**Independent Reviewing Officer (IRO) and Child Protection Coordinator (CPC) Issue Resolution Policy**

Quality Assurance Service Manager

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Contents

[1. Context 1](#_Toc69719811)

[2. Key Principles 2](#_Toc69719812)

[3. Use of the Quality Assurance Issue Resolution/Dispute Policy 2](#_Toc69719813)

[4. Quality Assurance Issue Resolution and Dispute Process 3](#_Toc69719814)

[5. Conclusion 3](#_Toc69719815)

[6. Appendix A – The process 4](#_Toc69719816)

[7. Appendix B – Directors briefing template 5](#_Toc69719817)

[8. Referral to Cafcass (IROs only) 6](#_Toc69719818)

# Context

The IRO has a statutory duty to monitor the performance of the local authority of their functions in relation to the child’s case and to resolve problems arising out of the care planning process. Challenge and resolution of issues are an integral part of the IRO role and when carried out effectively, will form a key element of the process of continuous service improvement, highlighting gaps in practice and ensuring that resolutions are identified and actioned.

Accountable to the Director of Children’s Services, CPCs have a duty to make sure that Children and young people who are at risk of significant harm receive high quality support and timely interventions to help keep them safe. In addition to chairing Child Protection conferences, the CPC has a responsibility to monitor the progress of the child’s plan by way of a mid-point review. This involves review of the child’s case record and speaking to practitioners and their managers in between the formal review conferences to ensure actions have progressed as outlined in the plan.

# Key Principles

* The impact on the child of any actions (or inactions) by the local authority, will be the focus of any challenge made by the IRO/CPC.
* The IRO/CPC is guided by and will refer to relevant legislation, guidance, policies, procedures and practice standards.
* In the first instance, the IRO/CPC will seek to resolve the issue informally with the social worker and team manager although this stage is dependent on the seriousness of the issue for the child.
* Issues that are impacting on children’s safety and well-being will be addressed in a suitable timescale for the child.
* IROs/CPCs will set realistic timescales for resolution. If the matter is not resolved in a timescale appropriate to the child’s needs, the IRO/CPC will follow the formal QA issue resolution policy and escalate to dispute as necessary.
* The IRO/CPC may bypass any stage and progress the issue resolution to dispute and to the level s/he considers most appropriate to achieve the desired outcome in the best interest of the child and/or family.
* The Dispute Resolution process will be used where it has not been possible for the IRO/CPC to resolve an issue or where the agreed actions from the issue resolution have not been progressed.
* Discussions between the IRO, CPC, practitioners and managers will be recorded on the child’s record. The record will evidence to the child, the action that the IRO/CPC has taken on their behalf to ensure targeted and timely interventions.

# Use of the Quality Assurance Issue Resolution/Dispute Policy

Positive working relationships are important with professional challenge being part of healthy working interactions. The IRO/ CPC will use the policy and communicate their concerns to practitioners and managers when:

* There are concerns that statutory requirements for the child are not being met
* There are concerns about the quality, implementation and timeliness of the child’s plan
* Where an issue is impacting on an outcome for the child/ren and/or family.
* There are concerns about the provision of services

# Quality Assurance Issue Resolution and Dispute Process

Please see Appendix A

# Conclusion

5.1 Once the Quality Assurance issue resolution is resolved, the IRO/CPC and the social work team complete the ‘*Outcome of issue requiring resolution’* and ‘*Key learning points*’ section of the form to capture learning. The issue resolution form is then finalised and will remain on the child’s record.

* 1. Learning from Quality Assurance Issue Resolutions will be discussed and acted upon within team meetings and shared with the wider Operational Management group via Operations Managers meetings and Quality Performance Review meetings (QPRMs).

