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Bournemouth, Christchurch and Poole Children's Services Procedures Manual

Toggle navigation

* [Home](https://www.proceduresonline.com/bcp/index.html)
* [Contents](https://www.proceduresonline.com/bcp/contents.html)
* [Resources](https://www.proceduresonline.com/bcp/p_review_fos_care.html)
  + [Local Resources](https://www.proceduresonline.com/bcp/local_resources.html)
  + [Glossary](http://trixresources.proceduresonline.com/nat_key/index.htm)
  + [Contacts](http://trixresources.proceduresonline.com/nat_cont/index.htm)
  + [Regulatory Framework](http://www.minimumstandards.org/regulations.html)
  + [KCSIE](http://www.keepingchildrensafeineducation.co.uk/)
* [Using this Manual](https://www.proceduresonline.com/bcp/using_this_manual.html)
* [Pan Dorset Safeguarding Procedures](https://www.proceduresonline.com/pandorset_scb/)
* [Accessibility](https://www.proceduresonline.com/bcp/p_review_fos_care.html)
  + Larger Text
  + High Visibility
  + Default Text

[SEARCH](https://www.proceduresonline.com/bcp/zoom/search.php)

Review and Termination of Approval of Foster Carers

**LOCAL GUIDANCE AND USEFUL RESOURCES**

See: [**Local Resources**](https://www.proceduresonline.com/bcp/p_review_fos_care.html)

**AMENDMENT**

**In xxx a link was added to Attending an IRM Panel: information sheets. See section 6 (trix please link)**

CONTENTS

1. Frequency
2. Consultation with Foster Carer before the Review
3. Formal Review Meeting
4. Presentation to the Fostering Panel or Agency Decision Maker
5. After the Fostering Panel
6. Representations/Review Procedure
   1. Proposal to Terminate Foster Carer's Approval
   2. Proposal to Revise the Terms of the Foster Carer's Approval
7. Updates on Checks
8. Resignation by Foster Carers

[Email](https://www.proceduresonline.com/bcp/p_review_fos_care.html) [Print](https://www.proceduresonline.com/bcp/p_review_fos_care.html)

**1. Frequency**

Foster carer reviews are governed by regulation and require an assessment of whether or not a foster carer and their household remain suitable to care for foster children and if their terms of approval are still appropriate.

The legal framework for fostering reviews is set out in Regulation 28 of the Fostering Services (England) regulations (2011) and states that the Fostering Service must:

‘Review the approval of each foster carer not more than a year after approval (and after that whenever necessary, but at intervals not exceeding a year) in order to consider whether the foster carer and their household continues to be suitable.’

Fostering Service (England) Regulations 2011 (28) states the purpose of the review as being to consider where the foster carer continues to be suitable to foster children, that their household remains suitable and that their terms of approval are still appropriate. The regulations state that in undertaking the review the SSW must see and take into account the lives of the foster carer, any child placed with that foster carer and any authority that has placed a foster child since the foster carer’s approval or since their last review. The Independent Review Mechanism’s relationship to the foster carer’s review and the Foster Panel and the ADM1 is noted.

Foster Carer’s first and three yearly reviews to return to Fostering Panel. Where there has been a change in circumstance or approval or where there has been an Allegations or Standards of Care concern, these reviews will also return to the Fostering Panel.

2. Q&A Annual Review Panel

There are no legally binding standards of how to conduct an annual review, however good practice outlined by the Fostering Network and Coram BAAF all outlines the need for independent scrutiny of the annual review process.

Serious case reviews also highlight the need to have independent scrutiny over the review process as well as the importance of third party evidence in reviewing and evaluating Foster Carers. The importance of foster children’s voices being heard in the foster carer review process cannot be overstated. Children need the opportunity to give their opinion of their placements either in writing or by being interviewed separately from their foster carers.

Foster children’s social workers reports evaluating the quality of a foster carer’s care of children are crucial and enable, where relevant, the foster carer review meeting to explicitly address differences of opinion.

All Annual Review panel, outside of the first annual review and third year review will be presented at a Quality and Assurance Annual Review Panel.

The Q&A Review Panel will have a specific focus on:

* Additional Safeguarding of our looked after children
* Prevention of failures in the administration of the Fostering Regulations and the management of Foster Carers
* To ensure all Reviews are up to-date and with any problems or issues identified for action
* To provide independent scrutiny and challenge.

Panel Membership

Q & A Panel members will be drawn from the central list.

It is essential the members of this Panel are experienced in their own right are able to critically analyse information, identify strengths and able to identify and challenge poor practice.

Q&A Panel is comprised of one facilitator, one (1) Independent member and one (1) Social Worker.

The Q&A Panel will collate information in regard to themes and trends in the Fostering cohort. They may include, but not limited to, reoccurring issues impacting on placement stability, carer’s benefiting from training, quality of support offer to carers, quality of therapeutic support offered to Children in Care.

