

North Somerset Council Children's Services

Standards of care and allegations policy

For foster carers and supported accommodation carers
2024 to 2026



Contents

1. Forward

- 1.1 This policy is for North Somerset Council registered foster carers including temporarily approved foster carers under Section 24 and Section 25A of the Care Planning Placement and Review Regulations 2010 and Supported Lodgings carers.
- 1.2 All references to 'carer/s' in this document includes all foster carers (including kinship carers) and supported lodgings carers.
- 1.3 All concerns about carers are managed by North Somerset Council Fostering Service with management oversight by the Fostering Service Team Manager and Head of Corporate Parenting. The Head of Corporate Parenting is also North Somerset Council Registered Fostering Manager.
- 1.4 In this policy the term 'concern about a carer' is the umbrella term for a complaint, a serious concern about standards of care and an allegation.

2. Introduction and Guiding Principles

- 2.1 This policy aims to ensure that there is a clear process to take account of the law, national guidance, and local safeguarding procedures in respect of
 - (i) complaints about carers
 - (ii) serious concerns about standard of care by carers
 - (iii) an allegation against a carer
- 2.2 Children living in foster care may be vulnerable to harm and abuse because they are living away from home. North Somerset has high expectations of the standard of care offered by foster carers and has a duty to safeguard all children in our care, but the council is also aware that sometimes situations can arise where standards may fall short leading to complaints and allegations being made against carers or concerns raised about their standards of care. Under Regulation 12 of the Fostering Service Regulations 2011 and Standard 22 of the National Minimum Standards, the Fostering Service must provide a clear set of procedures stating how complaints and allegations against carers will be dealt with. This policy sets out the procedures to be used for dealing with complaints and allegations, and the actions that need to be taken to safeguard children in our care and support foster carers. It relates to any allegations and complaints made against foster carers who have been approved by North Somerset Fostering Service.
- 2.3 Carers and their families make an enormous commitment to the children and young people they care for. They share their lives and their homes with children who may have

undergone difficult or traumatic experiences. They are required to care for vulnerable children and to protect them from further abuse and neglect whilst they are caring for them on behalf of the Local Authority.

- 2.4 It is the council's policy that allegations, complaints, or concerns relating to the care of children in care are treated with the same seriousness and investigated as robustly as concerns relating to children being cared for by their parents. All foster carers should be aware that given the complex nature of their caring role, they are vulnerable to allegations being made. For this reason, foster carers should be encouraged to follow safe caring guidance, keep a daily log for each child and to inform their supervising social worker of any issues within the placement.
- 2.5 The Fostering Service Team Manager will be the designated person for dealing with all complaints and allegations against foster carers; the role will involve liaising with the LADO (local authority designated officer), child protection ISROs and social work teams, and informing foster carers of progress regarding allegations. Complaints and allegations will be dealt with under the most relevant procedure depending on the nature of the issues raised:
- Minor disputes between carers and looked after children will be dealt with via North Somerset's complaints system
 - Complaints that raise issues about the standard of care provided by the carer will be dealt with under care standards procedures
 - Allegations that involve possible significant harm to a looked after child will be dealt with under North Somerset's child protection procedures as set out in this policy
 - All allegations against foster carers which raise questions about their suitability to work with children must be reported to the Local Authority Designated Officer (LADO) for advice on how to proceed
- 2.6 Dealing with allegations and complaints against foster carers requires sensitivity and maintaining a balance between safeguarding the child and protecting foster families from unfounded or malicious allegations that can destabilise care arrangements. Decisions on how the complaint or allegation will be dealt with must be made by the Fostering Service Team Manager (in consultation with the LADO and Head of Service for Corporate Parenting) within one working day of the concern being raised and a clear distinction made between which process is being followed.
- 2.7 Carers are encouraged to inform their supervising social worker (SSW) as soon as possible of any issues arising that may require a safeguarding response and to ensure they keep clear records as set out in the foster carer's handbook (and in line with the National Minimum Standards for Fostering Services).

