

Allegations / Serious Concerns arising about the carers of children in care

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| Who Must Comply with this Guidance? | | | Children’s Service  Independent Fostering Agencies | | |

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1. **Introduction**

1.1. The following guidance is applicable in considering allegations or serious concerns against foster carers, shared carers, supported lodgings providers, residential workers, or where children are placed for adoption. In the policy, all the above are referred to as carers unless there are specific issues for a particular group.

1.2. These procedures are relevant to all social work staff their managers and other agency staff involved with children in care. They apply to those who work in assessing, supporting and supervising carers and in this policy this group of staff will be referred to as carer’s supervising social workers unless there are specific issues for a particular group. Where the carer is employed externally (i.e. IFA or residential placement) there will still be someone who fulfils this role who should be involved.

1.3. The following is a flowchart to assist in deciding the appropriate parts of this policy to follow when a concern is raised for a child. an allegation made or concern expressed about standards of care are raised. One or all of the processes may be required.

Concern raised about a child in care / allegation made against a carer / concern about standards of care for a child in care

Low level concerns about standards of care?

Decision to be made by the Fostering Team Management how this will be addressed and what additional support/ training is required. Follow guidance in Section 4.

Yes

No

Also

Yes

No

Child harmed or at risk of significant harm?

Yes

Has the carer:

* Behaved in a way that has harmed a child, or may have harmed a child;
* Possibly committed a criminal offence against or related to a children;
* Or behaved towards a child or children in a way that indicates s/he is unsuitable to work with children, in connection with the person’s employment or voluntary activity.

No

Yes

Standards of care process / complaints process

Allegation Management Process

Child Protection Procedures

Section 5, 6, 14

Section 5, 6, 13

Section 5 - 12

1.4. Concerns regarding standards of care, complaints or Child Protection allegations are dealt with under one or more of the following procedures:

a) Pan-Dorset Safeguarding procedures: where allegations or concerns satisfy the threshold for Child Protection investigation under Section 47.

b) Pan Dorset Allegation Management Procedures.

c) Procedures where there are concerns about the standard, quality of care (which do not meet the threshold for Section 47).

d) Complaints procedure. The Complaints Procedure is available to any young person, parent or carer wishing to make representation or complaints.

1. **Principles**

2.1. Children and young people in foster care, supported lodgings or in prospective adoptive families have the same rights as any other child to a safe environment.

2.2. The responsibility of all professionals is to protect vulnerable and abused children from abuse by those people who look after them.

2.3. Where an allegation or concern is raised, Children’s Social Care (and in some cases, the Police) have a duty to investigate matters of concern, promptly, independently and carefully, in order to take account of the best interests of the children in placement.

2.4. The duty to conduct enquiries under Section 47 of the Children Act 1989, when there are concerns about actual or likely significant harm to a child, applies to children in care as it does to children who live in their own families.

2.5. Any investigation will respect carers, who have a right to be heard and need to be advised and informed throughout the process of investigation.

2.6. All allegations of abuse of a child by a carer or a prospective adopter should be taken seriously and dealt with in accordance with the general principles and procedures of child protection as laid down in the Pan Dorset Safeguarding Procedures . However, it should be acknowledged that carers and prospective adopters are in a particularly vulnerable situation, perhaps having children in their care who have previously been abused and may be especially challenging and testing in their behaviour. Children who have been abused may misinterpret the actions and behaviour of carers and memories of previous experiences may be unintentionally triggered.

2.7. Staff involved in investigations must be sensitive to the anxieties and stress experienced by carers and their families at these times.

2 8. Carers should be protected from lingering doubts and suspicions following investigations that do not find evidence of abuse having taken place. Where an investigation is inconclusive, carers should be provided support and assistance and where appropriate guidance about future actions.

2 9. All investigations will be carefully recorded and a copy of the investigation will remain on the carers’ file whether or not the allegation was substantiated.

2.10 Where abuse is substantiated the carers should be given appropriate advice and guidance pending any decision in relation to their continued status as approved carers

1. **Equality impact assessment**

3.1. In developing policy, local authorities need to consider whether the activity described in it will have any impact on people who have a protected characteristic under the Equality Act (i.e. disability, sex, race, faith or belief, sexuality orientation, pregnancy and age). Where the policy and procedure is likely to have an impact related to these protected characteristics then actions will be taken to reduce this risk.

