



**WOKINGHAM
BOROUGH COUNCIL**

Foster Carers Allegations Management Policy

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Any questions or concerns about the contents of this policy should be raised with the Quality Assurance and Policy Team via email at: ImpactAndInspectionTeam@wokingham.gov.uk.

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Executive Summary

All allegations of abuse of children by a foster carer, or members of a carer's family/support network, should be taken seriously. As Corporate Parent, Wokingham Borough Council has a responsibility to objectively investigate all complaints, concerns and allegations in a way that is safe, effective, timely and transparent.

This policy sets out the framework within which fair and proportionate investigations can proceed – and a clear outcome can be reached. There are three levels of concern identified in this document:

- Concern (Level 1): Issues related to the carer's day-to-day practice/standard of care.
- Complaint (Level 2): A formal or informal complaint is made about the foster carer(s).
- Allegation (Level 3): It is alleged that a foster carer has behaved in a way that has/may have harmed a child; has committed a criminal offence against/related to a child; or has behaved in a way which indicates they may pose a risk of harm to children.

It is important to note that, at any of the above levels, concerns can be formal or informal; written or verbal; recent or historical. They must all be treated with the same level of seriousness.

Wokingham Borough Council is committed to handling all concerns, complaints and allegations in way that provides effective protection and support for children and the person making the allegation(s) – and supports the person who is the subject of the allegation(s).

This document outlines the procedure for responding to all three levels of concern and the possible investigation outcomes, so that foster carers and social work professionals understand what to expect. This includes information on how concerns, complaints and allegations are recorded on the child's and foster carer's file.

The policy underpins Wokingham Borough Council's commitment to open and honest communication and it is recommended that all foster carers and relevant professionals familiarise themselves with its contents.

Policy Context

This policy is underpinned by national legislation and guidance:

- *Working Together to Safeguard Children 2018*
- *Fostering Services National Minimum Standards 2011 – Standard 22*
- *The Fostering Services (England) Regulations 2011 – Regulation 12*
- *Adoption National Minimum Standards 2014 – Standard 22*

It should be read in conjunction with other local procedures:

- *Allegations Against Foster Carers*
- *Allegations Against Prospective Adopters and in Relation to Children Placed for Adoption or Already Adopted*
- *Procedure for Reporting Allegations (WBC website)*
- *Pan Berkshire Child Protection Procedures (Allegations Management)*
- *Wokingham Borough Council Foster Carer Handbook*

This policy applies to Wokingham Borough Council foster carers (including short breaks), supported lodgings carers and prospective adoptive parents. The term 'foster carer' is used to denote all of the carers mentioned above.

1. Introduction

All allegations of abuse of children within a care context by a foster carer should be taken seriously. It is important to ensure that *all* concerns, complaints and allegations are examined objectively, in a way that is safe for children and fair to carers, regardless of the perceived level of severity.

See the procedure for reporting allegations on the WBC website [here](#) and Appendix A: Reporting a Concern, Complaint or Allegation.

The expectation is that:

- At the time of a child's placement, foster carers will be provided with detailed information as to the child's background and, in particular, the context of any abusive experiences and/or previous allegations made by the child;
- All foster carers will receive support, training and guidance to help them provide a safe environment for the child and all members of the foster family;
- All foster carers will have received information about this procedure and the allegations management chapter of the [Pan Berkshire Child Protection Procedures](#).
- All foster carers will be familiar with and adopt the procedures for recording the progress of children placed with them on a daily basis, including reporting any incidents or complaints. They will understand that these procedures have been made to protect all those involved in the child's placement, particularly at times of high stress, and will provide important evidence if an allegation is made.

This policy aims to:

- Ensure that children and other individuals are listened to when they raise a concern and that the child's safety is given paramount consideration.
- Ensure that foster carers who are subject to an allegation are kept informed; are clear about the procedure being followed; and know what to expect from any investigation.
- Provide Social Workers and other professionals with a framework within which fair and proportionate investigations can proceed - and a clear outcome can be reached.

2. Levels of concern

A concern, complaint or allegation is the expression of dissatisfaction or disquiet in relation to the care provided to a child(ren) whilst the local authority exercises its functions under [Part III of the Children Act 1989](#). They can be formal or informal; written or verbal; recent or historical.