- 2.8 If concerns are raised about a carer whilst they are working in another role, for example, if a carer is also a teacher, this could impact on their suitability to care for children and the concern will be managed using this policy. Also, any concern raised about the carer, could have implications for other roles the carer holds involving children and young people. Appropriate people from the relevant organisation could be contacted and involved as part of the safeguarding process.
- 2.9 Every child looked after has the right to be protected and to feel safe in their foster home, their safety is of paramount importance and must be our primary focus. When children need to be spoken with about a concern, this should happen as quickly as possible, ideally by someone they know and trust.
- 2.10 When an allegation is made against a carer the removal of a looked after child from their carer will only take place when social workers, team managers, Head of Service Corporate Parenting, and the Local Area Designated Officer (LADO) believe it to be a necessary and proportionate response to safeguard the child.
- 2.11 Following an allegation, consideration should be given to returning any child removed from a carer if both the carer and child and social workers agree that this is the right plan for the child.

3. National and Legal Context

- 3.1 When a concern is raised about a carer, North Somerset Council have a duty, under Regulation 12 of the Fostering Services Regulations 2011 and Standard 22 of the National Minimum Standards 2011 (NMS), to investigate and do everything they can to ensure children and young people are protected and kept safe.
- 3.2 In addition under the Children Act 1989, North Somerset Council must carry out an investigation when they 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.
- 3.3 This policy is underpinned by:
- The Children Act 1989
 - Section 22 – General duty of local authority in relation to children
 - Section 47 – Duty to undertake S47 Enquiries
 - The Children Act 1989 Guidance and Regulations Volume 4
 - The Fostering Services (England) Regulations 2011, Part 4 – Conduct of Fostering Services
 - Regulation 12 Arrangement for the protection of children
 - Regulation 17 Support, training, and information for foster parents
 - Regulation 30 Case records relating to foster parents and others

- Regulation 30 Notifiable events
- Fostering Services: National Minimum Standards
 - Standard 22 – Handling allegations and suspicions of harm
 - Standard 29 – Notification of Significant Events
 - Standard 30 – Family and friends as foster carers
- Working Together to Safeguard Children 2023
- The Fostering Network publication ‘Managing allegations and serious concerns about foster carers’ practice or ‘standards of care’ (2006)
- The Southwest Safeguarding and Child Protection Procedures
- North Somerset LADO Policy and Guidance [Allegations Against Staff or Volunteers \(trixonline.co.uk\)](https://trixonline.co.uk)

4. Complaints

- 4.1 A complaint may involve a view about a carer's approach to the care of a child. For example, when a child expresses unhappiness at the way they are treated such as restrictions imposed upon them, or a parent complains that a child's culture or religion is not being promoted. Complaints may be addressed initially through carer supervision with their Supervising Social Worker.
- 4.2 Complaints can be made directly to a social worker, team manager or our complaints department online [Case details - Case Tracker](#).
- 4.3 Complaints can also be made to Ofsted, the Office for Standards in Education, Children's Services and Skills. Contact details: 0300 123 1231 or www.ofsted.gov.uk
- 4.4 Consideration should always be given to whether serious concerns or complaints require implementation of child protection procedures. Any complaint, serious concern or allegation has the capacity to be redefined after initial referral or part way through a procedure, depending on the information gathered, and may therefore require to be dealt with under a different process. The LADO will be consulted in these circumstances.

5. Serious Concerns about Standard of Care

- 5.1 Outside the framework of Working Together the service may have serious concerns about a carer's standards of care or practice which resemble capability or disciplinary procedures that would be in place if the carer was employed. Serious concerns may include the carer's methods of disciplining children, inadequate supervision, poor home environment or concerns about safe care or non-co-operation with family arrangements with the child's family. These would ordinarily be investigated considering service standards and expectations and managed by the process set out in section 11 below. Serious Concerns about Standards of Care may also arise following a number of complaints.