3.2. This policy has been screened as being low level or risk for having an impact on those with protected characteristics.

1. **Low- level concerns about standards of care**

4.1. In some circumstances, 'low level concerns' about practice or standards of care may be observed. Concerns of any kind should be addressed at the earliest possible opportunity, either immediately as they arise, or reported to the carer's supervising social worker to address in regular supervisory visits. The outcome of this dialogue should be recorded with the carer on the Supervision Record which is then seen by the carer's team manager and returned to the carer.

4.2. Opportunities to improve practice should be given and timescales set. This may include training and mentoring. Outcomes should be recorded.

4.3. If the concerns continue, the foster carer's suitability to foster must be considered and a review of the approval should be undertaken. If 'low level' concerns are not resolved, a build-up of concerns may be identified. If this happens, or if a serious concern about quality of care is identified, the procedures at Section 12 apply.

4.4. As part of the record of the carer's developmental progress it may be appropriate to include some reference to this in the annual foster carer review. The details of what is included in the review will be shared with the carer prior to the review's completion. It is not acceptable to include issues of concern in a review that have not been addressed prior to the review.

1. **Initial notifications of serious concern**

5.1 When a member of staff becomes aware of any serious concern in relation to the care or well-being of a child in care, they must ensure that the following are made aware:

• the social worker for the child,

• the team manager for the child,

• the fostering team manager

• the carer's supervising social worker,

1. **Initial decisions**

6.1 The Fostering Team Manager & Childcare Team Manager will want to gather the information available from various sources and then will consider the best approach to take. The options are.

* child protection strategy discussion[[1]](#footnote-1) (where there is cause to suspect that the child is suffering or is likely to suffer significant harm). This must be on the same day or as soon as possible after the allegation has been received. (section 7)
* allegation management strategy discussion[[2]](#footnote-2) (either alongside the child protection strategy discussion or on its own when there is not cause to suspect that the child is suffering or is likely to suffer significant harm).
* Alternative approaches where the threshold for child protection and allegation management strategy discussions are not met are:
* further assessment of the concerns and review of the initial decision
* review of the plan for the child fostering review
* an informal resolution
* complaints procedure where child/young person can formally make his/her own complaint

6.2 Where it is unclear, whether it is concern about standards of care or a child protection issue, the child protection strategy discussion should be initiated in the first instance. If it is subsequently decided that this is not appropriate, the child protection enquiries will cease and one of the alternative approaches listed above will be used.

6.3 The Childcare Manager will also need to decide whether there are any immediate risks to the child and any other children in placement and agree effective action to be taken to safeguard the child/ren's well-being. However, unless the circumstances are extreme and there are immediate protection issues to be addressed it would be preferable to wait until the strategy discussion/meeting before any decision about removal from a placement is taken.

6.4 Where a child has been removed as a result of an allegation of abuse, the fee for a foster carer will continue to be paid for up to six weeks until or unless a formal decision is taken that the child will not return. There will be a decision made about payments to other placement types.

6 5. A lead operational manager will be identified to ensure the investigation is overseen independently. It will usually not be appropriate for the team manager of Fostering to fulfil this role, unless the allegations or concerns relate to a carer that they have had no involvement with. Involvement of an independent manager may be appropriate and is at the discretion of the Service Manager. An example of where such involvement is appropriate would be if the Team Manager responsible for the child has had considerable previous experience of close working with the carer.

6.6 In all cases there should be a written record of the decision for the child's case record and on the foster carer's record. The LADO must be informed of the decision at this stage.

1. **Child protection strategy discussion**

7 1. Whenever there is a reasonable cause to suspect that a child is suffering or is likely to suffer significant harm there must be a strategy discussion/meeting which must be held on the same day, or as soon as possible after the allegation is received commensurate with the child's safety and protection. People invited should include:

* the child care ream manager to chair,
* the social worker,
* the LADO[[3]](#footnote-3) to attend and hold their Initial Evaluation Meeting as part of the strategy meeting if appropriate,
* other social workers/ team managers who have responsibility for children in the placement,
* the team manager (fostering),
* the carer’s supervising social worker,
* the social worker responsible for undertaking the Section 47 enquiries, if identified,
* a representative of the police child abuse investigation team, health and education
* any other agency as appropriate.

