



Walsall Council



Right child, Right place, Right time, Right amount of time

Resolution Policy for Looked After Children

Introduction

This policy outlines our commitment to improving and maintaining the effectiveness and the quality of our services and is a central aspect of the IRO role in ensuring children's needs are met, including those of safety and that, any drift or delay is addressed in an effective and timely way.

This policy also ensures that Walsall Children's Services is fully compliant with its legal duties and responsibilities under Working Together 2018 and The Independent Reviewing Officer (IRO) Handbook (DCSF 2010). This statutory guidance relates to the quality assurance of care planning. Other influential legislation is;

- The Adoption and Children Act (2002) section 118
- The Children and Young Person Act(2008)
- The Children Act (1989)
- Care planning, placement and Case Review Regulations

Purpose

The purpose is to ensure all children on a care plan receive meaningful intervention in a timely way that improves their life experiences, keeps them safe and meets their individual needs.

Effective communication between IRO's and Team Managers will enable a focus on the significance, of all those working with the child and their family, providing the very best service possible. This will be promoted through joint meetings, joint training, presentation at unit meetings etc.

Principles

The underlying principle is that issues of staffing, interagency cooperation or resources should **not** be accepted as obstacles which negate out ability to meet the needs of a child as identified in their care plan or child protection plan.

This process is intended to clarify communication between IROs and social work teams, with a focus on identifying and resolving issues at an early stage. It is always expected that the

least formal approach will be taken with a proactive response from IRO and the social work team, but the process confirms the steps to be taken if care planning is not working for children

Background Context

A thematic inspection by Ofsted in 2013 and the University of East Anglia's research into care planning in 2015 highlighted a number of recurring themes, which included;

- The pace of IRO's taking on the full scope of enhanced responsibilities was too slow.
- IRO oversight of care plans was not consistently good enough.
- Social Workers and IRO's communicated regularly although the purpose and impact of this was not always evident.
- The general quality of IRO scrutiny and challenge
- Tracking of progress by IRO's, is it clearly recorded, purposeful and impactful.

The quality assurance of Childrens looked after reviews

A rating is applied to the looked after review as part of the Quality assurance role. The ratings used are green, amber and red and reflect the quality of preparation for, and the child's meeting to review their care plan.

Defining ratings; what defines a rating of Green, Amber and Red

At the child's looked after review the IRO will rate the care the child is receiving as Green, Amber or Red. If Amber or Red the IRO will raise a resolution in keeping with the severity of the concerns.

Every child is Individual and has unique circumstances therefore; there are no hard and fast rules. However there are some guidelines in the IRO handbook that help with definitions and the level of escalation. Ultimately, the defining factor is the effect on the child as an Individual.

Good Practice case note

In addition to ratings and resolutions, it is important to acknowledge good practice and build on positives that achieve good outcomes for children.

Good practice case notes should be written to the child so that if the child access's their file in later life they can understand the importance of the work the social worker did to improve their life experiences and outcomes.

When the child's file demonstrates that the core tasks are being carried out effectively, the care plan is progressing and meeting the child's needs, the IRO will complete a good practice case note and share this with the Team Manager.

When the social worker has done some exemplary work, the IRO will add this to a case note and share with the Team Manager, Group Manager for S&R and the Principal IRO. This will then form part of the good practice report.

Resolution

Looked After Children

Every looked after child will have an IRO. The role of the IRO is to advocate on behalf of the child and ensure a child's needs are being met. When they are aware the child's needs are not being met and/ or there is drift and delay and this is affecting the child they have a legal duty to raise these concerns through a resolution process. The aim is to ensure any circumstances leading to unmet need is rectified and the child is safe, happy and well.

The child's IRO can raise a resolution at any point in the child's journey; however, there are key times when it is more likely to happen. What follows is a synopsis of these key times;

- The Child's first looked after review within 20 days of becoming looked after.
- The child's second review within 3 months of the first review. Note at this point, the child care plan should set out their plan for permanency.
- The child's next review will take place six months after the last review, as will any further reviews.
- Mid way, checks are completed half way between their reviews. The period between reviews is too long if a child's needs are not being met and or there is drift and delay in their care planning is too long.
- A child's placement is breaking down and this is due to unaddressed issues.
- Concerns may become apparent to the IRO when visiting children, through audit activity etc.

Key points which may generate a resolution

First looked after review

Second looked after review. Remembering a permanency decision is required at this time

Third and any subsequent looked after review

The mid way check

Any placement move due to unaddressed issues

Becoming aware of issues/concerns through visiting, audit activity etc.

Escalation process

In line with statutory guidance detailed in the IRO Handbook, the IRO will have lead responsibility for any resolutions issued until they agree the outcome to be satisfactorily resolved for the child.

Examples of where the Resolution process may be used

Concerns will be addressed through Informal Resolution unless there is a significant impact on the Looked After Child for example in terms of drift and delay in planning, unmet needs, unassessed risks or risks not addressed.

