at least one day of learning and development a year. In addition, the Panel Advisor will regularly share relevant legislative, policy and practice changes which impact on the functions, roles, and responsibilities of the Fostering Panel.

**5. Panel Composition**

The Fostering Panel will have within its core membership:

* A pool of qualified social workers with at least 3 years relevant post qualifying child-care experience with direct experience of fostering and/or supervising looked after children – who either work for the agency or are independent
* An independent member who is, or within the last two years has been, a foster carer for another fostering service
* 3 care experienced panel members who may work for the local authority agency or be independent
* At least 4 independent members who have expertise in health, education, psychological services
* An Elected Member
* One of the Panel members is appointed as a Vice Chair to act as Chair in their absence.

The Fostering Panel will have access to medical and legal advice as required.

**6. Quoracy**

Regulation 24(1) requires that ‘no business may be conducted by a Fostering Panel unless at least the following meet as the panel’. These are:

* *The Chair or Vice Chair*
* *A social worker with at least three years relevant post qualifying experience*
* *At least three other members*
* *If the Chair is not present, there must be at least one independent member present, either the Vice Chair or a member, who could be the social work member if they are independent of the agency*

Kirklees Fostering Panel will endeavor to have at least one Vice Chair in attendance at each panel. The Panel Advisor will also be in attendance. A Panel Administrator is responsible for taking Panel minutes.

**7. Independence**

Fostering Panels are intended to be multi-disciplinary bodies with a considerable element of independence from the fostering service. A greater number of independent members can help to challenge practice where necessary; greater independence should mean that the Panel is fair and is seen to be so. Independent members therefore play an important role in relation to panel, bringing a range of experiences, expertise, and knowledge to consideration of panel business.

A Panel member cannot be defined as independent if they are a carer approved by Kirklees council, an employee of the council, are part of the management structure within the council or are related to an employee or manager of the council.

**8. Conflict of Interest**

There can be situations where a Panel member knows or has worked with an applicant or approved foster carer to be considered by the panel. It is important that a Panel member declares an interest in such situations. The Panel member should say whether s/he thinks this knowledge will prejudice their consideration of the case. If s/he thinks that it will, they should not participate in the case. It is the responsibility of the Chair, in conjunction with the Panel Advisor to determine whether a conflict of interest exists and to make a final decision. It is important for Panel members to alert the Panel Advisor or Chair as early as possible to avoid any issues with Quoracy.

Where a Panel member receives the panel pack and they believe they have knowledge of an applicant and that that there may be a need to declare an interest, they must not read the pack and must instead speak with the Panel Advisor or Chair of the Fostering Panel to determine the best way forward.

Where an interest is declared but it is not considered a conflict of interest by the Fostering Panel Chair/Panel Advisor, it is good practice to confer with the applicant/carer to determine whether they would feel comfortable with the panel member being part of the recommendation process.

**9. Key roles and responsibilities**

Fostering Panels need to be able to carry out their function as effectively as possible, and there are individuals on panel who have key responsibilities in relation to this objective

**9.1 Panel Chair**

The Panel Chair has the key responsibility for ensuring the meeting is conducted in a positive and supportive manner and that this will comply with Kirklees Family Placement Service Terms and Conditions relating to the role.

The Panel Chair should:

* Have sensitive regard to a fair and transparent process for foster carers whilst ensuring that the Panel keeps children’s welfare paramount
* Ensure that Panel discussion operates effectively and fairly, and plan how the discussion will be conducted with applicants/carers and social workers
* Facilitate the active participation of all Panel members in the Panel considerations and ensure Panel members have relevant and up to date expertise
* Ensure that, where Panel members have serious reservations, these are recorded in the minutes of the Panel’s meeting and are also attached to the Panel’s recommendation
* Ensure that applicants/carers are made to feel welcome at the Panel and that it is run in a way which encourages their engagement and participation. This includes the Chair contacting Connected carers the day before they attend Panel to talk through the process
* Ensure that the Panel reaches clear, evidenced recommendations and that the minutes of the meeting are accurately recorded
* To be clear with social workers and attending applicants that the Panel recommendations are shared with the Agency Decision Maker’s and provide a time frame for that decision to be shared
* Ensure the Panel minutes are accurate so that they can be forwarded to the Agency Decision Maker within stipulated timescales
* Where appropriate, consult with the Panel Advisor regarding Panel member performance and termination of appointment
* Be involved in the appointment and induction of new Panel members and any consideration about terminating the appointment of a Panel member
* In conjunction/liaison with the Panel Advisor ensure that the Panel carries out a quality assurance role in relation to the Panel process, paperwork completion and social work presentation
* Liaise with the Agency Panel Advisor and Panel Administrator to ensure Panel dates are booked a year in advance
* Ensure that feedback on the Panel process is considered and acted upon by the Panel as required.