The Review Panel is ideally placed to give challenge to poor practice and highlight areas of concern with specific carers but also in the wider fostering community. The Review Panel will also be able to identify wider areas of strength and ‘good news stories’ amongst the fostering cohort.

The Panel will receive completed reviews and supported documents two (2) weeks in advance of their meeting.

This will include:

* Foster Carer Profile

• SSW Report

• Foster Carer Report

• Views of all foster children placed with the foster carer in this review period

• Views of Foster Carer’s own children

• Foster Children’s parents’ views (where appropriate)

• Third Party Views:

o Child’s social worker

o Education

o Health (if appropriate)

o IRO

Signed declaration from Supervising Social Worker’s line manager that the following is up to date and any concerns have been resolved:

* DBS for all adults in the home
* Medical (three yearly)
* Health & Safety Checklist
* Dog Questionnaire
* Safe Care Plan
* Up to date Risk Assessment for every child placed
* Up to date Risk Management Plan
* Home Insurance
* Driving Insurance (including business insurance)
* Fire Check

The Panel will be expected to provide written feedback in the following areas.

• Current Circumstances

• The Fostering Story

• The Fostering Household and dynamics

• The impact of fostering on the foster carer and their family

• Highlights of the review period

• Standards of Care (any allegations/complaints in this review period would be presented at the main fostering panel)

• The quality of the foster carer’s relationships with and direct care of foster children

• The Foster Carer’s facilitation of contact

• The quality of the Foster Carer’s relationship with the SSW

• The Foster Carer’s relationship with other professionals

• The effectiveness of the Foster Carer’s support network

• The Foster Carer’s personal development plan

The Panel will be expected to provide a recommendation regarding carer’s suitability to foster which could include:

• A review of current approval

• Recommendation of a return to Fostering Panel

• Recommendation for specific pieces of further work to be undertaken

• Recommendation for an early review to talk place.

Foster Carers and Supervision Social Workers are not invited to the Q&A Review Panel. If the Carer wished to attend Panel as part of their review, they can request to have their review presented at the Fostering Panel, whey they will be able to attend.

After the Q&A Review Panel

If the Q&A Review Panel is unable to recommend reapproval, or have identified concerns that have not ben resolved they will recommend that the review is presented at the Fostering Panel.

The role of the ADM for all Annual Reviews outside of the first, three yearly and where there have been allegations or significant changes of circumstances has been delegated to the Fostering Team Manager.

Foster Carers will be informed in writing of the outcome of the Review.

A copy of the Review Form, all supporting documents and a record of the outcome of the review will be retained on the foster carer's case record.

**2. Consultation with Foster Carer as part of the Review process**

The review will be informed by a meeting held between the fostering worker and the foster carer at the foster home. At the review meeting, the agenda as set out in the Foster Carer Review Form will include an appraisal of the foster carer's training and development needs, an evaluation of the training received since the last review, the foster carer's views of the service and support provided as well as the appropriateness of placements made and the care provided by the foster carer.

A Review Form will be completed and any recommendations discussed with the foster carer and recorded. The foster carer should have the opportunity to put their views on the recommendations in writing to be presented to the Q&A Panel or Fostering Panel when the Review Form is considered.

The review process is based on an open and transparent working relationships with our carers who are treated as professionals in their own right. Foster Carers should have access to their review as well as all supporting documents, which includes feedback from other professionals prior to the review being presented at panel. Foster carers are expected to engage in the review process and provide written feedback on their year of fostering as well as respond to any concerns raised. **4. Presentation to the Fostering Panel or Agency Decision Maker**

A report must be presented to the Fostering Panel on the foster carer's first review for a recommendation and thereafter may be presented to the fostering panel. This may include where significant changes to the foster carer's approval or the termination of the foster carer's approval are recommended or where any circumstances exist which in the opinion of the Agency Decision Maker require consideration by the Fostering Panel. This may include the situation where an updating Disclosure and Barring Service check reveals a new concern about the foster carer or a member of the household.

The Supervising Socialworker will present the review findings and recommendations to the Fostering Panel or Agency Decision Maker in a written report which incorporates the views of the child or children placed, the written views of the foster carer and any report provided by a social worker particularly where concerns have been expressed about a placement with the foster carer. Any recommendations for change in the foster carer's approval should be highlighted in the report.

Foster Carer’s attendance at the Fostering Panel is expected.

Where the Review recommends the termination of approval of the foster carer, see [**Section 6.1 Proposal to Terminate Foster Carer's Approval**](https://www.proceduresonline.com/bcp/p_review_fos_care.html#term).

Where the Fostering Panel's recommendation is for a different category of approval, see [**Section 6.2, Proposal to Revise the Terms of the Foster Carer's Approval**](https://www.proceduresonline.com/bcp/p_review_fos_care.html#revise).