6. Allegations

- 6.1 Allegations are more serious than general complaints against foster carers because allegations must be investigated under the local child protection procedure. Allegations should be treated differently from concerns about poor standards of care. Allegations may be current or historical.
- 6.2 An allegation against a carer or a member of their household involves someone (child or adult) saying that the carer or household member has or may have:
- Behaved in a way that has or may have harmed a child
 - Possibly committed a criminal offense against a child
 - Behaved toward a child in a way that indicates they may pose risk of harm
- 6.3 All allegations against carers should be reported immediately to the Head of Service for Corporate Parenting and within 1 working day to the LADO
- 6.4 For any allegation of likely significant harm made by a child in placement or by another person about a child in placement, the child protection procedures as set out in North Somerset Council's Safeguarding Procedures must be observed

7. Role of the Local Authority Designated Officer (LADO)

- 7.1 Every local authority has an identified LADO who has responsibility for:
- managing and overseeing individual allegations from across the children's workforce
 - providing advice and guidance to senior managers and employers etc.
 - liaising with social care, police, Crown Prosecution Service, and other relevant agencies
 - monitoring progress of all cases to ensure they are dealt with in accordance with recommended timescales, as set out in these procedures
 - co-ordinating and collating reports to provide information to the Local Safeguarding Children's Board (LSCB) and the Department for Education
- 7.2 The North Somerset Council LADO should be informed of all allegations made against carers or a member of their family immediately and will provide advice and guidance in the management of these as set out within North Somerset's LADO procedure and guidance: [Allegations Against Staff or Volunteers \(trixonline.co.uk\)](http://trixonline.co.uk)
- 7.3 An allegation should be considered within the context of The Children Act 1989. Physical Abuse, Sexual Abuse, Emotional Abuse and Neglect are all categories of Significant Harm.

8. What happens when a concern is raised about a carer

- 8.1 When a concern about a carer or someone in their household comes to the attention of the fostering service it should be discussed with the Fostering Team Manager as soon as possible and within 1 working day. If the Fostering Team Manager is not available, the Head of Corporate Parenting or another senior manager in the service must be notified. The form on LCS tab, Allegations & Concerns, must be completed.
- 8.2 The Fostering and/or Kinship Team Manager and Head of Corporate Parenting Service will review the nature of the concerns and in consultation with the LADO will determine if threshold is reached for LADO input or whether the matter is to be dealt with in a Standards of Care process only and or if no further action is required. For example, the Head of Corporate Parenting will determine whether:
- An allegation requires a Strategy Meeting to consider if the child's needs/risks require safeguarding enquiries to be undertaken under Section 47 of the Children Act 1989
 - If a Strategy Meeting (for the child) is indicated referral to LADO to be made for LADO oversight/Managing Allegations meeting/processes to be undertaken
 - A standard of care assessment under Regulation 12 of the Fostering Services Regulation 2011 and NMS Standard 22 (see section 11 below)
 - No further assessment is needed
- 8.3 If there is cause to suspect that a child is likely to suffer significant harm a Strategy Meeting must be held to agree if a Section 47 investigation needs to be initiated. The Police must be consulted as part of this to consider if a criminal offence may have been committed. In addition, the LADO will be required to retain oversight through the LADO Managing Allegations process (see section 7 above).
- 8.4 An initial strategy meeting will be held within 1 working day to plan how the matter will be progressed. When a meeting is arranged the Head of Corporate Parenting, and the LADO must attend, and it should be chaired by the Team Manager for the child. The meeting should include the allocated supervising social worker, or if they are not available someone else from the Fostering Team who knows the carer, the allocated childcare social worker/s and relevant Team Managers. It will also include the Police. The carer is not involved in this meeting.
- 8.5 The Strategy Meeting will determine the following:
- No further action is required. If a decision is taken not to pursue any enquiries the reasons for this must be placed on the carers LCS record and the child's file so that it is clear. This decision is authorised jointly by the Head of Service Corporate Parenting and the LADO