7 2. Issues that should be considered at strategy discussions are set out in the Pan Dorset child protection procedures. In the case of children in care, the strategy meeting should also consider the following points.

* the nature of the allegation, its source and reliability.
* the child's history/background; any previous allegations.
* the knowledge that Children Social Care has of the carers; how long they have been acting as carers; how many children they have cared for; known strengths and weaknesses and any exceptional features about the child and/or placement.
* the safety of the children in the household/placement.
* whether Children Social Care may have helped to contribute to an abusive situation by failing to recognise that a placement would over stretch the abilities and resources of the carers.
* whether there are any reasons for asking an independent agency to investigate e.g. NSPCC or another local authority;
* if not, who will undertake the Section 47 enquiries within CSC. The Section 47 enquiry must be dealt with by operational staff who are independent of the responsibility for supervising the placement and free of any previous significant involvement with the carers. This worker must be sufficiently experienced and senior to deal with the complexity of the case.
* the roles and responsibilities of those involved, including in complex cases, clarity about who is responsible for co-ordinating the enquiries and investigations:
* whether the child and any other children in care should remain in the placement during the investigation, balancing the potential risks to the child of staying in the placement against effects of "disruption" and moving to another placement:
* whether the carers' own children should be included in the investigation;
* how and when the carers will be informed of the concerns, and what information will be given to them;
* how the views of the carers will be obtained and recorded;
* who will provide support to the child/young person. Consideration should be given to inviting an advocacy worker to support the child/ young person if not already involved:
* who will provide support to the carers, this includes information about access to independent support.
* how the child's own parents will be informed; in the case of a child placed for adoption legal advice about this issue will be sought. (In all cases where the police are involved, the decision about when to inform a child's parent or carer will have a bearing on the conduct of police investigations and the strategy discussion should decide on the most appropriate timing).
* how the parents of any other children in the placement will be informed;
* how the previous history of the child and carers will be collated;
* how to gather information about the context of previous allegations made by the child, or previous allegations made against any person within the foster home concerning current or previous placements;
* the process and outcome of any previous investigation about any person within the household/placement;
* whether it is necessary to interview any children/young people who have previously lived in the placement/household (this may not be clear until more information becomes available during the investigation):
* whether legal advice needs to be sought
* the process of sharing the outcome of the Section 47 enquiries including any dates for further meetings and agreed time scales
* the timescale within which the enquiries should take place and a date set for a second strategy meeting to consider and review the progress and/or outcome of the enquiries.
* the role of the supervising carer’s supervising social worker.

7.3. All discussions and decisions must be fully recorded both on the child's file and that of the carers.

7.4. Every attempt should be made to complete the enquiries and reach an outcome which can be conveyed to the carer(s) and other key parties at the earliest opportunity, commensurate with the need to safeguard the child/young person. Long delay in outcomes and decisions causes distress for all parties. The time scale from the initial referral to the conclusion of the investigation should be no longer than 7 working days. If circumstances require that the conclusion of the investigation is likely to be longer, carers should be informed in writing. Where possible this should include reasons why, with new timescales. Delays are most likely the result of police procedures and/or medical evidence. Information available to carers may be restricted because of these processes.

1. **Section 47 enquiries**

8 1. Section 47 enquiries will proceed as outlined in Working Together 2018

8.2. The Service Manager (Fostering and ChildCare) must be informed when a Section 47 enquiry is initiated in relation to carers.

8.3. Although it is difficult to apply precise time scales to the above process, carers should be kept informed as to the progress of the investigation. The workers should avoid unnecessary delay at all times. An outcome should be available within 15 working days of the final strategy discussion.

8.4. The social worker undertaking the Section 47 enquiries should regularly advise those working with the carers of the progress of the enquiries, including progress of police enquiries and possible court proceedings.

8.5. Interview(s) of carer/s in the course of Section 47 enquiries should take place in an appropriate setting. Following the interview, carers should have the nature of the allegation confirmed in writing and the name of the complainant (where they have given their agreement). If the complainant is a member of staff the expectation is that their name would be disclosed.

