

**Strengthening Practice:
Challenge and Resolution Protocol**

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1. Summary, Aims & Objectives. This is How it Works:

1.1 This protocol arises from a statutory requirement for each local authority to have in place a formal process for Independent Reviewing Officers to raise concerns. In Waltham Forest this includes Child Protection Co-ordinators, the Fostering Independent Reviewing Officer (FIRO), the Short Breaks IRO, as well as the child/young persons Independent Reviewing Officer (IRO). This is referred to as the strengthening practice: challenge and resolution protocol.

1.2 In Waltham Forest we are all working together for the best outcomes for children, young people and their families and want the IRO's and Child Protection Co-ordinators to provide the local authority with both **high challenge and high support** to achieve them. This includes having high aspirations and high standards, co-operating with our colleagues to meet a common goal, doing the right thing rather than doing things right and trying new ways of working.

1.3 The key principles underpinning our work in Waltham Forest are:

- i) **Impactful collaboration:** We believe that collaboration is at the heart of effective change making. This protocol details how we will work together to ensure that

social work practice attains the highest standards and that having a social worker effects positive change for children.

- ii) **Equity, diversity and inclusion:** We will work with people in a way that better understands and takes into account their unique cultures and circumstances. To do that we must start with ourselves and create safe spaces and channels of communication to raise and have difficult conversations about these issues.
- iii) **Innovation & creativity:** We believe that innovation and creativity is essential in navigating complex challenges.

2. Highlighting Good Practice

A compliment is the positive recognition of good practice. Where the IRO/CP Coordinator identifies excellent practice, this will be highlighted to the practitioner and their line managers. We know that celebrating the excellent work that is done encourages more of the same. Excellent practice will be highlighted to practitioners and managers to the most senior level in order that this practice can be shared across the organisation. This will be reflected on the child or young person's file as **CPC/IRO good practice highlight**. Compliments will be collated in quarterly and annual reports produced by the Quality Assurance Service, with a view to supporting wider practice development.

3. Challenge and Resolution

- 3.1 This protocol sets out how the Quality Assurance Service will challenge and support practitioners, their managers, the wider service areas and our partner agencies. It is a framework for addressing any identified gaps in practice and/or addressing drift at the most appropriate level of the organisation and as quickly as possible. The aim is that children (and their families) receive the best service possible to achieve better outcomes.
- 3.2 There is both an informal and formal element to the protocol, which is aimed at immediate problem solving with social workers and team managers wherever possible.
- 3.3 The framework consists of informal alerts, formal alerts and compliments. It is expected that a conversation will have taken place between the IRO/CP Coordinator the social worker and the line manager as part of the reviewing process and in advance of recording an informal or formal alert. It is expected that the reviewing processes and professional discussion should be used to resolve issues in the first instance, before any formal alert is raised; unless the risk is such that to do so would place a child at risk of harm.

3.3 The process for seeking resolution is set out in distinct stages (see the flow chart). At each stage of the alert process those concerned should make every effort to collaborate to seek a resolution to the issues. IRO/CPCs should exercise their discretion and judgement when considering the stage at which they provide challenge.

3.4 The maximum time for a response at any level is **5 working days**, and where necessary the IRO/CP Coordinator may stipulate shorter timescales depending on the issue and the impact on the child. Any extension would need to be negotiated with the IRO/CP Co-ordinator. This time frame is setting minimum standards and every opportunity for taking less than proposed times should be encouraged. Any alerts that involve escalating the matter in dispute through levels of management should be addressed in no more than 20 working days in total.

3.5 Usually, any challenge will start at the informal level, moving only to the more formal stages of the protocol if resolution is not reached at the informal stage. The challenge will be escalated where there is no response received or the response does not adequately address the concern. The exception to this is when to do so would place a child at risk of harm, in which case the IRO / CP Co-ordinator may bypass any stage in order to reach a timely resolution. The responsibility for this decision rests with the named IRO/CP Co-ordinator, subject to prior discussion with their line manager, except in emergencies.

3.6 All alerts are an opportunity for constructive challenge and collaboration between the IRO / CP Coordinator and the practitioner, or manager at any level in the organisation.

3.7 Informal and formal challenge will be collated in quarterly and annual reports produced by the Quality Assurance Service, with a view to supporting wider practice development.