- Incomplete or poor standard of documentation provided to the childcare review or found to be maintained on the child's case record.
- Non-completion of assessments,
- Statutory visits not undertaken to the agreed level or the record of visits is missing or incomplete.
- A child does not have an up to date Personal Education Plan or one is not scheduled within the appropriate timescale.
- An initial or review Health Assessment is overdue or where other relevant medical, dental, hearing, optical assessments and immunisations have not been undertaken in appropriate timescales.
- frequent changes of Social Worker or where the social worker and the young person have not established a working relationship so that views and wishes of the child are not sufficiently known to inform assessments and care planning
- lack of progress on life story material, direct work & later life letters
- where one or more decisions agreed at a child care review (and not disputed by the LA within 5 working days of the review) have not been acted upon and completed within the timescale agreed; for example applications for passports, independent visitors and referrals to other agencies including CSE matters;
- where there is drift and delay such that there is no clear plan in place or the care plan is not meeting the individual needs of the child, **including the need for permanence;**
- Where the rights and/or wellbeing of the child are not being met, for example the child's views not being given sufficient weight in decision making;
- Where there is deviation from the agreed care plan, for example a child or young person's plan changes to rehabilitation to birth family without a child's care review or where contact arrangements are significantly altered;
- Where there is a concern about provision of services/resources allocated to meet the child's individual needs, including the suitability of the placement.
- When the social worker and Team Manager have exhausted efforts to try and obtain resources and this has been unsuccessful then the IRO should consider supporting the service and making a challenge directly to the appropriate agency.

Note; deciding what level to start the resolution is dependent on context and the impact it is having on the child as an individual and as such will require professional judgement, however some examples at varying levels are provided below;

Informal Resolutions

An informal resolution will involve communication between the IRO and Team Manager with an agreed way forward and timescale to address the issues or concerns. The IRO will record this on an Informal Resolution form on mosaic.

Examples of informal resolutions

Examples of informal resolutions may be;

- Reports not shared before a child's review,
- Visits not consistently recorded on the child's file,
- Insufficient preparation for the review
- Insufficient consideration to the involvement of parents
- Amber ratings
- Assessments not started or making little to no progress
- Changes in social workers
- Children are not being supported to integrate in family life with carers, i.e. no passport
- Child not receiving support from their carers to take part in activities, interests etc.
- Children being singled out through, for example, ongoing use of taxi's to school
- Insufficient efforts made to secure services from partner agencies

Formal Resolutions

The IRO Handbook is clear that a formal Resolution should be raised when;

- Agreed actions in the care plan have not been progressed
- There is insufficient response to significant events
- Statutory responsibilities not adhered too
- Is otherwise in breach of its duties to the child in any significant way

Stages of Resolutions

Note whilst it is usual to go through the stages starting from the lowest denominator an IRO can, when the need arises start the process at any stage, including going straight to CAFCASS.

The IRO will always copy in the Group Manager for S&R and the Principal IRO.

At times when there are differing viewpoints, the IRO can access independent legal advice through a reciprocal arrangement with Dudley legal services. This is to maintain the independence of the IRO.

Outside of the looked after review process social work teams may consider a planning meeting at any stage to address the issues to inform their response.

Examples of Formal Resolutions at stage one

Note; deciding what level to start the resolution is dependent on context and impact it is having on the child as an individual, however some examples may be;

- No response or the IRO disagrees with the response to the informal resolution
- A looked after review cancelled due to no care plan
- Insufficient preparation leading to the review being cancelled
- No Supporting documents PEPs, Placement plans, HA
- Childrens views not being ascertained and acted upon or given sufficient consideration
- Drift and delay in care planning
- Lack of evidence/assessment to support the care plan or a change in care plan
- Recommendations not being sufficiently addressed
- No transition planning for children with disability, children reaching 16 years, children approaching adulthood
- Lack of appropriate parental/extended family involvement
- All red ratings
- Issues raised in the midway review not acted on
- IRO's not being informed of significant events in a child's life
- Contact arrangements not being adhered to
- Delay in together and apart assessments for siblings

Examples of Formal Resolutions Stage two

- No response to stage one or the IRO disagrees with the response at stage one
- Childrens views are repeatedly missing or not being given sufficient consideration
- Safeguarding concerns not being recognised and or addressed
- Ongoing drift and delay

Examples of Formal Resolutions Stage three

- No response to stage two or the IRO disagrees with the response at stage two
- Childrens views are repeatedly missing or not being given sufficient consideration
- Safeguarding concerns not being recognised and or addressed
- Ongoing drift and delay
- Issues with partner agencies not resolved

Examples of Formal Resolutions Stage four

- The IRO disagrees with the response at stage three
- Safeguarding concerns not being recognised and or addressed
- Ongoing drift and delay
- Issues with partner agencies not resolved

Examples of Formal Resolutions Stage five

- The IRO disagrees with the response at stage four
- Safeguarding concerns not being recognised and or addressed
- Ongoing drift and delay

Informal Resolution; whenever possible this will be the option used to resolve any concerns or issues. IRO will contact the Team Manager ideally in person but if not by email to discuss/share the concerns/issues

Stage one; Formal Resolution to Team Manager and Group Manager; the IRO will contact the Team Manager, preferably in person, but if not by email to discuss/notify of the issues/concerns. This will be followed by a formal resolution being raised on mosaic. The Team Manager will respond to the resolution within 7 days with Group Manager approval.

Stage two Formal Resolution to Group Manager and Head of Service; the IRO will raise a formal resolution on mosaic with an email notification. . The Group Manager will respond to the resolution within 4 days with Head of Service approval.

Stage three; Formal Resolution to Head of Service and Assistant Director; the IRO will raise a formal resolution on mosaic with an email notification. The Head of Service will respond to the resolution within 3 days with Assistant Director Approval. Copied to DCC.

Stage four; Formal Resolution Assistant Director and Director of Childrens Services; the IRO will raise a formal resolution on mosaic with an email notification. The Assistant Director will respond to the resolution within 3 days with the Director of Childrens Services approval. Copied to DCC.

Stage five; Formal Resolution to the Director of Childrens Services; the Coordinator will raise a formal resolution on mosaic with an email notification. The Director of Childrens Services will respond to the resolution within 3 days. The Director of Childrens services will also consider bringing the issues to the attention of the wider partnership.

The IRO can refer the issues /concerns to CAFCASS at any stage if required