See Appendix A: Reporting a Concern, Complaint or Allegation.

It can be difficult to distinguish between concerns, complaints and allegations against foster carers, therefore we have adopted **three levels** for managing them.

- **Concern (Level 1): Issues related to the carer's day-to-day practice/standard of care:**

For example:

- Having a child's hair cut without discussion with parents.
- Quality or nature of diet, clothing or routine care and low level discipline issues.
- An accumulation of extremely low level issues that have not met the threshold for the complaints and allegations procedure.

Repeat concerns: a number or pattern of these concerns may result in a requirement to consider them at the next level i.e. a complaint (Level 2).

Persistent or repeated low level concerns about day-to-day care may constitute a real issue with regard to the quality of care, suitability or professionalism shown by the carer. This will be the decision of the Family Placement Team Manager and, where applicable, the Social Work Team Manager. **See Appendix B: Process for Managing Concerns and Complaints.**

- **Complaint (Level 2): A formal or informal complaint is made about the foster carer(s):**

For example:

- The foster carer's parenting style and quality of care (e.g. inappropriate discipline).
- Quality of working with other professionals/practitioners (e.g. failure to adhere to the child's care plan).
- Lack/breach of confidentiality or unsuitable practice with regard to families (e.g. being discourteous towards parents).
- An accumulation/worsening of 'one-off' or continuing low level concerns about day-to-day care.

See Appendix B: Process for Managing Concerns and Complaints.

- **Allegation (Level 3): It is alleged that a foster carer has:**

- Behaved in a way that has/may have harmed a child/young person.
- Possibly committed a criminal offence against/related to a child/young person.
- Behaved in a way which indicates they may pose a risk of harm to children/young people.
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children (including events in their personal life).

See Appendix C: Procedure for Managing Allegations Against a Foster Carer.

As outlined in the Fostering Services National Minimum Standards and Fostering Services Regulations, all allegations and suspicions of harm must be handled in a way that provides effective protection and support for children and the person making the allegation(s) – and supports the person who is the subject of the allegation(s).

3. Responding to Concerns and Complaints (Levels 1 and 2)

Concerns (Level 1) and complaints (Level 2) will be referred to the Family Placement Team Manager so that any concerns relating to the carer's practice or the standard of care provided can be explored. If concerns or complaints are resolved at this stage, the Family Placement Team Manager will provide the carer with an outcome letter, outlining any action to be taken, **within 10 working days** of the decision. This letter will be placed on the carer's file and a copy sent to the child's Social Worker and their Team Manager. Adopt Thames Valley manages this process in respect of adopters/prospective adopters, on behalf of Wokingham Borough Council.

If concerns remain after investigating a concern or complaint, a Standards of Care investigation may be undertaken at Manager Level.

A decision will be made as to whether concerns are sufficient to remove a child from their placement while the Standards of Care investigation takes place. The child's Social Worker, their Manager, the Supervising Social Worker and the Family Placement Team Manager will meet to consider whether it would be in the child's best interests to remain in placement, or whether they need to be moved to an alternative placement. Options will be explored in order to maintain stability for the child, such as the person who is the subject of the allegation(s) temporarily leaving the residence while the investigation takes place.

Following the meeting, the relevant Social Work Team Manager and Family Placement Team Manager will make recommendations to the Service Managers and Assistant Director, who will make the final decision. **No child will be removed from their placement unless the Assistant Director has given approval.**

Following the Standards of Care investigation, a report will be completed and shared with the foster carer - and subsequently the Fostering Panel (or Adoption Panel). Possible outcomes may include de-registration; continued approval with recommendations for changes of practice; additional training; and/or a change of approval.

4. Responding to Allegations (Level 3)

See Appendix C: Procedure for Managing Allegations Against a Foster Carer.

An allegation is a statement by an individual who may be concerned that abuse has taken place. All allegations must be taken seriously and should be referred to the Local Authority Designated Officer (LADO) **within 1 working day**.

The LADO is responsible for managing the allegations process.