Where the foster carer has decided to give up fostering, see [**Section 8, Resignation by Foster Carers**](https://www.proceduresonline.com/bcp/p_review_fos_care.html#resig).

**5. After the Fostering Panel**

The foster carer will be informed in writing of the outcome of the review.

A copy of the Review Form, all supporting documentesand a record of the outcome of the review will be retained on the foster carer's case record.

**6. Representations/Review Procedure**

6.1 Proposal to Terminate Foster Carer's Approval

Where, as a result of a review, the termination of a foster carer's approval is proposed, written notice of the proposal and the reasons must be sent to the foster carer within 7 days of the decision and he or she must be advised that if they wish to challenge the decision, they have the opportunity to make representations to the Agency Decision Maker or to request a review by an Independent Review Panel under the Independent Review Mechanism as set out in the [**Assessment and Approvals of Foster Carers Procedure, Representations / Independent Review Procedure**](https://www.proceduresonline.com/bcp/p_ass_app_fost.html#representations_review). Notification/representations/ will need to be received by the Panel Administrator within 28 days of the date of the notice of the decision being sent to them. The Panel Administrator will then notify the foster carer within 7 working days of the date when the Panel will reconsider the matter. (See also Information about the IRM for Foster Carers). <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/792875/IRM_Foster_Carers_Information_Sheet_January_2019_SC.pdf> *(trix please link)*

The foster carer will not have the right to request a review by an Independent Review Panel if they are regarded as disqualified as a result of a conviction or caution for a specified offence - see [**Persons Disqualified from Fostering Procedure**](https://www.proceduresonline.com/bcp/p_pers_disq.html).

If no written representations or notification of a request for a review are received within the period, a final decision to terminate can be made.

If written representations are received within the period, the matter must be referred to the Fostering Panel for further consideration. Foster carers wishing to make representations in person to the Panel may be accompanied by a friend or supporter. Where a foster carer wishes to make representations in person, the Panel Chair may consider the Panel meeting as a smaller quorate sub-group.

The Panel will make a new recommendation in relation to the foster carer and a final decision will be made by the Agency Decision Maker taking into account any fresh recommendation made by the Panel.

Written notice of the final decision, together with reasons, must then be sent to the foster carer within 7 working days of the decision.

Where the termination of the approval of a foster carer is being considered, plans for the termination of any current placement will also be required and made as appropriate.

Where the approval is terminated, the Agency Decision Maker, in consultation with the local authority designated officer (LADO) will decide whether to refer the former foster carer to the disclosure and barring service for inclusion of the carer's name on the Children's Barred List.

6.2 Proposal to Revise the Terms of the Foster Carer's Approval

6.2.1 Where the Foster Carer is in Agreement

Where, as a result of a review, the it is proposed to revise the terms of the foster carer's approval, a statement must be sent to the foster carer setting out whether it is considered that the foster carer or members of their household (including any children placed there) may have additional support needs as a result of the proposed revision and, if so, how those needs will be met, and request the foster carer's agreement in writing to the proposed revision of terms.

Where the foster carer's written agreement is received, the decision to revise the terms of approval may be made immediately.

The Agency Decision Maker's decision in such circumstances is not a qualifying determination and the foster carer may not apply for an independent review of the decision by way of the independent review mechanism.

Foster carers must not be pressured to accept changes to their terms of approval.

6.2.2 Where the Foster Carer is not in Agreement

Where the foster carer does not agree in writing to the revision of their terms of approval, then the representations/review procedure as set out in [**Section 6.1 Proposal to Terminate Foster Carer's Approval**](https://www.proceduresonline.com/bcp/p_review_fos_care.html#term) will apply.

Where the review recommendations termination of approval of the Foster Carer or any change to the approval, which the Foster Carer is not in agreement with the Foster carer is entitled for independent support to be provided through Foster Talk.

**7. Updates on Checks**

Disclosure and Barring Service checks should be updated every 3 years and if necessary, a review of the foster carer's approval should be carried out immediately to take account of any new information.

See [**Persons Disqualified from Fostering Procedure**](https://www.proceduresonline.com/bcp/p_pers_disq.html)

Medical information should also be updated at least every 3 years by writing to the foster carers GP. In the event of any serious concerns about the foster carers health, a review of the foster carers approval should be carried out immediately.

**8. Resignation by Foster Carers**

A foster carer may give written notice at any time of their wish to resign from the role. Once written notice has been given, their approval will automatically be terminated 28 days after receipt of the notice. The foster carer cannot withdraw their notice once it has been received, nor can the Agency Decision Maker decline to accept the resignation. Should a foster carer who has resigned subsequently wish to foster again, they will need to be assessed under the procedure for [**Assessment and Approvals of Foster Carers Procedure**](https://www.proceduresonline.com/bcp/p_ass_app_fost.html).

Fostering Panel will be notified of Resignations.

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