1. **Outcome of Section 47 enquiries**

Following the completion of Section 47 enquiries the following will take place

9.1. A written report should be submitted by the social worker who undertook the Section 47 enquiries to their Team Manager, Fostering Team Manager and the Service Manager. This should also be shared with the child's social worker and team manager and carer's supervising social worker and team manager.

9.2. A planning meeting will be held after enquiries are completed to share the outcome and agree any further action. This meeting should take place within the timescales set at the initial strategy meeting. This will consider in particular:

* whether the child, or any other children in care, should remain in the placement/household;
* what further action is required to meet the identified needs of the child/young person;
* what further work is needed with the foster carers prior to review at fostering panel;
* in the case of adoptive placements, if the current risk or harm is judged to be minor but there are longer term concerns about the placement, then the placement for adoption must be reassessed and reviewed,
* where issues are outstanding a final planning meeting will be required when all the enquiries and the agreed actions are complete. Consideration should be given as to whether the aims of the initial strategy meeting have been met;
* whether a child protection conference should be convened in relation to this child or any other children in the household (see 9.3 and 9.4);
* the process for sharing the outcome of the enquiries and any resulting action with the carers and other key people
* a plan for keeping the carer informed should be agreed at this and any subsequent planning meeting.
* consideration of whether the concerns are so serious that the carer should be referred to the Disclosure and Barring Service to consider whether they should be barred from working with children

9.3. A child protection conference may be considered for the carer's own children.

9.4. In the very rare circumstances where a child has remained with the carers and it is thought that the child may be at risk of significant harm, a child protection conference should be held. This might apply where a child has been placed in "permanent care” with long-term foster carers where s/he has been for many years, is adamant about not moving, and it is considered that the foster carers will co-operate with a protection plan in the same way that a request would be made of birth parents. Such a situation would necessitate very careful monitoring, a clear and evidenced risk assessment, clear written agreements and care plans. Any such arrangement must be agreed with the Service Manager and the Local Authority Designated Officer.

9.5. If the child has been removed from the placement and there are no plans to return him/her, a statutory Child in Care Review should be held to discuss the change in plans for the child.

1. **Notifications of the outcome of Section 47 enquiries**

10.1. The child's social worker, and advocate if involved, will ensure that the child, as far as is possible, understands the outcome of the enquiries and the implications of the decisions made.

10.2. Birth parents should also be informed in writing of the outcome of the child protection enquiries as should parents of any other children placed in the foster family at the time of the enquiry. Legal advice should be sought about this in regards to children placed for adoption.

10.3. The relevant Team Managers, the Local Authority Designated Officer, Service Manager should be informed of the outcome.

10.4. Carers should be informed in writing of the outcome of the investigation as soon as is practicably possible following the completion of the enquiries by the social worker undertaking the Section 47 enquiries, in consultation with his/her Team Manager, and in conjunction with the carer’s supervising social worker. A meeting to feedback the outcome of the enquiries will be arranged. This should make clear to the carers:

* whether the department believes the allegation is:
  + Substantiated: if there is sufficient identifiable evidence to prove the allegation.
  + Unfounded: if there is no evidence to support the allegation. There has been a mistake / misinterpretation, or they may not have been aware of the circumstances.
  + Unsubstantiated: (not the same as false) if there is insufficient evidence to either prove or disprove the allegation. Does not imply guilt or innocence.
  + False: if there is sufficient evidence to disprove the allegation.
  + Malicious: if there is sufficient, clear evidence to disprove the allegation and there has been a deliberate act to deceive.
* with clear reasons as to how this decision was reached
* whether the department has ongoing concerns
* any decisions made in relation to the child or other children in the household; and
* any further work recommended with the foster carers.
  1. The details discussed at the meeting should be confirmed in writing by the social worker and carer's supervising social worker. A copy of this letter should be forwarded to the Service Manager.

1. **Review of foster carers/Presentation to Fostering Panel - Post Section 47 enquiries**

11.1. Once the investigation has been concluded, the supervising social worker will review the status of a foster carer within 28 days

11.2. The outcome of the fostering review will be presented at the next available panel as is practical, and then to the Agency Decision Maker with the Panel's recommendations.