4 Collective Challenge and Resolution

In some instances, there may be a theme that is arising for a number of children/young people/foster carers, in which case the IRO's /CP Coordinators may choose to raise a collective alert.

In consultation with the relevant QA Practice Manager the team would identify the most appropriate level that the challenge will be raised and a lead IRO/CP Coordinator who would alert the relevant team manager(s) and/or senior manager of their concerns.

The use of a collective alert must not preclude the named IRO/CP Coordinator from escalating matters for individual children.

Collective alerts will not be recorded on files, they will be raised in writing to the relevant manager(s).

Collective alerts will be recorded in quarterly and annual reports produced by the Quality Assurance Service, with a view to supporting wider practice development.

5 Inclusion of People we are Working with

Where appropriate children, young people and parents' views should be represented in alerts where possible.

Where children, young people or parents are spoken to their views should be clearly recorded.

6 Strategic Planning & Performance

The Quality Assurance Managers will report on compliments and alerts in quarterly reporting cycles. The reports are shared with managers at all levels. The aim is that the reports inform policy, practice and workforce development.

The QA Managers are responsible for monitoring the performance of the IRO's and Child Protection Co-ordinators and ensuring they are fulfilling their responsibilities in relation to procedures, regulations and this guidance.

Practitioners and their managers should speak to the IRO/CP Co-ordinator or relevant QA Manager directly if they have feedback they wish to give regarding performance; both that which is positive, but also that which is constructive and aims to improve practice.

If there are concerns about the performance of an IRO/CP Co-ordinator, or the conduct of a review meeting or child protection conference, the matter should be referred to the relevant Quality Assurance Manager who will arrange an investigation and feedback **within 15 working days**.

If a satisfactory resolution is not reached, then the matter will be escalated to the Assistant Director for Quality Assurance.

We all believe in immediate problem solving with team managers and social workers whenever possible.

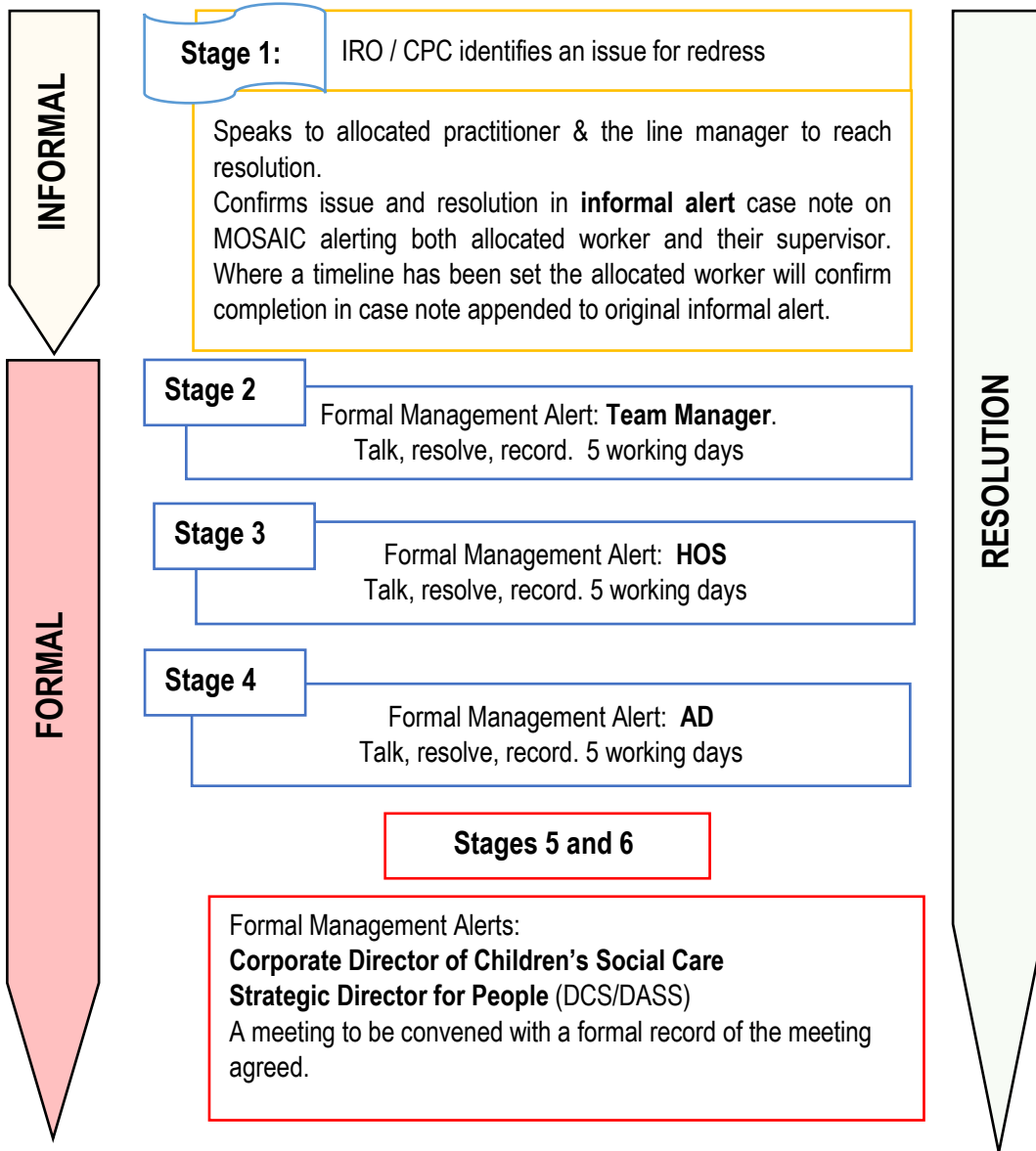
7 Circumstances in which the protocol may be used.