The LADO will evaluate the referral information and consider which Level (set out above) the concern fits into. If the LADO determines that the concern does not meet the threshold for an allegation (Level 3), they will recommend a referral to the Family Placement Team Manager for investigation and resolution. If further information is required to consider threshold, an Evaluation Meeting may be held to consider all the information available.

If the concern meets the criteria for an allegation, the LADO will consult with the Police; the child's Social Worker; the Supervising Social Worker linked to the foster carer; the relevant Managers and any other agency involved with the child or foster family and convene an **Allegations against Staff and Volunteers (ASV) Meeting within 2 working days of the referral.**

The LADO will liaise with the Family Placement Team Manager and the relevant Social Work Team Manager regarding any action which may be needed prior to the ASV Meeting in relation to:

- Immediate protection of children (which may include formally suspending the foster carer). This includes other children within the foster carer's household, including their own children and other children they may have contact with.
- The need to inform the child's birth parents (those with parental responsibility) of the nature of the allegation(s).
- The need to inform the foster carer that an allegation has been made.
- The need to inform Ofsted.
- Inform the Social Workers for any other child(ren) in the placement.
- Consider if any other local authority with an interest in the placement should be informed.

The ASV Meeting will consider:

- The nature of the allegation, its source and reliability.
- How and by whom the investigation will be conducted (the matter should always be investigated unless there are exceptional circumstances). The investigation would normally be carried out by the Assistant Team Manager or appropriate equivalent.
- Relevant background information related to the child and foster carer/family.
- When the foster carer will be informed that an allegation has been made and what support they will be offered. This will include their right to independent support from fostering network.
- The role of the Supervising Social Worker.
- If the child requires a medical examination and/or any other support.
- Who will inform the child's birth parents of the allegation, and when (if this has not already occurred).
- The involvement of other agencies and the need to inform other agencies or employers.
- What type of investigation is required eg: criminal investigation, Childrens Services S47 investigation, targeted investigation by Family Placements Team or Standards of Care Assessment.
- The timescales for the investigation and how reports on progress will be shared with the child(ren) and foster carer(s).
- Whether the child(ren) should be removed from the placement until the investigation is complete, or whether the alleged perpetrator should be asked to temporarily leave the home.
- Arrangements for reconvening the ASV Meeting.

The minutes of the ASV Meeting must contain clear action points and timescales. A summary of these should be circulated within 24 hours. Copies of the minutes and action points will be held on the child's and foster carer's records.

5. What is likely to happen during an investigation into an allegation?

There are three aspects to an investigation: Police, Social Care or Family Placement Team involvement. The involvement of Police and Social Care will depend on the seriousness of the allegation and whether there are concerns about harm or Significant Harm to a child.

A Section 47 Social Care investigation will consider the child's safety and the steps required to keep them safe. If it is suspected that a criminal offence may have been committed the Police will pursue the matter. There may be a need to conduct S47 investigations for other children in the fostering household including their own children.

If the Police stop their investigation or conclude that there is insufficient evidence to take any further action, the Family Placement Team will carry out its own investigation. The Family Placement Team, on behalf of Wokingham Borough Council, may find certain types of behaviour towards a child unacceptable - even though it is not criminal. Therefore, even if the Police do not have enough evidence to prove an offence has been committed against a child, the Family Placement Team will still conduct a full investigation. This means that action may still be taken to protect the child(ren) or terminate approval, where considered appropriate.

5.1 What can children and young people expect during this process?

- The child's welfare and safety is paramount.
- Children and young people will be listened to and their concerns investigated thoroughly, speedily and sensitively.
- Open and honest communication.
- Anyone hearing a concern has a duty to pass it on.
- Children and young people can talk to their Social Worker, IRO or access an independent advocate to assist them.
- Children and young people will be supported.

5.2 What can carers expect during this process?

Facing a Child Protection investigation can be extremely stressful for carers and their families and can take considerable time to conclude. Therefore, *unless it would prejudice any Police investigation*, foster carers should be:

- Informed by the Family Placement Team that an allegation has been made and the nature of the allegation, in a timely manner.
- Given information about the procedures that will be followed.
- Kept up to date by the Family Placement Team on the progress of the investigation, through open and honest communication.
- Be informed of the outcome of the investigation in writing by the author of the assessment or appropriate Family Placement Team Manager.