Panel Chairs should be involved in:

* Consulting where appropriate with the Panel Advisor concerning the annual report
* Decisions regarding holding extra Panels
* Managing conflict of interest in a case
* Agreeing the attendance of observers at Panel
* Communicating immediate concerns, along with the Panel Advisor, to the Family Placement Service

**9.2 Medical and Legal Advice**

National Minimum Standard 14.6 requires that *‘fostering panels have access to medical expertise and legal advice, as required’*. Kirklees Fostering Panel has access to legal advice through Kirklees Legal Services. Kirklees Fostering Panel ensures that a health representative as a core member, is in regular attendance to offer a health perspective, and the Medical Advisor is a core member of the Fostering Panel although they are not required to attend.

In general, the Medical Advisor will:

* Liaise with the applicant/s GP and approved carers under review when a medical issue concerning capacity to undertake the work of a carer has been raised and requires clarification
* Contact consultants or specialist in relation to medical issues raised
* Report any medical issues concerning applicants or approved carers under review, to the Fostering Panel
* Interpret medical information, concerning applicant and approved carers under review or children and young people either referred or in placement, for the Panel

**9.3 Role of the Panel Advisor**

The Advisor to the Panel:

* Advises the Chair and members of the Panel on relevant fostering policies, procedures, and practice.
* Is not a member of the Panel and does not therefore take part in reaching a recommendation.
* Has responsibility for ensuring that all Panel paperwork submitted is quality assured and is of a good standard and that post Panel paperwork is completed accurately and in a timely manner
* Oversees the administrative arrangements for Panel and ensures that it works effectively
* Seeks legal advice when required in relation to matters being deliberated by panel.
* Compiles an Annual report in conjunction with the Panel Chair, outlining the activity of the Panel and a collation of all returned feedback questionnaires and Panel evaluations
* Takes feedback from and to Panel and the fostering service about practice issues
* Analyses the Panel data and feedback to produce quarterly quality assurance reports to be sent to the Chair, ADM, and the Service Manager
* Provides technical or regulatory advice to the ADM as required; as the Panel Advisor is not a member of the Panel, they do not share information about deliberations and discussions held by the panel members with the ADM.
* The Panel Advisor relays decisions, actions, and/or comments to the service management and/or Chair regarding ADM decisions and comments.

**9.4 Role of the Panel Administrator**

Good administrative arrangements are essential for the effective functioning of Panel. The Panel Advisor works closely with the Panel Administrator’s on facilitating the process of panel. In general, Foster Panel Administrators are involved in:

* Producing an annual schedule of meetings
* Maintenance of the Panel booking system
* Notification to social worker of Panel schedule and deadlines
* Arrangements for the facilitation of the Panel meetings
* Maintaining the members central list and ensuring that Panel meetings are quorate
* Maintaining personnel files for all Panel members, including ensuring DBS/disclosure checks and, appraisals are up to date.
* Ensuring the Panel Advisor is aware when the necessary electronic paperwork has been submitted for Panel
* Preparation of the Panel agenda
* Close liaison with the Panel Advisor and social work teams to ensure Panel requirements are met
* The circulation of reports, documents, and appropriate letters to relevant parties pre and post Panel meetings in accordance with statutory timescales
* Taking minutes and submitting a draft to the Chair and Panel members.
* Ensuring the ADM receives Panel minutes and ADM decision proformas and any other papers required to inform decision making
* Maintaining records of Panel business and performance for monitoring and evaluation and use in the Annual report
* Ensuring that final decisions re: terms of approval and termination are recorded on CareFirst and/or other relevant databases
* Ensuring that the relevant documentation needed for the Panel process is available.
* Maintaining the foster carer register

**9.5 Agency Decision Maker (ADM)**

The ADM is responsible for all Fostering Panel decisions, and provides an independent oversight of all Panel business, maintaining a focus on safeguarding for children and young people and monitoring the quality-of-care planning and decision making for children and young people in care. To carry out this role effectively, it is important that the ADM communicates and liaises regularly with the Fostering Service Manager, and Panel Advisor about Panel process and quality as well as regulatory requirements.