# Appendix A – The process

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| **Informal Quality Assurance Resolution**  The IRO/CPC brings the issue of concern to the attention of the social worker via direct contact and seeks to resolve the matter. The IRO/CPC is clear about the issue, the impact on the child, the preferred solution and a specific timescale proportionate to the issue. | | | |
| **Formal Quality Assurance Issue Resolution/Dispute Resolution**  If the matter remains unresolved, the IRO/CPC will use the formal process to seek resolution. This is not a linear process with the stage at which the IRO/CPC raises the issue dependent on the seriousness of the issue for the child. | | | |
| **Stage** | **To / CC** | **Recording** | **Timescale** |
| Informal Resolution  (Stage 1) | To: Social worker  CC: Team Manager | The IRO/CPC discusses the issue informally with the SW via direct contact, face to face, MS teams or e-mail. The IRO/CPC records on the child’s record in an IRO/CPC case note as soon as the issue is discussed.  IRO/CPC reviews on agreed date and if the issue is resolved, the IRO/CPC records as **IRO/CPC Informal resolution achieved** case note on LCS. | As early resolution as possible. Up to a maximum of 10 working days.  If not resolved, escalate to Formal stage. |
| Formal Issue Resolution (Stage 2) | To: Team Manager  CC: Social Worker | The IRO/CPC completes a Quality Assurance Issue Resolution form on LCS and follows up with a direct communication to the TM (face to face, MS teams or e-mail) referring them to the LCS form for details of the issue and resolution sought. | Up to 5 working days. If the IRO/CPC is not satisfied that the issue has been resolved via stage 2, then proceed to stage 3 – Dispute. |
| Formal Dispute  (Stage 3): Level 1 | To: Ops Manager  CC: Team Manager | The IRO/CPC records the name of the Ops manager and date contacted in the dispute section of the QA issue resolution form under level 1. Record the date resolution is sought by.  The IRO/CPC follows up with a direct communication to the OM (face to face, MS teams or e-mail) referring them to the LCS form for details of the issue and resolution sought. | Up to 5 working days. If the IRO/CPC is not satisfied that the issue has been resolved via stage 3 (Level 1), then proceed to stage 3 (Level 2). |
| Formal Dispute  (Stage 3): Level 2 | To: Head of Service  CC: Team Manager  CC: Ops Manager | The IRO/CPC records the name of the Head of Service and date contacted in the dispute section of the QA issue resolution form under level 2. Record the date resolution is sought by.  The IRO/CPC follows up with a direct communication to the HoS (face to face, MS teams or e-mail) referring them to the LCS form for details of the issue and resolution sought. | Up to 5 working days. If the CP chair is not satisfied that the issue has been resolved via stage 3 (Level 2), then proceed to stage 3 (Level 3). |
| Formal Dispute  (Stage 3): Level 3 | To: Deputy Director  CC: Team Manager  CC: Ops Manager  CC: Head of Service | The IRO/CPC records the name of the Deputy Director and date contacted in the dispute section of the QA issue resolution form under level 3. Record the date resolution is sought by.  The IRO/CPC follows up with a direct communication to the DD (face to face, MS teams or e-mail) referring them to the LCS form for details of the issue and resolution sought. | Up to 5 working days. If the CP chair is not satisfied that the issue has been resolved via stage 3 (Level 3), then proceed escalation to the Director). |
| Formal Dispute  (Stage 3): Level 4 | To: Director of Children’s Services  CC: Team Manager  CC: Ops Manager  CC: Head of Service  CC: Deputy Director | The IRO/CPC records the name of the Director and date contacted in the dispute section of the QA issue resolution form under level 4. Record the date resolution is sought by.  When an issue is escalated to the Director, the Director’s briefing note must also be completed outlining pertinent information.  The IRO/CPC follows up with a direct communication to the Director (face to face, MS teams or e-mail) referring them to the LCS form for details of the issue and resolution sought. | IROs – please refer to:  Referral to Cafcass below. |

# Appendix B – Directors briefing template



# Referral to Cafcass (IROs only)

Since 2002 IROs have had the authority to refer the case of any looked after child to Cafcass if they are of the view that the child’s human rights have been breached and all attempts to resolve the matter have been exhausted. The scope for such referrals is now extended. The IRO now has the authority to refer a case to Cafcass ‘if the IRO considers it appropriate to do so’. In most cases it will be possible for the IRO to address any concerns through:

* dialogue with the local authority, including access to the Quality Assurance Issue Resolution procedure above
* use of the complaints’ procedure, either by the child directly or by an adult who is authorised to act on the child’s behalf; and/or
* application to the court for an order under the 1989 Act, either by the child or by an appropriate adult who is able and willing to act.

When considering whether to make a referral to Cafcass, the IRO should consider the impact that a referral would have for the child.

In line with the Quality Assurance Issues Resolution policy, prior to making a referral, the IRO must inform the Deputy Director, Children’s Social Care that a referral to Cafcass is being considered and explain the reasons for their view.

The IRO can make a referral to Cafcass by contacting ‘Cafcass Legal’. The information below should accompany a referral to Cafcass:

* a report by the IRO explaining why the matter is being referred at this stage and setting out what steps the IRO has taken to resolve the position with the local authority
* The Court reference number for the child’s previous proceedings

While Cafcass cannot refuse to accept any referral, it is the responsibility of Cafcass and not the IRO to determine whether a legal remedy should be sought.