11.3. The review should include:

* the outcome of the child protection enquiries
* what, if any, concerns remain
* whether a report has been forwarded to the Crown Prosecution Service
* the feelings and experience of the carer/s
* the foster carers' views
* an acknowledgement of any pressures within the placement
* identification of any training and future support needs
* the views of the carer's supervising social worker
* any other relevant issues that would be discussed within an annual review such as behaviour management, working in partnership, contact issues.

11.4. During the review the carer must be made aware of the Panel process and the proposed date for presenting the review report as well as information on the Complaints and Access to Records procedures.

11.5. The foster carers must be given the opportunity to see the written information that is being presented to panel, and to include their own written comments and views.

11.6. The foster carer/s will be told the date of the panel and will be invited to attend, together with independent support if they wish.

11.7. The carer’s supervising social worker and their Team Manager should attend the panel meeting.

1. **Children placed for Adoption — Post Section 47 enquiries**

12.1. In the case of children placed for adoption who have been the subject of concerns, the child's social worker and the adoption social worker should consider what adoption support services might need to be put in place. The adoption support plan should be re-examined to see whether any additional advice services, or therapy could be provided to any party which could support the placement. Advice may be sought from the adoption panel. In all cases, information should be given to the Adoption and Permanence Panel as to the facts of the investigation and panel should be informed of the outcome of the investigations.

12.2. If the adoptive placement is assessed as not likely to meet the needs of the child for the rest of their childhood a child in care review should be called to endorse plans both for the child's protection and present and future welfare.

12.3. Where placements have been ended following such a review decision the adoption team must present a review of the approval of the adopters to the Adoption and Permanence Panel and the decision maker.

12.4. Procedures for disruptions should be followed

1. **Allegation Management Process / Involvement of the LADO**

13.1. In Initial Decisions (section 6) or at strategy discussion (section 7) a decision will be made whether a Local Authority Designated Officer will need to be involved to oversee an allegation management process.

13.2. The threshold for LADO involvement and the Pan Dorset Allegation Management Procedures are where a caret or a member of their family has:

* harmed a child
* possibly committed a criminal offence against or related to a child
* behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

13.3. If the child lives with carers at an address outside BCP Council area, the LADO in the relevant local authority should be informed and involved.

13.4. The LADO's role is to oversee any investigation which is exploring allegations against any person who works with children. Those who care for children in care are one of many other roles where the LADO will oversee an investigation.

13.5. In most cases, enquiries under Section 47 will be undertaken and the LADO will be invited to the strategy discussion and the planning meeting at the end of Section 47 enquiries.

13.6. In some cases, the allegation against a carer may not lead to a Section 47 enquiry, for example where the carer had acted in a way that indicates they may be unsuitable to work with children but where there is no need to assess the risks to a specific child. In these situations, the allegation management process will be the process undertaken and the LADO will be responsible for convening strategy and planning meetings to agree the investigation to be undertaken, the roles of the different people involved, and the way in which carers will be informed and interviewed about the allegations. Many of the same processes of the Section 47 enquiry will be followed.

13.7. At the end of the allegation management process a planning meeting will be convened to agree the outcome and further actions. Decisions about how the outcome will be fed into the next Fostering Review and the next Fostering Panel will be made.

1. **Addressing serious concerns about Foster Carers' Practice or Standards of Care which do not meet need for s47 enquiry or allegation management process**

14.1. If the fostering service has information or allegations suggesting that there may be concerns about the quality of care, or that the carer's practice may not be meeting the expected standard the following actions apply. In fostering, this would apply to situations where expectations, as outlined in the BCP Fostering Service Foster Care Agreement, are not met (a criticism or concern expressed in direct relation to the conduct, attitude and practices of a carer would be investigated under this procedure). For example, it would be applied to situations such as concerns about clothing, contentious relations with birth parents, inadequate supervision of children practices by carers which may be viewed as discriminatory etc.