The Fostering Panel makes recommendations, not decisions, regarding cases presented to it. Decision making is made by the ADM; the ADM’s decision is known as the ‘Qualifying Determination’ and is made by the ADM after they have considered the recommendations made by the Panel and the reasons for them.

More than one ADM may be appointed, but they may not delegate their authority to another person. The ADM must be registered with Social Work England.

National Minimum Standard 23 sets out the qualifications, knowledge and experience required of the Agency Decision Maker. Regulation 27 requires that the ADM must take account of the Fostering Panel’s recommendation and any recommendation made by the IRM before deciding whether to approve a person as a foster carer, and on what terms. Their decision must be made within seven working days of receipt of a recommendation from Panel via the minutes.

**9.7 Terms of Approval**

A foster carer’s Terms of Approval will include the number of children, and the type of care: short term, long term, parent & child, emergency, short breaks. Holiday and respite care will fall under the term ‘Short Term’. Foster carers must enter into a Foster Carer Agreement.

At post approval stage the ADM is responsible for deciding whether a person and their household remain suitable to foster, and whether the terms of approval remain the same following each annual Foster Care Review. The decision should be based on the written report of the Review; it must take account of any recommendation by the Fostering Panel (which must be provided on the first Review and may be provided for subsequent Reviews) and any recommendation to the IRM.

**10. Panel Process**

**10.1 Stage 1 and 2 of the Fostering Recruitment Process**

The Care Planning, Placement and Case Review and Fostering Services (Miscellaneous Amendments) Act 2013 brought in two stages to the assessment process.

**Stage 1**

Stage 1 of the assessment process is intended to provide the ADM with basic information about a foster carer applicant to enable clearly unsuitable applicants are quickly determined without unnecessary bureaucracy or expenditure of time and resource for the Fostering service or the applicant. Once all the checks and information required for Stage 1 have been received, the decision about whether an applicant is unsuitable at this stage must be reached by the ADM and the applicant informed in writing within 10 working days of receipt of the final check. Stage 2 may run concurrently with Stage 1, but this does not prevent decisions being made about suitability at Stage 1.

Where all Stage 1 information has been received and no notification to the applicant has been provided within 10 days that they are not suitable to be a foster carer, Stage 2 of the assessment commences.

**Stage 2**

At Stage 2 the ADM has the responsibility to take a decision on the applicants’ suitability to foster. On completion of Stage 2 a full assessment will be presented to Panel, or a brief report may be provided if the assessment has been terminated or the applicant has withdrawn.

Once a carer is approved, they must be notified of this in writing, and the terms of the approval.

Connected Carers are approved for a specific child or children. In notifying the carer of the ADM decision, the full names, and dates of birth of the child(ren) must be included in the correspondence and all other documentation relating to their care of the child or children.

**10.1 Booking items to panel**

On booking an item onto panel, the Panel Administrator will create an electronic folder in which to deposit the necessary electronic files. The Panel Advisor will maintain an updated schedule of submission dates, this will be kept by Panel Administrator for reference.

**Mainstream foster care** applications should be booked to be heard at Panel no later than four months following receipt of application.

Where a **Regulation 24 placement** has been made, the Team Manager of the Connected Persons Team will book the case to be heard at Fostering Panel on or as near to week 14 which will enable the ADM to make their decision within the required 16 weeks.

Where an extension to Regulation 24 is required due to the assessment process requiring more time, meaning it cannot be completed by the 16-week deadline, the Team Manager for the Connected Persons Team will book the case to be heard at Panel for an extension to Regulation 24. This will be booked onto Panel no more than 14 weeks after the Regulation 24 approval was originally made to ensure the case can be heard at Panel with ADM approval for the extension, to help ensure placements from becoming unregulated.