All Wokingham Borough Council foster carers are members of the Fostering Network, which can provide independent support, counselling and legal advice - including a solicitor where necessary.

6. Investigation of Concerns, Complaints or Allegations Made Against Members of the Foster Carer’s Family or Support Network

Concerns (Level 1), complaints (Level 2) or allegations (Level 3) may be made against members of the foster carer’s immediate household, extended family, or wider support network. This can be extremely difficult for foster carers and they will need to be supported through this process; however, the needs of the foster child and any other children must be prioritised.

Social Workers must assess whether or not the carer played any role in the allegation(s). This could be directly or indirectly; for example by omission or commission – and therefore a failure to protect.

In any investigation against a family member or member of the carer’s support network, the procedures above apply and should be followed.

7. Allegations (Level 3): Reaching an Outcome

On completion of the investigation and evidence gathering, the ASV Meeting will be reconvened to agree the outcome of the investigation and the next steps to be taken.

Although this is anticipated as the final meeting, if new information comes to light, then further action may be required. If this is the case, the reconvened ASV Meeting will be suspended and rescheduled.

The outcome of an investigation into an allegation will be one of the following:

Substantiated:	There is sufficient evidence to prove the allegation.
Unsubstantiated:	There is insufficient identifiable evidence to prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.
Unfounded:	There is no evidence or proper basis which supports the allegation being made. There is the possibility that the allegation may be malicious (<i>see below</i>), but it may also indicate that the person making the allegation had misinterpreted the incident; was mistaken about what they saw; or was not aware of all the circumstances.

False:	There is sufficient evidence to disprove the allegation.
Malicious	There is sufficient evidence to disprove the allegation and demonstrate there has been a deliberate act to deceive or intention to cause harm. Care should be taken in dealing with such allegations, as some parts of an allegation may have been fabricated or exaggerated but elements may be based on truth – children rarely fabricate an allegation. In such cases, efforts should be made to discover what was behind the allegation and seek further support for the child.

8. Allegations (Level 3): Recording

A written record of the allegation, the investigation, the outcome and the recommendations will be placed on the child’s file and the foster carer’s file – a copy must also be given to the carer by the Family Placement Team. A report will be presented to the next available Fostering Panel (or Adoption Panel), which will make recommendations about the carer’s continued registration.

Carers will be given a copy of the report and will have the opportunity to comment on it prior to the Panel. They will be allowed to attend the Panel to make representations and will receive a copy of the Panel’s recommendations.

Appendix A: Reporting a Concern, Complaint or Allegation

Any person or worker who is aware of, or receives information which indicates that a child has suffered, or is at risk of suffering significant harm, must immediately refer their concerns to:

The Wokingham MASH/Duty Triage and Assessment Team

Tel: 0118 908 8002

Email: triage@wokingham.gov.uk

Or, after 5pm, on weekends and Bank Holidays:

Emergency Duty Team/Out of Hours service

Tel: 01344 786 543 (or the child's Social Worker if an allocated case)

This also applies to allegations of historical abuse where it becomes evident that a disclosure by an adult relates to a foster carer.

On receiving the concern/referral, the Duty Social Worker/child's Social Worker/Supervising Social Worker will:

- Inform their line Manager.
- Inform the Supervising Social Worker and Family Placement Team Manager.
- Inform the Local Authority Designated Officer (LADO) within 1 working day.

The Local Authority Designated Officer (LADO) has responsibility for managing the allegations process within Children's Services and will liaise with the relevant individuals/agencies to convene an Allegations against Staff and Volunteers (ASV) Meeting. This includes consultation with the relevant Team Manager to consider any immediate action required to protect and safeguard the child.

The LADO and relevant Team Manager will also establish whether awaiting an ASV Meeting may cause harm to the child or contaminate the investigation, in which case an Allegations against Staff and Volunteers (ASV) Discussion will be required.

Referrals to the LADO are made through emailing: LADO@Wokingham.gov.uk.

The Supervising Social Worker will:

- Inform the Family Placement Team Manager and, in consultation with them:
 - Inform the Social Workers for any other child(ren) in the placement.
 - Inform any other local authority with an interest in the placement.