14.2. In consultation with the Service Manager the Fostering Team Manager will consider all the information available to them to determine whether further investigation is warranted. They will decide which of the following approaches is/are appropriate:

* an informal resolution
* further assessment of the concerns and review of the initial decision
* fostering review
* complaints procedure where child/young person can formally make his/her own complaint

14.3. In all cases there should be a written record of the decision for the child's case record and on the foster carer's record.

14.4. Informal resolution may be considered if the information is, for example, deemed to be unfounded, or part of an ongoing development area for the foster carer which is already being explicitly addressed with them.

14.5. Further assessment of the concerns may be required when there is a lack of clarity or further information is needed to inform decision making. In these cases a planning meeting will be held to decide an action plan and timescales. The process should be proportionate to the circumstances of the case. At this meeting decisions should be made on the following:

* who will inform the carer and when;
* who will assess the concerns, and arrangements for their supervision;
* how children or young people who have been affected by the allegation or matter for concern (including the children of the carer) will be involved;
* what support the children involved will need
* how parents / those with parental responsibility will be involved and consulted,
* whether the carer is suspended from taking further placements while the matter is being assessed;
* Who will provide independent support for the carer;

14.6. Any action needs to be consistent with what is in the best interests of the child/children placed with the carer.

14.7. The carer concerned should be informed of the substance of the concerns as soon as possible, within three working days of the Service Manager's meeting. The carer’s supervising social worker and Team Manager will be responsible for communication with the carer about the investigation.

14.8. A letter will be sent/delivered which will include:

* an outline of the concerns,
* an invitation to the carers to an initial meeting to have a preliminary discussion of the concerns,
* an outline of the status of the meeting,
* who will be at the meeting (no more than two relevant managers/staff members),
* that a record of the key points of the meeting will be given to the carers,
* an explanation of the process and information that makes the carers aware that information about the outcome of any investigations or concerns is relevant for the attention of the Fostering Panel,
* details of independent support available from Fostering Network

14.9. A written summary of the meeting should be made available to the carers. This should include:

* the substance of the concern,
* who will be involved in investigating the concern
* the process and time-scales,
* who will be informed or interviewed,
* the right of the carer to independent advice and support and details of where this can be obtained,
* financial arrangements (if necessary),
* any temporary variation in the carers' terms of approval
* next steps.

14.10. At this meeting:

* carers will not be asked to give their responses to issues on the spot They will be asked to give a considered and detailed response at a future meeting.
* timescales for the investigation / discussions should be made clear.

14.11. The investigation / assessment into serious concerns should take no longer than four weeks to complete. A report will be prepared by the worker responsible for the investigation which will summarise the information, set out the findings and make recommendations. The report should be made available to the carer 14 days before a further meeting to decide on actions.

14.12. A further meeting chaired by the Team Manager will consider all available information. It is important that the carer is given every opportunity to give a full response to the serious concern. People attending the meeting should include the carer together with the person providing independent support.

14.13. Information about the concern and the outcome of the investigation should be placed on the carer’s record and a copy given to the carers. This will be submitted to fostering panel and to the agency decision maker.

14.14. Decisions about referrals or recommendations to Fostering Panel will be made at the conclusion of the investigations/discussions, but foster carers will need to be aware that information about the outcome of any investigations/concerns is relevant for the attention of the Panel.

14.15. Clear reasons must be given to foster carers for any delay in the process which exceeds the agreed timescales

14.16. Timely notice must be given to foster carers about Panel dates and procedures. They will be invited to attend, together with independent support if they wish. Carers will be given copies of any written reports being presented to Panel with enough time to read them and to make their own written comments.

14.17. The supervising social worker and if applicable the child’s social worker should attend the panel meeting.

14.18. If a representation or a complaint under the Representations Procedure (Children) Regulations has been made in relation to the same or related circumstances, the fostering manager should consult with the complaints manager in order to discuss how the interaction of the two procedures should be managed.

14.19 If the foster carer gives 28 days’ notice of their wish to cease fostering, there are no means of continuing with the investigation beyond the expiration of the notice. The Team Manager should continue to ensure that the information already known is collated in order to include it on the foster carer's record. There may also be a need to consult with the Local Authority Designated Officer about the issue of referring the foster carer to the Disclosure and Barring Service. This should be included in information presented to Fostering Panel and the Service Director, who is the decision maker.