- Decide whether there should be a Police or joint agency investigation to be undertaken under Section 47. Any children's social care investigation must not occur until the Police investigation has concluded
- Plan how any investigation will be conducted identifying clear actions with agreed timescales by individuals from each agency
- Whether a further strategy discussion meeting is necessary and if so, set the date of the review meeting
- Confirm if any children are at risk of harm and if removal should be considered by the child's social work team and decision sought from Head of Service Corporate Parenting
- Whether the carers own children should be involved in any investigation
- Decide what information will be shared with the carer and agree timescales for this to take place. Carers should be informed of concerns as quickly as possible; the Fostering Team Manager will consult with the Head of Corporate Parenting and will write to the carer outlining the terms of reference for a formal investigation within 48 hours of the strategy discussion
- How birth parents or other significant family members are informed, if appropriate to do so
- Whether to recommend the carer is placed 'on hold' for a period where appropriate. Carers should not be placed on hold automatically or without careful thought. This action must be revisited at regular intervals in the process, in response to new information becoming available
- If a further Strategy Meeting and or S47 is required, a Standards of Care process (see further below) will additionally be undertaken by the Fostering Service (the timing of this and when the carer will be informed will be determined within the Strategy Discussion/outcome of s47)

8.6 Within 24 hours of the allegation being known:

- The child's social worker will record the details of the allegation onto the child's record
- The Team Manager will record the decision making and rationale on the child's record
- The supervising social worker will record details of the allegation on the carers file

8.7 When the carer is first informed of the allegation, they must be advised that there is independent support available to them provided by The Fostering Network.

8.8 Carers will always be given as much information as possible. Justification for withholding information can only be made if there is a clear risk to a child if the information is shared or if the Police are to investigate a possible crime. In these circumstances there may be very limited information that can be shared with the carer. The reasons for withholding

information must be clearly recorded. The supervising social worker will provide follow up information and advice in writing to the carer within one working day.

- 8.9 If a child protection investigation is in process, then the Registered Manager of the service should send notification to:

OFSTED

National Business Unit

Royal Exchange Buildings

St Anns Square

Manchester

M2 7LA

- 8.10 There should always be consultation with the LADO and a Management Oversight Case Note should be placed on the carers LCS record by the Fostering Team Manager confirming the decision, the rationale for the decision and detailing any action required by the Supervising Social Worker.
- 8.11 If the Supervising Social Worker and Fostering Team Manager agree the matter needs referring to the LADO, the LADO should be contacted **within 1 working day** of the information becoming known to discuss the referral. All relevant children's social workers or their Team Managers should be consulted at this stage.
- 8.12 The discussion with the LADO should jointly decide how the concern should be managed:
- 8.13 If any children in the household are at risk of harm, immediate removal should be considered by the child's social worker and Team Manager. The decision to remove a child in care should be made by Head of Corporate Parenting. For birth children a referral to the service via the Front Door may be required and in these circumstances the Head of Corporate Parenting will liaise with the Head of Family Support & Safeguarding Services.
- 8.14 Any decision about whether the carers should be placed 'on hold' so new children are not placed with them or planned respite for children known to the carers does not take place, should be made by the Fostering Team Manager in consultation with the Head of Corporate Parenting. The Fostering Team Manager should put a Management Oversight case note on LCS recording the 'on hold' decision; where the carer is placed 'on hold' this should include the rationale for the decision, next steps and when the decision will be reviewed.
- 8.15 The supervising social worker and Fostering Team Manager should meet with the carer to inform them of the concern raised, the decision made and reason for this and any further action. The carer will be advised of the decision within 1 working day of the decision being made and the supervising social worker will provide the carer with a written record of the decision made and the rationale for which process is being utilised (e.g. complaint,

standards of care or allegation process). If the carer has been placed 'on hold' the SSW and Team Manager should explain to the carer when they can have new children placed with them or continue with planned respite.