Where practice standards are not being met, there is an expectation that the IRO/CP Co-ordinator will challenge and seek resolution. The following standards are expected for every child who have a plan to support or protect them, or to provide permanency. These lists are not exhaustive.

The service-related standards can be found in appendixes 1 - 4 under the following headings:

- Children & Young People Subject to CP Plans – **Appendix 1**
- Children & Young People Receiving Short Breaks – **Appendix 2**
- Children & Young People in Homes Reviewed by the Fostering Independent Reviewing Officer – **Appendix 3**
- Children & Young People who are Looked After and Care Experienced – **Appendix 4**

8 Flow Chart for the Strengthening Practice: Challenge and Resolution Protocol



The escalation process continues until it is resolved to the satisfaction of all parties in the best interests of the child/young person.

Any escalation above Head of Service will be copied to the QA Practice Manager for information. Where an IRO intends to escalate to Assistant Director level or above, the QA Practice Manager will inform the AD for Quality Assurance. **Before** an IRO escalates to CAFCASS the QA Practice Manager will discuss the next steps of the escalation with the AD for Quality Assurance.

8.1 The Process for the Strengthening Practice: Challenge and Resolution Protocol

Stage 1: This is an informal alert (case note), a reminder that something needs to be followed up within timescales, or where there is a gap in good practice, or potential delays that are likely to impact upon the child or may already be impacting upon the child in small ways. In the first instance the IRO / CP Coordinator will identify their concerns following a discussion with the allocated worker and/or the line manager, or where necessary, other involved professional. An informal alert is a summary of the discussion with agreed timelines for action. This is sent to the social worker and their supervisor. Generally, all identified issues should be resolved at this stage.

Stage 2: A formal management alert (MOSAIC step) will be sent to the team manager. In all circumstances the social worker, and advanced practitioner will be advised of this in advance.

Stage 3: If the matter cannot be resolved at Stage 2 then this will be escalated (MOSAIC step) to the Head of Service as a **formal management alert**. It is important that the IRO / CP Coordinator is explicit and clear when the response provided at the informal stages is not considered effective and why the escalation to formal dispute process is being made. This is important as there may not always be clarity for all concerned.

Where a matter is to be escalated to the Head of Service, the IRO/CP Coordinator will advise and consult with their line manager and inform the allocated social worker and team manager of their intentions.

Stage 4: The formal alert is escalated to the **Assistant Director**, following a discussion with the **Assistant Director for Quality Assurance**.

Stage 5: The concern is escalated to the **Corporate Director of Children's Social Care**, following a discussion with the **Assistant Director for Quality Assurance**.

