

## Review and Termination of Approval of Fosters Carers

The Trust Board has granted the Chief Executive of the Sandwell Children's Trust the authority to approve this document.

# Review and Termination of Approval of Foster Carers

## Regulations and Standards

The Fostering Services (England) Regulations 2011:

[Regulation 28 - Reviews and terminations of approval](#)

[Regulation 32 - Retention and confidentiality of records](#)

[Schedule 5 - Matters and obligations in Foster Care Agreements](#)

Fostering Services: National Minimum Standards

[STANDARD 13.8,9 - Recruiting and assessing foster carers who can meet the needs of looked after children](#)

## Related Guidance

[Care Planning, Placement and Case Review and Fostering Services \(Miscellaneous Amendments\) Regulations 2013](#)

## Scope of this Chapter

This chapter explains the process by which the foster carers' approval is reviewed by the fostering agency.

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# 1. Frequency and Timing

Formal reviews of foster carers will take place at least annually and the first annual review will take place so that it can be reported to the fostering panel within 12 months of the foster carer's approval - see Section 4, Presentation to the Fostering Panel.

Dates and the venue for review meetings will be agreed by Independent Reviewing Officer in consultation with the foster carer.

Reviews can also take place more frequently - and may be initiated by the Supervising Social Worker or foster carer/s. This may be due to:

- A significant change in circumstances of a foster carer affecting the ability or capacity to foster, a change in the composition of the household;
- A serious complaint or allegation made about the foster carer;
- A death in the foster home;
- A significant health issue;
- Concerns about the standards of care provided by the foster carer;
- Persistent use of inappropriate discipline;
- Serious and/or persistent breaches of the Foster Care Agreement;
- A complaint or allegation made about the carer resulting in a Section 47 Enquiry;
- Concerns as a result of information from updated Disclosure and Barring Service checks or a request/recommendation for a change of approval;
- Where there is a variation in the terms of approval;
- Where there are uncertain or contentious issues which require the advice and independency of the panel;
- At the request of the foster carer.

Where an allegation or concern is raised in relation to a foster carer, see also Managing Allegations Against Staff and Foster Carers Procedure.

As well as formal reviews, there will be regular supervision, dialogue and feedback between the Supervising Social Worker and the foster carer - see Supervision, Support and Training of Foster Carers Procedure.

# 2. Consultation and Action before Review

Prior to the review meeting, the Supervising Social Worker will collate all information relevant to the foster carers' suitability to foster, including the number and type of placements in the last year, information from the Looked After Reviews of children

placed, any variations of approval or exemptions that have been agreed in the previous year, supervision records, post placement reports and records of any complaints or allegations made against the foster carers or members of their household.

The views of the foster carers, all members of the household, any children placed since the last review, their parents (where appropriate) and their social workers, and any other professional whose views are relevant will be sought and taken into account at the review. This will include contacting the social worker for children previously placed but no longer in the placement. Wherever possible these views should be reported to the review in writing.

Any updates on checks will also be carried out - see Section 7, Updates on Checks.

### 3. Formal Review Meeting

The formal review is conducted by an Independent Reviewing Officer and attended by the Supervising Social Worker and the foster carers.

As well as considering the information collated in advance, the review will also consider the foster carer's Safe Caring practice, fire plan, training programme and any risk assessment in relation to the family pets as part of the review. A health and safety checklist will also be completed.

The review will consider all the available information and views and reach the following conclusions;

- Whether the foster carer continues to be suitable to foster children;
- Whether the terms of approval continue to be suitable;
- What training and development needs the foster carer has;
- How these needs will be met and who will be responsible;
- What support needs the carer has, and how these will be met;
- Any difficulties or concerns since the last review;
- The date for presentation to the fostering panel, if relevant.

The Independent Reviewing Officer will prepare a review report stating whether the carers continue to be suitable to foster and whether the terms of his or her approval continue to be appropriate. This report should include a summary of the fostering work undertaken so far and how this relates to the development of the foster carer's skills. Any recommendations for change in the foster carers' approval should be highlighted.