- 8.16 Where applicable a record of the discussion with the LADO and the decisions made should be recorded on LCS by the supervising social worker or the Fostering Team Manager. If the discussion with the LADO concludes that an investigation or further assessment is not required, the following action should be taken:
- Management Oversight Case Note placed on LCS by the Fostering Team Manager confirming the decision, the rationale and any action required including support for the carer or child
 - The supervising social worker or Fostering Team Managers should meet with the carer to inform them of the concern raised and the decision for no further action to be taken within one working day of the decision being made. The supervising social worker will provide the carer with a written record of this decision

9. Immediate Harm

- 9.1 If emergency action is required, consideration must be given to securing the child's safety. It may be possible to make alternative arrangements for the foster carer or a member of their family to live elsewhere while an enquiry is underway or for a safe care plan to be put in place to enable a child to remain living with their foster carer. Other alternative arrangements will be considered. The potential risk of serious and immediate harm to other children in the household will also need to be considered. This should include birth children.
- 9.2 Consideration should be given to how risk can be mitigated to avoid unnecessary disruption for children in care. The primary focus must always be the best interests of the child and the need to safeguard their welfare, before a child is moved from a foster placement, it must be determined whether the risks to the child outweigh the damage that may be caused by moving that child from a familiar environment. (The Children Act Guidance and Regulations Volume 4, Fostering Services).

10. Out of Hours

- 10.1 If an allegation is made out of hours the Emergency Duty Team will contact the duty senior manager if immediate actions are required to safeguard the children.

11. Responding to a concern or allegation and undertaking a Standard of Care (SoC) process

- 11.1 Where it is determined that a Standards of Care investigation is required, the Head of Service for Corporate Parenting will convene and chair a SoC planning meeting to plan the SoC process and investigation. This may either follow a Strategy meeting/s47 and or as a standalone process. The meeting will include the supervising social worker; Fostering Team Manager; child's social worker and their Team Manager, the IRO for the child and any other relevant professional. The foster carer is not included in this meeting. There will be liaison with and consideration of the LADO to additionally attend (and or chair) a SoC meeting if this is following a Strategy meeting/s47. If threshold for either a Strategy meeting/s47, or LADO referral is not reached, the Head of Corporate Parenting will determine if a standalone Standards of Care process/report to be completed by the Fostering Service.
- 11.2 The meeting will plan and decide the following:
- The plan for any investigation needed into the concern, deciding who will take responsibility for speaking to relevant parties including the child/ren if required
 - Confirm if any children in the household are at risk of harm; in circumstances where removal is being considered the matter must be referred to the Head of Corporate Parenting who makes that decision
 - Decide if a referral should be made to the Family Support & Safeguarding Service via the 'Front Door' regarding any birth children living in the household. If a referral is being made the carers should be advised of this unless this were to place any child at further risk of harm
 - Decide what information will be shared with the carer and agree timescales for this to take place
- 11.3 Carers will always be given as much information as possible both verbally and in writing (recognising that in emergency situations written information from a supervising social worker to the carer may not be available until the next working day). Justification for withholding information can be made only if there is a risk to a child if the information is shared.
- 11.4 If the decision is there is no further action is required:
- A Management Oversight record needs to be made by the Fostering Team Manager confirming the decision, rationale and detailing any action needed by the SSW and any support needs for the foster carer or child