Stage 6: Escalation to the **Strategic Director for People**, following a discussion with the **Assistant Director for Quality Assurance**.

Stages 5 & 6 will be managed through a meeting. All key personnel should be invited to the meeting and there should be a record of the meeting. As in previous stages the meeting will be an open and solution focussed discussion aimed at achieving the best outcomes for the child.

Appendix 1 Standards for Children and Young People Subject to Child Protection Plans

Safeguarding and protection of children and young people in the household

Where there are concerns that the level of risk cannot be addressed on a child protection plan and more immediate and robust measures are needed these will be alerted immediately to the Team Manager.

Statutory requirements for the child or young person are not being met

Each child should have an allocated social worker and an up-to-date assessment. The assessment should provide a good analysis of any risk to the child and how those risks are being addressed.

Statutory visits should be consistently completed and children/young people should be seen alone in their home by the social worker, where appropriate, providing an opportunity to hear directly from the child.

Core groups should consistently take place for the duration of the child protection plan, monitoring the progress of the plan and developing the content as needed. The child protection plan should be implemented in a timely manner.

Review meeting / process requires improvement

There should be **suitable preparation for the child protection conference**, for example, social work reports/child protection plans should be prepared in advance of the conference with the input of parents. The reports should be shared in good time meaning that children, family and professionals are fully able to participate in the meeting. Children's views should be clearly represented.

The **quality of the record of the meeting and child protection plan** should be of a high standard in jargon free language that cares, so that it is meaningful to the families. The family's voice & inclusion should be clearly evident, showing their involvement throughout the process.

Implementation of Child Protection Plan, including reviewing process

The child protection plan will be implemented within the agreed timescales, and any drift or delay will be proactively addressed.

The Child Protection Co-ordinator will be informed or consulted on significant changes or issues for the child/family.

Children and their parents will be provided with services/resources as stipulated on the child protection plan.

Where services have been agreed in the child protection plan these should be provided in a timely manner.

Practice that requires improvement

Practice and intervention should be in the best interests of the child and have a positive impact. Where this is not the case the CPC will define their concerns.

Other

Where there are specific concerns that do not fall within the categories above the CP Coordinator will detail the concerns under the category of 'other', maintaining a focus on the impact on the child.

Appendix 2 Standards for children and young people receiving short breaks

For children who receive short breaks (Regulation 48)¹ it is important that the IRO is sensitive to the close and active involvement of the parents given this sensitivity, parents as well as children and young people can highly value their contribution and independent perspective, especially in helping to resolve any difficulties with the placement. IROs have a responsibility to alert the local authority if the placement is not meeting the child's needs.

Safeguarding and protection of children and young people in the household

Where there are any concerns that a child is at risk of harm these will be alerted immediately to the Team Manager.

Statutory requirements for the child or young person are not being met

There should be a short breaks care plan with the information necessary for the providers to offer safe care. As far as is practicable the child should be involved in agreeing the plan. Parents must be fully involved in all aspects of agreeing the short break care plan.

There should be at least one social work visit to the home, education provision and short break provision between reviews. The child should be seen at each of those visits, providing an opportunity to observe and/or hear directly from the child.

Where appropriate Education Health Care Plans should be up to date and fully address the needs of children who receive short breaks.

Review meeting / process requires improvement

Preparation for the child's review, for example, social work reports/Education, Health Care Plans should be available in advance of the meeting meaning that children, family and professionals are able to fully participate in the meeting.

The review meeting should be held at a time and place suitable for the parents to fully contribute.

The **quality of the short break plan** should be of a high standard and should be written directly to the child in jargon free language that cares, so that it is meaningful to children and their families. The inclusion of the child in the planning and review process should be clearly evident, showing their wishes and feelings have been fully taken into consideration.

Implementation of the short break care plan, including reviewing process

Decisions made at the review or any Panels should be followed up in a timely manner.

¹ Care Planning, Placement & Case Review (England) Regulations 2010

The short breaks IRO will be informed or consulted on significant changes or issues for the child/family.

Drift/delay in the implementation of any aspect of the child's plan, or content could be improved.

Provision of services / resources

Any concerns about the provision of services, to be specified. Where a short break provision is not meeting the needs of the child the IRO has a responsibility to alert the local authority.