14.20. The Supervising Social Worker should make clear to the foster carer that the information about any implications; for example if carers apply to foster with another agency, the information about the circumstances will be made available when the required checks are made at that time.

14.21. A report to Fostering Panel should be produced in all cases, to ensure the panel is informed about matters arising in the fostering service, and consideration of any lessons to be learned.

14.22. At the end of any investigation, carers should be offered a formal opportunity to have an evaluation meeting. They should be enabled to express the impact of the proceedings on them and their family and any needs they may have as a result. This meeting should be offered within fourteen days of the conclusion of the enquiries and should be chaired by the fostering team manager.

1. **Supporting carers through investigations**

15.1. Consideration should be given to appropriate support and help for the carers to understand the process from within CSC. This support would normally be provided by the supervising social worker. Contact should be maintained at agreed intervals between a named carer’s supervising social worker and the carers to keep them informed of the progress of the enquiries.

15.2. The carers should not only be interviewed but invited to make a written statement if they wish. Carers should be given the opportunity to contribute to the record of any enquiry or investigation.

15.3. Any investigations concerning carers should be completed as soon as is practicably possible.

15.4. No additional children should be placed with the carers during the process of Section 47 enquiries and until a subsequent review of the foster carers' approval has been held.

1. **Allegations of abuse against a young person within the foster home**

16.1. There may be occasions where an allegation has been made against the carers' own child or another child in the placement. In these circumstances the matter will be investigated as outlined above. This may involve circumstances outside the home (i e. at school or in the community), or something alleged to have happened within the placement/household.

16.2. Careful consideration should be given to the accommodation needs of all the children in the placement and a decision made as who can safely remain in the placement and who should move. The strategy discussion must clearly record the decision making and risk assessment process which underpins this.

16.3. All children's views must be taken into account and support from social workers and the Advocacy Service made available to all involved children.

16.4. Particular sensitivity should be paid to establishing whether the foster carers were aware of what was happening.

16.5. Consideration must also be given as to whether the alleged abuser is his or her self at risk of significant harm.

16.6. The support needs of the young people, and of the carers must be considered following the outcome of the investigation.

16.7. Foster carers may need particular support in revising the family safe care policy.

1. **The role of the carer’s supervising social worker**

17.1. Within these procedures, the primary duty of CSC is to address the welfare and safety of the children in care and any other children in the household. There is also, however, a responsibility to any carers against whom allegations of abuse have been made.

17.2. When a carer’s social worker or adoption social worker receives information that could constitute child abuse it is not their role to undertake Section 47 enquiries. The information should be passed immediately to those listed in section 3 initial notifications.

17.3. The carer’s supervising social worker should be kept informed of the progress of the child protection enquiries and should ensure attendance at any strategy discussion, or child protection conference.

17.4. They should link with investigating workers as to when they should make contact with carer/s.

17.5. Contact with carer/s should be made as soon as is appropriate in relation to the investigation; this should be determined as part of the strategy discussion.

17.6. A visit to offer advice and information should be offered following the strategy discussion. Detailed discussion is not appropriate at this stage. If the visit is refused the offer should be confirmed in writing.

17.7. During the initial visit the carer’s worker should ensure carer/s have received copies of the appropriate information, be prepared to explain any or part of the investigation process and ensure the carer/s understands the worker's role This should be followed up in writing

17.8. Further visits and agreements to provide additional support should be made during the initial visit and followed up in writing.

17.9. Carer/s should also be made aware of other possible sources of help and advice at this initial meeting.

17.10. If carer/s do not want support from their worker following an initial contact, this should be confirmed in writing and the carer/s made aware that they could change their minds at any time.

17.11. It is the primary role of the carer’s supervising social worker to provide appropriate support to the carers, keeping them informed of progress of investigative process both during and following the Section 47 enquiries, reminding them of the support available from Fostering Network and other independent sources of advice.

17.12. The carer’s supervising social worker is, however, a member of the CSC and should not keep information confidential which is relevant to any Section 47 enquiries. Similarly, the carer’s supervising social worker may be aware of information which cannot be divulged to the foster carer.

17.13. The process of investigating an allegation against a carer can be extremely traumatic for the individuals involved and their family. The effects should not be underestimated.