- The SSW should inform the carer of the concern, confirming that no further actions is required within one working day of the decision being made and confirming this writing
 - The SSW should advise the carer that independent support provided by The Fostering Network is available if they require it
 - The carer can continue to look after any child/ren placed and new children can be placed
 - The matter must be noted for the carers next annual review and the form on the LCS tab Allegations & Concerns completed
- 11.5 Where the decision is that a SoC investigation is required, this should be completed within 28 days. The investigation will usually be undertaken by the fostering team and in most cases led by a supervising social worker in the service that is not the allocated Worker. Consideration should be given as to whether the investigation should be undertaken by a worker who is not familiar with the carer, if it is agreed that an independent view is necessary.
- 11.6 The allocated supervising social worker is responsible for keeping the carer informed of the process and progress of the investigation and providing them with ongoing and regular (a minimum of weekly), support throughout the process. This will include following up advice and information to the carer in writing (for example by email) when applicable.
- 11.7 The Standards of Care investigation should be completed, using the standard template form, within 28 days from the planning / discussion meeting whenever possible. In exceptional circumstances this timescale may not be achieved. If the timescale will not be achieved management oversight of this should be recorded by the Fostering Team Manager or Head of Service for Corporate Parenting. Volume 4 of the Children Act 1989 (Fostering Service Guidance & Regulations) says at paragraph 3.80 page 27 the following:
- The time taken to investigate and resolve individual cases depends on a variety of factors, including the nature, seriousness, and complexity of the allegation, but these targets should be achieved in all but truly exceptional cases. It is expected that 80 per cent of cases should be resolved within one month, 90 per cent within three months, and all but the most exceptional cases should be completed within 12 months.*
- 11.8 Following completion of the SoC investigation/report the Head of Service for Corporate Parenting will convene and chair a meeting to decide the following:
- The outcome of the SoC investigation/report
 - An early foster carer annual review, followed by presentation to the Fostering Panel is required, to consider ongoing registration and approval, any recommended changes of registration and to review support plans for the carer and child

- If a referral to the LADO and or DBS is required
- The carer is not involved in this meeting

11.9 Outcome of the Standards of care investigation: The social worker who has completed the SoC report must give the carers a copy of the report including any recommended support plans for the carer or child within 5 working days of the concluding the process. The SoC report will include a clear outcome which will detail whether the SoC was either:

(i) Substantiated: There is sufficient identifiable evidence to prove the allegation (on a balance of probabilities).

(ii) False: There is sufficient evidence to disprove the allegation.

(iii) Malicious: There is clear evidence to prove there has been a deliberate act to deceive and the allegation is entirely false.

(iv) Unfounded: There is no evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they say. Alternatively, they may not have been aware of all the circumstances.

(v) Unsubstantiated: This is not the same as false allegation. It means there is insufficient evidence to prove or disprove the allegation. The term, therefore, does not imply innocence or guilt.

These are not legal findings but are the outcomes of the internal investigation (the investigation will apply a 'balance of probability' evidence threshold).

11.10 Report Recommendations: Depending on the investigating worker's assessment of what has happened (reflected in their findings as definitions given above) they may recommend for consideration one of the following courses of action:

- Record of the allegation is placed on the carers LCS record and in the chronology unless it is malicious in which case the details of the allegation must be removed
- Support and training needs identified
- Immediate review of carers with a recommendation followed by presentation to the Fostering Panel is required to consider ongoing registration and approval, any recommended changes of registration and to review support plans for the carer and child. This could include a recommendation to terminate approval (also see final report)
- Removal of children in care from the household
- Further information to be given to Police
- Further consideration of carers own children, including a Child in Need referral