Disability Enablement Service: SEND

Where there are concerns about social care service provision, or short break service provision the informal alert will be sent to the Team Manager for the social workers in that service area.

Where there are concerns specifically about an Education Health Care plan the escalation process will be directed to the Team Manager for the Special Educational Needs (SEN) officer(s).

Appendix 3 Standards relating to foster carers

Safeguarding and protection of children and young people in the household

Where there are any concerns that a child is at risk of harm these will be alerted immediately to the Team Manager.

Essential information on the child should be provided to the foster carer; DBS checks should be current and a current risk assessment completed; physical condition of the foster home should meet the fostering national minimum standards.

Statutory requirements for the child or young person are not being met, including minimum standards in relation to carers.

There will be an allocated supervising social worker; supervisory visits to foster home are undertaken with the required timescale; unannounced visits are undertaken within the required timescale: at least one within the year; statutory checks are consistently completed/updated; satisfactory attendance of relevant training and support groups.

Review meeting / process requires improvement

The full range of information should be available for the review meeting including supervising social workers report, children/young people's feedback form; allocated social workers feedback form; foster carer's children's feedback form; health & safety checks; safer caring document.

Implementation of Care Plan / Child Protection Plan, including reviewing process

Recommendations from the annual review and/or fostering & adoption panel should be followed up in a timely manner.

Where the issues of concern relate solely to a childcare plan the FIRO will refer the matter directly to the IRO for them to take appropriate action. Where the concern partly relates to the child's care plan the IRO will be informed and then copied into the alert.

Provision of services / resources

Concerns about whether appropriate resources/support has been provided to meet the needs of the child/young people placed; concern about the suitability of the placement; concerns about professional practice.

Other

Where there are specific concerns that do not fall within the categories above FIRO will detail the concerns under the category of 'other', maintaining a focus on the impact on the child.

Appendix 4 Standards for children and young people who are looked after or care experienced

Safeguarding and protection of children and young people in the household

Where there are any concerns that a child is at risk of harm these will be alerted immediately to the Team Manager.

Statutory requirements for the child or young person are not being met, including minimum standards in relation to carers.

Each child should have an allocated social worker and an up-to-date assessment. The assessment should provide a good analysis and therefore a clear picture of the needs of the child and how they are being met.

There should always be an up to date My Plan / Pathway Plan / Personal Education Plan / Health Assessment / Placement Plan / Education Health Care Plan / Post Adoption Support Plan available, which is of high quality, providing detailed information and a clear plan of action with timescales.

Statutory visits should be consistently completed and children/young people should be seen alone in their home by the social worker, where appropriate, providing an opportunity to hear directly from the child.

The IRO should always be notified of a significant event in the child's life, which is impacting upon their progress and wellbeing, including the proposal for any unplanned moves.

Implementation of the care plan and reviewing process

Decisions made at the child-centred review or any Panels², should be progressed within agreed timescales so there is no drift in arrangements for the child, most notably in progressing permanency for the child.

The IRO and/or child/young person should be consulted on significant changes to the child's plan.

Preparation for the child's review, for example, social work reports/care plans should be made available in advance of the meeting so that children, family and professionals are able to fully prepare and therefore participate in the meeting.

The quality of the report/care plan should be of a high standard and should be written directly to the child in jargon free language that cares so as to be meaningful to children and their families.

² Permanency Planning Panel, Fostering & Adoption Panel, Short Breaks Panel

The child's voice & inclusion within the assessment, planning and review process should be clearly evident, indicating their wishes and feelings have been fully taken into consideration.

Any change in the care plan should be considered at a statutory review, to provide for IRO oversight. This process will be used where the IRO is not in agreement with the care plan.

Provision of services / resources

Arrangements for the child should be such that the needs of the child or young person are fully met, for example, in terms of times spent with their family, health provision and / or education provisions. The child / young person should be living in a home that is suitable for their needs.

Where services have been agreed in the care plan these should be provided in a timely manner, including applications for passports or other significant documents.

Life journey work should be timely.

Practice that requires improvement

Practice and intervention should be in the best interests of the child and have a positive impact. Where this is not the case the IRO will define their concerns.

Other

Where there are specific concerns that do not fall within the categories above the IRO / CP Coordinator will detail the concerns under the category of 'other', maintaining a focus on the impact on the child.