When an extension to Regulation 24 has been granted, the final assessment will be booked onto fostering Panel no later than 22 weeks from the initial approval to ensure the case can be heard and ADM decision will be made within the 24-week timescale. This will also help prevent placements from becoming unregulated.

The **first Review** of a foster carer must be presented at Fostering Panel. A first Review will be booked no later than 11.5 months following the ADM approval. This will allow sufficient time for the ADM to make their decision within the regulatory requirement of twelve months of initial approval.

Where a carer has submitted a **resignation**, this cannot be retracted. Resignations will be booked onto the Fostering Panel within the 28-day timescale.

**10.1 Panel meetings**

The Fostering Panel will normally meet three times per month. Dates for Panel meetings are circulated on an annual basis in advance and available via the Panel Administrator.

Fostering Panel starts at 9.30am and will either be a half or full day Panel, ending no later than 5pm. Whilst the Fostering Panel may finish earlier depending on Panel business, Panel members should ensure they are available for the full day.

**10.1 Circulation of paperwork**

All documents to be submitted to Fostering Panel should be uploaded into the nominated folder eleven working days prior to Panel, once they have been quality assured by the relevant Team Manager.

The Panel Advisor will quality assure the paperwork submitted and request any amendments. The final documents will be circulated to Panel members electronically 5 working days before a Panel meeting. However, if the documents submitted require further work or there is information missing which would be pertinent to the Fostering Panel being able to make a recommendation, the Panel Advisor will discuss this with the relevant Team Manger and move the matter to a different Panel date with clear actions outlined to enable the matter to be heard.

**10.2 Applicants, Approved Carers, and Social Workers**

Applicants and approved carers must be given the opportunity to attend and be heard at Panel at which their approval is being discussed. They can also attend with a supporter if they wish. The Panel Administrator should be advised no later than one week prior to Panel whether a supporter will be in attendance.

Whilst applicants and approved carers are not mandated to attend the Fostering Panel, they should be strongly encouraged to do so. Kirklees council views the attendance of applicants and approved carers at Panel positively and recognises the Fostering Panel as an arena that welcomes the views of applicants and approved carers.

Where an interpreter is required, the presenting social worker will ensure that the Panel Administrator is advised at the time of booking the matter onto Panel. It is the supervising social worker’s responsibility to book an interpreter.

The Panel Chair will explain the process to applicants, approved carers, and social workers on attending Fostering Panel. For new Connected carers, this will be the day before panel, recognising their different circumstances and emotional needs.

Following a Fostering Panel, the Chair will inform applicants and carers of the Panel’s recommendation, and the role of the ADM, either with Panel members present or with the Panel Advisor.

**10.3 The Panel Meeting**

The way a Panel meeting is conducted is informed by the agenda and the Panel members present. However, Kirklees Family Placement Service promotes the use of several key principles:

* Where a Panel member has direct knowledge of a case being presented, a conflict of interest may be present. Where possible, any potential conflict of interest should be explored prior to Panel due to the risk of the impact on quoracy. In any event, where it is deemed that the Panel member has prior knowledge of, but has no conflict of interest, this will be written into the minutes. Where it is determined that a Panel member has a conflict of interest, the Panel Chair in consultation with the Panel Advisor will decide whether the Panel member is to step down from the whole or just part of the Panel meeting.
* An ethos of transparency; where possible, questions can be set and shared with the social worker/s, applicants, and carers beforehand, who should also attend Panel for as much of the Panel process as possible, without compromising the integrity of the Fostering Panel.
* Assessing/supervising social workers should present their reports to Panel. Where complex issues are apparent, and/or for post-allegation reviews, the assessing/Fostering Team Manager may also attend.
* Fostering panel can be experienced as a daunting process for those presenting and for carers attending to be approved. Panel members should make the experience as welcoming as possible, with respect and consideration of the views of those presenting/attending. However, this should not detract from robust enquiry and a spirit of professional curiosity, borne from learning coming from Serious Case Reviews and research. Respectful uncertainty should ensure that Panel members do not feel restricted from sharing a view that may be in the minority. It is the role primarily of the Panel Chair to make a judgement about the validity and appropriateness of such views to the case in hand.
* Panel discussions are recorded fully, giving note of the recommendations reached and the reasoning. Where Panel members are not in agreement, the minutes must accurately reflect the range of views expressed.