- Referral to the Disclosure and Barring Service and Ofsted (see section 15 below)
 - These actions are not mutually exclusive; more than one recommendation may be made
- 11.11 Within 5 working days of the conclusion of the standards of care process the carer will be offered a meeting with the supervising social worker and Fostering Team Manager to discuss the outcome of the standards of care report, next steps, and support needs. A carer can request to bring someone to support them within this meeting. Carers to discuss this with their supervising social worker in advance of the meeting.
- 11.12 An early foster carer review is not required if the SoC report confirmed that the concerns were unfounded, malicious, or false and there are no recommended changes to the carer's terms of registration. In these circumstances:
- The SoC report and agreed support plans must be discussed in full at the next scheduled foster carer supervision
 - All caring activity can resume
 - The matter should be noted for the next foster carers annual review
- 11.13 An early foster carers annual review is required if the assessment concluded that the concerns were substantiated or unsubstantiated and/or indicated that a change in registration is needed. The review should take place within 28 working days of the conclusion of the standards of care process/report. The review will discuss the outcome of the SoC investigation and consider the support needs of the carer. The review will make a recommendation regarding ongoing registration.
- 11.14 Any SoC investigation that has required an early foster carers annual review must then be presented to the Foster Panel. The Foster Panel will make a recommendation regarding re-registration, including any changes in registration needed or termination of approval. The Foster Panel are also interested in how the fostering service has managed the process and whether the carer has received appropriate support.
- 11.15 The Agency Decision Maker (ADM) will make a final decision in relation to terms of approval within seven working days of receipt of the panel recommendation and final set of panel minutes. Any decision affecting the approval details of the carers is communicated both verbally and in writing as soon as possible. Upon receipt of the ADM decision, carers have 28 working days to appeal the ADM decision or to request referral to the Independent Review Mechanism.
- 11.16 The carers are fully involved through all stages of the investigation as is consistent with the child's best interests and safety. Once the investigation has begun the investigating worker with the Fostering Team Manager determines how and when the carers will be involved. Carers are provided the following information in writing by their SSW:

- The North Somerset Allegations policy
- The expected timescale of the enquiry
- Contact information for independent support including legal services provided through The Fostering Network
- Contact information for the investigating worker and the Fostering Team Manager
- Contact information for the Head of Corporate Parenting, the LADO, and LADO Team Manager
- **Further consideration of carers own children, including a Child in Need referral**
- **Referral to the Disclosure and Barring Service and Ofsted (see section 15 below)**
- These actions are not mutually exclusive; more than one recommendation may be made

12. The Standards of Care Report:

- 12.1 A standards of care report is submitted to the Fostering Team Manager, Head of Corporate Parenting, before being shared with the carer/family member by the investigating worker or their supervising social worker within 5 working days of completion. This report will include the outcome to the SoC process and any Strategy Meeting/S47 if one has been undertaken.
- 12.2 Carers and or family members have 10 working days to respond, unless for reasons of complexity a carer requires longer. Where a carer requests a longer time, this is to be discussed with the supervising social worker and the Fostering Team Manager and agreed in writing by the Head of Corporate Parenting to the carer.
- 12.3 Any factual errors or omissions are corrected in a final report that will be provided to the carer within 10 working days of receiving the carers response (unless for reasons of complexity a longer time is required to complete a further accuracy check). In the event of more time being required a timescale will be confirmed in writing by the Head of Corporate Parenting to the carer.
- 15.4 Where an amendment is not agreed, carers can provide their views in relation to the report and any matters they disagree with in writing to their supervising social worker and this will be attached to the report and sent to the Head of Corporate Parenting and if applicable to the Foster Panel.
- 12.5 The Head of Corporate Parenting will decide (in consultation with the LADO if applicable) whether to accept the conclusions and recommendations of the final report. The Fostering Team Manager will communicate this decision to the carer in writing within 5 working days of the conclusion to the accuracy process. The foster carer will also be informed verbally of the recommendations (withing 2 working days) and offered a visit or

meeting for Fostering Team Manager and/ or Investigating Worker to go through the report with them.

- 12.6 The above timescales for reports, comments and decisions can only be varied in exceptional circumstances with the agreement of all parties and will be provided in writing to the carer.
- 12.7 Foster Panel should consider reports where allegations were found to be substantiated or unsubstantiated as soon as possible alongside an up-to-date review of the carers that includes their responses to the investigation in addition to other information about their fostering.
- 12.8 The Foster Panel will make a recommendation regarding re-registration including any changes in registration needed or termination of approval. The Foster Panel are also interested in how the fostering service has managed the process and whether the carer has received appropriate support.
- 12.9 The Agency Decision Maker (ADM) will make a final decision within seven working days of receipt of the panel recommendation and final set of panel minutes.
- 12.10 Any decision affecting the approval details of the carers is communicated both verbally and in writing as soon as possible. Upon receipt of the ADM decision, carers have 28 working days to appeal the ADM decision or to request referral to the Independent Review Mechanism. Carers should be informed of the complaint's procedure and appeal process.
- 12.11 Upon conclusion and or presentation to Foster Panel or any other required action, if the carer continues in the role, consideration will be given to holding a de briefing meeting with the carer if they request it. The timing of this meeting should be considered sensitively and be guided by the carers wishes. The meeting should include the SSW, the investigating officer and any other person considered relevant. The purpose of the meeting would be to support the carer return to their role and to consider any learning or practice recommendations arising from the investigative process. The supervising social worker will write to the carer to confirm the outcome of this meeting and further support required by the carer (if applicable).