A copy of the review report will then be sent to the foster carers who will have the opportunity to put their views on the recommendations in writing to be presented to the Fostering Panel or the Agency Decision Maker when the Review Form is considered. A copy should also be kept on the foster carer's file.

## 4. Presentation to the Fostering Panel

A report on the first annual review meeting will be presented to the fostering panel within 12 months of the original approval.

Thereafter the review report may be presented to the fostering manager for approval unless significant changes to the foster carer's approval or the termination of the foster carer's approval is recommended or where any circumstances exist which in the opinion of the fostering manager require consideration by the fostering panel. This will 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.

In these circumstances, the review report will be presented to the fostering panel.

Where the report recommends termination of the foster carer's approval, the report should give full details of the concerns, allegations or complaints and the outcome of any Section 47 Enquiry or investigation. Any mitigating circumstances should be outlined. A copy of the foster carers' Form F and any previous relevant panel minutes should also be attached to the report.

The report for the panel will be shared with the foster carer(s) and they should be invited to submit written comments.

A copy of the report to the panel (and attachments including any written comments of the foster carer(s) on the report) should be sent to the panel administrator at least 10 working days before the relevant panel meeting.

Foster carers should be invited to attend the Fostering Panel when their review is being considered, together with a supporter if they wish, and the Panel Administrator should be informed if they intend to do so.

Where the Review recommends the termination of approval of foster carers, the review should be presented to the earliest possible Fostering Panel.

Where the Panel's recommendation is for a different category of approval, the Panel may require further assessment or training for the foster carer.

Where the review is presented to the Fostering Panel, the Panel's recommendation as to the future approval of the foster carer will be submitted to the Agency Decision Maker for a decision to be made.

Whether or not the foster carers are present at the Panel, the Panel Adviser will arrange for them to be informed in writing of the outcome of the review as soon as possible and at the latest within 5 working days after a decision is made. The notice will set out:

- That the foster carer and household continue to be suitable and that the terms of the approval continue to be appropriate; or
- That the approval is terminated from a specified date, and the reason for the termination; or
- The revised terms of the approval and the reasons for the revision.

## 5. After the Review

The Supervising Social Worker will write to any social worker for a child placed with the foster carers to inform them of the outcome of the review.

The outcome of the review will also be recorded and the Register of Foster Carers updated as necessary. Where there has been any change in the terms of the approval, the Foster Care Agreement will be updated and signed by the Supervising Social Worker and foster carer.

Where the approval is terminated, the Fostering Service Manager must inform the local authority in which the foster carer lives.

Where the approval is terminated, the Designated Allegations Manager for the agency, in consultation with the Local Authority Designated Officer (LADO)/team of designated officers, will decide whether to refer the former foster carer to the Disclosure and Barring Service under the Vetting and Barring Scheme.

## 6. Representations / Independent Review Procedure

Where, as a result of a review, the variation or termination of a foster carer's approval is proposed, he or she must be advised, when informed of the outcome of the Agency Decision Maker's decision, that if they wish to challenge the decision, they have the opportunity to make representations to the Panel or to request a review by an Independent Review Panel, as set out in Recruitment, Assessment and Approval of Foster Carers Procedure, Representations/Independent Review Procedure. The only circumstances where the foster carer will not have the right to request a review by an Independent Review Panel is if he or she is regarded as disqualified as a result of a conviction or caution for a specified offence.

If no written representations or notification of a request for a review are received within the period, the decision to terminate or vary an approval can be confirmed.

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.

## 7. Updates on Checks

Disclosure and Barring Service checks on persons aged 18 and over should be updated every 3 years and if necessary, a review of the foster carers' approval should be carried out immediately to take account of any new information.

The foster carers should also be asked to complete Declarations of Health and Suitability every 3 years. In the event of any serious concerns about the foster carer's health, a review of the foster carer's approval should be carried out immediately.

## 8. Retention of Foster Carer Records

Foster carers' case records should be retained for a minimum of 10 years after their approval has been terminated.

## 9. 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 the Recruitment, Assessment and Approval of Foster Carers. There is no requirement for the Fostering Panel to be notified of resignations. However, the Panel may find it helpful to be advised, as part of its monitoring role.