17.14. If the carer’s supervising social worker has been closely involved in providing evidence regarding the concerns, another worker from the fostering or adoption service should undertake the role of keeping the carer in touch with what is happening and helping them understand the process of the investigation.

17.15. Carers also need to be able to seek help, advice and support from other sources within the bounds of confidentiality. The carer must be made aware that whoever they discuss the allegation with may, if the case reaches trial, be required to give evidence.

17.16. BCP Fostering Service recognises that independent support, separate from the carer’s supervising social worker, is crucial to help a carer through this difficult period.

1. **Placements with other providers**

18.1. Where a BCP child is placed with independent foster carers who live outside of BCP, the child protection investigation becomes the responsibility of the local authority where the child lives. However, it would be expected that both the child's social worker and carer’s supervising social worker and the LADO would be in close liaison with the investigating officers of the other authority and the independent agency and should ensure as far as possible that requirements of the above procedures are met.

18.2. At the conclusion of the enquiries a review of the relationship with the independent agency would be appropriate. Before further placements could be made it would be essential to ensure that all necessary procedures were being followed with respect to recruitment, training, support, etc. of the foster carers employed by the independent agency in relation to the safeguarding and welfare of foster children.

18.3. Investigation with respect to foster carers registered by BCP but living outside the Local Authority, requires close liaison with the local authority in which the foster carers live.

**Appendix 1 - Definitions**

1. Fostering

Fostering for the purposes of this document includes all children in care who are either fostered by the local authority, private Independent Fostering Agencies or other approved foster carers. Foster carers must be clear about their legal responsibilities as documented in the legally required Foster Care Agreement and in the Foster Placement Agreement for the particular child.

2. Children Placed for Adoption

Children placed for adoption have ‘child in care’ status until the Adoption Order is made. However, under the Adoption and Children Act 2002 prospective adopters will have parental responsibility automatically once a child is placed with them under a placement order, as delegated and restricted by the placing local authority. The placing agency also retains parental responsibility and birth parents retain parental responsibility with limits.

2.1. Prospective adopters must be clear about the limits of their responsibility and will be asked to sign an agreement which includes:

* Behaviour management
* Co-operation with continuing visits and reviews
* Promotion of health of the child

3. Section 47 enquiries

Where a local authority:

1. is informed that a child who lives, or is found in their area:
2. is the subject of an emergency protection order or;
3. is in police protection; or
4. has contravened a ban imposed by a curfew notice imposed within the meaning of chapter 1 of Part 1 of the Crime and Disorder Act 1998; or

b) have reasonable cause to suspect that a child who lives. or is found in their area is suffering, or is likely to suffer, significant harm.

The authority shall make, or cause to be made, such enquiries as they consider necessary to enable them to decide whether they should take any action to safeguard or promote the child's welfare.

**Appendix 2 - References to Legal, Central Government and other external documents**

1. Pan Dorset Safeguarding Procedures

2. BCP Fostering Procedures

3. Working Together to Safeguard Children 2018

4. Fostering Services Regulations

5. National Minimum Standards for Fostering Services

6. Adoption and Children Act 2002

7. Local Authorities Adoption Services Regulations 2003

8. National Minimum Standards for Local Authority Adoption Services

9. Adoption Support Services Regulations 2003

10. Fostering Network: Managing allegations and serious concerns about foster carers' practice or standards of care.

11. Protecting Children — Supporting Foster Carers DfES

1. Where the carers live outside of BCP Council, the Local Authority where the carers live and where the child is placed should be asked to convene the child protection strategy discussion. Close working will ensure the child's welfare is safeguarded alongside work with the carers. [↑](#footnote-ref-1)
2. The Local Authority Designated Officer (LADO) must be informed where a carer or a member of their family has:

   * behaved in a way that has harmed a child, or may have harmed a child:
   * possibly committed a criminal offence against or related to a child:
   * or behaved towards a child or children in a way that indicates s/he unsuitable to work with children, In connection with the person's employment or voluntary activity.

   [↑](#footnote-ref-2)
3. If the placement is outside of Bournemouth, the LADO from that area should be informed and invited. [↑](#footnote-ref-3)