13. Referral to Disclosure and Barring Service (DBS) and Ofsted

- 13.1 If an allegation is substantiated and termination of approval is agreed, the Head of Corporate Parenting and the LADO discuss and agree whether a referral should be made to the DBS for consideration of inclusions on the barred lists, and/or a regulatory body to

consider professional misconduct (where the carer holds another role that involves working with children).

- 13.2 The legal requirement for the service to make a referral to the DBS is where they think that an individual has:
- Engaged in conduct that harmed, or is likely to harm, a child
 - The individual is considered to pose a risk of harm to the child
- 13.3 The duty arises where an employer has removed the individual from relevant work with children e.g. dismissed the individual, or the person has chosen to cease relevant work in circumstances where they would have been removed had they not done so.
- 13.4 Referrals should be made as soon as possible after the resignation or termination of approval of the carer involved and within one month of deregistration. Carers will be notified in writing of the date this referral has been made.
- 13.5 Consideration will then be given as to whether the person should be barred from working with children, or have conditions imposed in respect of their work.
- 13.6 The LADO has the power, on behalf of the Local Authority, to refer to DBS in cases where the service does not think a referral is needed but where the LADO has concern about ongoing risk to children and young people.
- 13.7 Ofsted should also be informed of the outcome of any investigation relating to a carer by the Registered Manager/Responsible Individual (see address in section 12).

14. Allowances and Fees

- 14.1 If a child remains with the carer throughout the processes set out within this policy, all fees will continue to be paid in the usual way at the skills rate already in place for individual carers. If a carer is placed 'on hold' for a temporary period and is not caring for a child because of the processes set out within this policy, then the foster carer will continue to be paid the skills rate fee for an initial period of 1 month. Where the investigation is not concluded during that period a review by the Head of Service for Corporate Parenting will consider whether payments should continue and for how long. The Fostering Team Manager will advise the carer in writing of any proposed changes to the fees payable to the carer during any such temporary arrangement.

15. Closing the Learning Loop

- 15.1 On conclusion of any SOC or allegation investigation, the Fostering Team Manager, in consultation with the LADO, should review the circumstances and outcomes of the case with a view to reflecting on any opportunities for system or service learning and

development and determining whether any further action is needed to improve policy and practice within the service or within any other agency involved.

- 15.2 In some cases, consideration may be needed as to whether any matters should be brought to the attention of the Local Safeguarding Children's Partnership.

16. References:

Children Act 1989 <https://www.legislation.gov.uk/ukpga/1989/41/contents>

Department for Education - Working Together to Safeguard Children 2023
www.workingtogetheronline.co.uk

The Children Act 1989 Guidance and Regulations Volume 4: Fostering Services (2011)
www.education.gov.uk;

Care Planning Placement and Review Regulations
2010 <https://www.legislation.gov.uk/uksi/2010/959/contents/made>

The Southwest Safeguarding and Child Protection Procedures www.swcpp.org.uk

Fostering Services: National Minimum Standards
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/192705/NMS_Fostering_Services.pdf

The Fostering Network publication 'Managing allegations and serious concerns about foster carers' practice or standards of care' (2006) www.fostering.net/resources/subjects/allegations

[Allegations Against Staff or Volunteers \(trixonline.co.uk\)](http://trixonline.co.uk)