**10.4 Panel Decision Making**

Following full discussion of the agenda item, the Fostering Panel may:

* Make a unanimous recommendation to the ADM
* Defer to a later date for further information and advice
* Make a split recommendation to the ADM. In such cases, the minutes must reflect the details of each Panel member’s recommendations, along with their stated reasons for their recommendation. Where there is a split recommendation, the Panel Chair does not have the casting vote.

The minutes of the Panel need to be plainly articulated and obvious as to the recommendation and the underpinning reasons to inform the as ADM. This is imperative to support the ADM to reach an objective and independently informed decision, based on the information available.

In reaching a decision or Qualifying Determination, the ADM should consider Hofstetter v LB Barnet and IRM (2009) in which the court set out guidance for the way in which an Adoption Agency Decision Maker should approach a case, whether it is a decision based on the agency Panel recommendation or the Independent Review Panel’s recommendation. This applies equally to a Fostering Agency Decision Maker. The court noted that it would be good discipline and appropriate for the Decision Maker to:

* List the material considered in reaching the decision
* Identify key arguments
* Consider whether they agree with the process and approach of the relevant Panel and are satisfied as to its fairness and that the Panel has properly addressed the arguments.
* Consider whether any additional information now available to them that was not before the Panel has an impact on its reasons or recommendation
* Identify the reasons given for the relevant recommendation that they do or do not wish to adopt, and
* State (a) the adopted reasons by cross reference or otherwise and (b) any further reasons for their decision

**10.5 Panel Minutes**

Robust minutes are essential, and the minute taker should ensure that the key issues and views are captured, including any dissent, where there are dissenting views, these should be identified by the initials of the dissenting Panel member(s) along with the reasons for dissension. Those undertaking the minutes should be appropriately trained and supported to do so. They should also access a copy of the BAAF good practice guidance on minute taking.

**10.6 Post Panel Process**

The minutes of a Panel meeting should be distributed and received back from the Panel Chair and members within four working days of the panel. These constitute the final set of minutes. In line with Fostering Regulations, the ADM should make their decision within 7 days of receiving the final set of minutes, however, Kirklees practice standard is five days. The ADM’s decision should be communicated to the applicants/ approved carers within two days of the decision being made, by the assessing/supervising social worker and followed up in writing within five working days.

In making their decision, the ADM may access the Panel Advisor to clarify and issues arising from the Panel minutes. Any action points about an individual assessment or review should be noted by the ADM and fed back to the social worker and their Team Manager through the Panel Advisor. The ADM will make note of any themes that would be considered useful to bring to the Fostering Panel quarterly business meeting.

The ADM will satisfy themselves that the Fostering Regulations and Standards are being adhered to during their deliberations. On occasion, the ADM may feel unable to come to a decision without further information. In these instances, the social worker presenting the case should inform the applicant/approved carer of this. Notwithstanding any further deliberations, the ADM will be mindful to come to a decision in a timely manner, especially in terms of the regulatory framework surrounding Connected Person’s.

In line with the Fostering National Minimum Standards, in reaching their decision the ADM will record notes detailing the process of decision making, the reasons for their decision and comment on the functioning of the Fostering Panel.

On return of the signed decision record, the Panel Administrator will send notification letters and associated Foster Care Agreements to the Panel Advisor for signing. The Panel Advisor will then send these out to the applicant/approved carer. The Panel Administrator will also add a copy of the minutes and notification on the carer’s electronic file.

Where the notification is not to approve, to not continue to approve, or to change the carer’s terms of approval, the notification will also advise the recipient of their rights to review of the decision by either Kirklees Fostering Panel or the Independent Review Mechanism, but not both. The notification will be clear regarding the 28-day timescale for requesting a review of the decision.

Where a review of the decision is held, the ADM will be able to make their final decision following the conclusion of the review. In the interim, where this applies to Connected Carer’s, the Connected Carer remains temporarily approved. Mainstream carers remain ‘under assessment’.