Appendix B: Process for Managing Concerns and Complaints (Levels 1 and 2)

Concerns

This relates to issues about day-to-day care which are more serious and meet the criteria for a concern, but are still at the lower end of the spectrum.

1. All Level 1 concerns will be referred to the Family Placement Team Manager for exploration.
2. The foster carer will be informed of the substance of the concern as soon as possible, but within 48 hours of it being raised, unless there are exceptional circumstances – which must be recorded.
3. Upon agreement with their respective Team Managers, the child's Social Worker and the Supervising Social Worker will make a joint visit to the foster carer to discuss the concern as soon as possible - and reach an agreed solution. *If the concern does not relate to a child in placement, the Supervising Social Worker will visit alone.*
4. The outcome of the visit will be fully recorded on the files of the child(ren) and the carer(s), as appropriate.
5. The Family Placement Team Manager, in consultation with the relevant Team Manager, will decide whether the matter has been resolved. This will be recorded as a Team Manager Decision on the files of the child(ren) and the carer(s).
6. The Family Placement Team Manager will write to the carer within 10 working days to advise them of the outcome and any action being taken. A copy will be kept on the carer's file and sent to the child's Social Worker and their Team Manager.
7. The concern and outcome of the investigation will be recorded on the carer's chronology on Mosaic and noted on the next Carer's Review report.
8. Any actions or training identified as a result of the concern will be followed-up by the Supervising Social Worker. Progress will be tracked during supervision with the carer.

If the Social Worker(s) and their Team Manager(s) are not satisfied with the outcome of the initial joint visit, a recommendation may be made to upgrade the concern (Level 1) to a complaint (Level 2).

Repeat concerns (i.e. a number or pattern of concerns) may result in a requirement to escalate to Level 2 – this will be the decision of the Family Placement Team Manager and the relevant Social Work Team Manager.

The Family Placement Team Manager will ensure that the person who raised the concern is responded to in writing by the most appropriate team, in accordance with WBC's Children's Services Complaints Procedure and data protection legislation (unless raised anonymously).

Complaints

Complaints will vary in terms of seriousness and their impact on any child(ren) concerned, therefore investigations need to be proportionate to the individual circumstances of the case – while still being rigorous. There is a balance required in terms of safeguarding children and being fair to carers and their families - as well as considering the impact on placement stability.

1. Family Placement Manager escalates concern to complaint (Level 2)
2. The foster carer will be informed of the substance of the concern as soon as possible, but within 48 hours of it being raised, unless there are exceptional circumstances – which must be recorded.
3. The views and account of the carer(s) must be sought and thoroughly explored during the investigation. *Where the carer refuses to cooperate, withdraws from the process, or submits their resignation it is important that the investigation is completed using the information available.*
4. Once the investigation has been completed, the investigating Social Worker(s) will provide a report to the Family Placement Team Manager and relevant Social Work Team Manager.
5. The Family Placement Team Manager, in consultation with the relevant Social Work Team Manager (and LADO, where appropriate), will reach a judgement on whether the complaint is substantiated; unsubstantiated; malicious; unfounded; or false. The Family Placement Team Manager will consider whether concerns remain and, if so, whether standards of care need to be addressed.
6. Upon concluding the investigation, the Family Placement Team Manager will write to the carer within 10 working days, outlining the decision and any actions agreed. A copy of the letter will be placed on the carer's file and any relevant child's file.
7. The complaint and outcome should be recorded on the carer's chronology and on the carer's Swift record, including in the allegations tab in the carers module. All aspects of the investigation, including decisions reached should be recorded on the child's file, in line with departmental recording policy.
8. A review of the foster carer's approval should be carried out within 28 days of the investigation concluding. This should consider the carer's ongoing suitability to foster and the appropriateness of the terms of their approval. Support and training needs should be fully considered.
9. The final investigation report and the review report should be referred to the Fostering Panel (or Adoption Panel) for consideration, which the carer(s) must be invited to attend.

The Family Placement Team Manager will ensure that the complainant is responded to in writing by the most appropriate team, in accordance with WBC's Children's Services Complaints Procedure and data protection legislation (unless raised anonymously).

Appendix C: Procedure for Managing Allegations Against a Foster Carer