Referral to Children and Family Court Advisory and Support Service (CAFCASS)

The IRO for children can discuss a matter with CAFCASS at any stage.

However, if an IRO is of the view that the child's human rights have been breach and **all attempts to resolve the matter with the local authority have been exhausted**, they can refer the matter to CAFCASS. CAFCASS is able to undertake legal proceedings to redress the presenting breach.

While IROs have the authority to refer to CAFCASS at any stage, there is **an expectation that efforts to resolve issues are undertaken through agreed internal processes in the first instance.**

Should an IRO decide this course of action is necessary they will discuss this with their line manager and the Assistant Director for Quality Assurance. As well as contacting CAFCASS legal for guidance as to the appropriateness of a referral to them.

Independent legal advice

In the event the IRO considers legal advice is needed they are advised in the first instance to discuss this with their line manager and the Assistant Director for QA service. This discussion will help to clarify the necessity of independent legal advice. In some circumstances it may be that Waltham Forest legal services would be in a position to assist, in the event that their advice would not compromise the position of the local authority.

Where independent legal advice is required this will be arranged with the agreement of the Assistant Director for Quality Assurance.

Appendix 5 Administration

Following a discussion with the relevant practitioner the IRO / CP Coordinator will complete a case note on MOSAIC detailing how resolution has been reached. This will be shared with the social worker, or supervising social worker (fostering), or SEN officer (short breaks), and the team manager.

In some cases a resolution may not have been reached but an agreed timeline has been established for the matter to be resolved. In this case it is the responsibility of the allocated worker and team manager to respond to the informal alert within the agreed timeline by appending a response to the original case note and informing the IRO/CP Coordinator.

If the matter is unresolved the IRO/CP Coordinator will escalate to a formal alert, which is recorded as an episode.

It is important that all resolutions are recorded on MOSAIC providing evidence of good practice.

The alert should state what the issue is and the impact on the child, with clear expectations in terms of the solution with a date for the response.

Where a formal alert is sent then responses should be completed within the MOSAIC episode and tasked back to the IRO / CP Coordinator for sign off.

The IRO/CP Coordinator can use their discretion whether to liaise further with the manager or escalate to the relevant Head of Service/Assistant Director on the same form, which would need to be brought to the attention of the manager by email.

The manager (TM/HOS/AD dependent of stage in the process) has a maximum of **5 working days** to respond at each stage. Alerts that remain unresolved are escalated to the next manager up to **stage 4**.

Stages 5 & 6: Should the matter still not be resolved it would first be escalated to the Corporate Director, setting out the concerns and attempts made to resolve them. If the matter still was not resolved it would be escalated to the Strategic Director.

Where concerns are related to partner agencies discussions to seek resolution will need to be recorded as a case note. Where there is need for escalation the practice issue will be raised by email, using the standards referred to in this document.

Appendix 6 Roles & Responsibilities

The IRO / CP Coordinator responsibilities

- To ensure when concerns arise to initiate informal alerts and/or formal alerts to the relevant level of management or other agency as detailed above.
- To keep all tracking and monitoring processes up to date.
- To consider, and if in agreement, act upon requests from managers for further time to resolve the matter.
- To progress matters to the next appropriate level of management if it is not satisfactorily resolved.
- IRO to refer to CAF/CASS and seek independent legal advice if required.

Operational manager's responsibilities

- To respond to the concerns within timescale, specifically addressing the requested action.
- To request further time if required to resolve the alert.
- To inform their manager if it is likely that resolve will not be reached and further escalation will follow.

QA managers responsibilities

- To support and assist the IRO / CP Coordinator as necessary, to include advising the IRO / CP Coordinator should they be acting outside of regulation and Waltham Forest procedure.
- To monitor IRO/CP Coordinator compliments and all challenge. Analysis of the alerts will be reported on a quarterly basis. The information and data will also be included in the IRO Annual Report.
- Advise operational managers of outstanding alerts on a regular basis.
- To monitor and quality assure the performance of IROs / CP Coordinators and the operation of the service. This will include regular auditing of the Teams work that will be reported in quarterly and annual reports and discussed with AD for Quality Assurance with a view to supporting practice development in Quality Assurance Service.