Following a resignation being heard at Fostering Panel, a letter of acknowledgement will be sent which will also advise the carer(s) that their name will be taken off the foster carer register. The length of service will be acknowledged and celebrated accordingly. It is important that resignations are not delayed from being presented at Panel and should be presented within the notice period. Should a foster carer wish to foster again after resigning, they will be assessed in line with the 2011 Regulations.

**10.7 Reconsideration of Agency Decisions**

The ADM must decide whether a Qualifying Determination is to be made. This is a determination that they:

* Propose not to approve the applicant as suitable to be a foster carer
* Are no longer satisfied that the approved carer is suitable to be a foster carer
* Propose to change the terms of the approved carer’s existing approval

The determination letter gives the applicants or carers 3 options:

* Accept the proposal
* Submit a written representation within 28 calendar days of receipt of the determination letter being received, asking that the case be referred to the Fostering Panel for reconsideration
* Apply to the Independent Review Mechanism within 28 calendar days of receipt of the determination letter, to request an Independent Review

If the applicant/approved carer makes written representation within the 28 days to reconsider the Panel recommendation/ADM decision, the case shall be heard at the Fostering Panel for further discussion. It will then be considered by the ADM who will make their final decision taking any new information into account.

If the applicant/approved carer makes no representation to either Kirklees Fostering Panel, or the Independent Review Mechanism within 28 days, the original decision of the ADM is final.

The Independent Review Mechanism is managed by British Association for Fostering & Adoption (BAAF). The cost of a Review meeting is met by the Kirklees Fostering service. Travelling and other expenses are borne by individuals.

The function of the Independent Review Mechanism is to:

* Review the suitability of an applicant to care for a child
* Review any proposed changes to the terms of approval
* Make a fresh recommendation to the fostering service on the suitability of a carer and the terms of approval, including for a specific child

When the Fostering service is notified of an application to the Independent Review Mechanism they are required to send in the following within 15 days:

* All original paperwork that was available to Panel
* A copy of the qualifying determination letter and the Panel’s reason for the recommendation. This is in addition to any other documents sent to the applicants/approved carers
* Any relevant information in relation to the individual which was obtained after the date on which the report was prepared, or the documents circulated to Panel.

The minutes from the Panel in which the case was heard are not sent to the Independent Review Mechanism. This is to enable them to take an objective view based on the information before them.

If neither representation is made to the Independent Review Mechanism or to the Fostering service within 28 days, the ADM will decide whether or not to approve the applicant as a foster carer (after a full assessment), continue the assessment (following a brief report) or amend their terms of approval.

**11. Monitoring and Quality Assurance**

As an independent body, the Fostering Panel has a key role in quality assurance alongside the robust scrutiny it applies to Panel business such as foster carer assessments, reviews, and placement matches etc. Whilst the Panel provides a supportive role to Kirklees Family Placement service, it is imperative that the Panel evaluates the effectiveness of Panel business on a regular basis.

Fostering Panel will undertake monitoring and quality assurance role by

* Regular and joint training with Kirklees Family Placement Service
* Evaluation of reports presented to Panel and feedback to the service areas and individuals as appropriate
* Monitoring the timeliness of items presented in terms of regulatory requirements
* Evaluation of feedback from applicants, carers, and presenting social workers regarding their Panel experience.
* Regular ‘business meetings’ including representation from the ADM and Deputy Head of Service
* Appraisal of Panel members and Chair, including actions plans reflecting roles and responsibilities where they fall short
* Completion of an annual report, identifying learning and areas for improvement
* Consideration of presenting social workers, applicants, and approved carer feedback to Panel.

Fostering Panel will provide feedback via the Panel Advisor regarding the quality of assessments, documents, and the verbal presentation. This supports the Panel function of quality assuring the Fostering Service with feedback being provided to the Team Manager and Supervising Social Worker following panel, and where relevant to the Fostering Service Manager or Foster Care Reviewing Officer.

The Panel Administrator will send panel feedback to social workers that presented to panel and their managers. They will also send out feedback forms to those who attended panel, to get an understanding of their experience. On return of these, they will be sent to the Panel Advisor for collation and presentation at the future panel. They will also be incorporated into the quarterly report presented to the Fostering Panel and future development plans.

**END**

**Version 2**

**Completed May 2022 (To be reviewed annually)**