

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CORPORATE PARENTING CABINET COMMITTEE

29 APRIL 2013

REPORT OF THE CORPORATE DIRECTOR - CHILDREN

INDEPENDENT REVIEWING SERVICE REPORT

1. Purpose of Report

- 1.1 To provide a report to the Cabinet Committee in line with the Independent Reviewing Officers Guidance Wales (WAG 2006). This report will provide an overview of the role and function of the IRS service. During the Committee meeting, Members will receive a presentation that will provide a portrait of the LAC population known to Bridgend County Borough Council at the current time.

2. Connection to Corporate Improvement Objectives / Other Corporate Priorities

- 2.1. This report is connected to all corporate objectives relating to looked after children (LAC). The central objective is to achieve best outcomes for looked after children through high quality care planning. It is related to the Looked After Children (LAC) project objectives and informative in light of the authority's investment in the provision of appropriate placements for looked after children and young people. The authority's work with looked after children is carried out under the Children Act 1989 and related legislation and guidance documents. The Independent Reviewing Officers Guidance Wales (WAG 2006), which was issued under the Children and Adoption Act 2002, is of central significance.

3. Background

- 3.1 The Independent Reviewing Officers (IRO) Guidance Wales (WAG 2006) gives IROs the duty to 'monitor' the responsible authority's performance in relation to looked after children and young people. IROs also have a duty to prevent drift and delay for looked after children and young people.
- 3.2 Within the guidance, IROs are expected to improve care planning and decision making, and make an important contribution to the consistency of the responsible authority's approach to care planning. Additionally, the IRO service has what the guidance refers to as 'an authoritative role' in assuring the quality of a responsible authority's case planning. In order to support the continuing development and review of the local strategy for children's services, the manager of the IRO service should provide an annual report to the lead member with executive responsibility for children's service and corporate parenting. The guidance states that this report must identify good practice but must also identify issues for further development, including those where urgent action is needed. The guidance urges the responsible authority to make effective use of reports from its IRO service so that it can be

satisfied that its services can achieve optimum outcomes for the children concerned.

- 3.3 A House of Lords judgement in 2002 concluded that a local authority who had failed in its duties to a looked after child could be challenged under the Human Rights Act 1998, most likely under article 8 of the European Convention on Human Rights relating to family life. The judgement recognised that some children with no adult to act on their behalf may not have any effective means to initiate such a challenge. In response, the Government made it a legal requirement for an Independent Reviewing Officer to be appointed to participate in case reviews, monitor the local authority's performance in respect of reviews, and to consider whether it would be appropriate to refer cases to the Children and Family Court Advisory and Support Service (Cafcass). This is set out in section 26 of the 1989 Act, as amended by the 2002 Act.
- 3.4 Guidance is issued under section 7 of the Local Authority Social Services Act 1970 and came into force on 1st September 2004 and includes Regulations that require all responsible authorities to have Independent Reviewing Officers in place to chair the statutory review meetings of all children looked after or accommodated by them.
- 3.5 The IROs have a duty to monitor the responsible authority's review of the care plan, with the aim of minimising 'drift' and challenging poor practice.
- 3.6 The guidance identifies the concept of a review as 'a continuous process of planning and reconsideration of the plan for the child' and suggests that the review includes a number of components leading to meetings held to discuss the plan which has been drawn up for a child. It also recommends that the child's case should be chaired by an officer of the responsible authority at a more senior level than the case social worker. The intention was to bring a degree of objectivity and oversight to practice and decision making in monitoring the care plan for the child.
- 3.7 The appointment of IROs was seen as one means by which care planning and decision-making could be improved leading to improved life chances for looked after children. The IRO could make an important contribution to ensuring that the local authority had a consistent approach towards the care of children for whom it was corporately responsible. It was argued that the IRO could offer a safeguard to prevent any 'drift' in planning the care for looked after children and ensure that the local authority's efforts in reviewing children's cases were focused on meeting the needs of the children. The IRO could monitor the activity of the local authority as a corporate parent in ensuring that appropriate actions were taken to meet the child's needs.
- 3.8 In *Bridgend*, IROs chair the review meetings of all children looked after. In doing so IROs are able to monitor the appropriateness of the care plan, its implementation, and to establish whether the milestones set out in the plan are being achieved in a timely way.
- 3.9 As chair, the IRO ensures that all those involved in the meeting make a meaningful contribution to the discussion. In this way, an informed decision can be made about the short and long-term actions that will need to be taken to advance the child's care plan. A further crucial role for the IRO is to ensure that there is no undue delay in implementing actions within care plans. From his/her position as the genuinely

independent chair of the meeting, the IRO is well placed to identify any concerns about how a child's care is being managed, for example, whether their placement is matched to their needs and is able to facilitate the long-term objectives agreed through the assessment and care planning process.

4. Current Situation / Proposal

4.1 This report represents the Independent Reviewing Service report as required by the guidance. A data set has been developed with a view to underpinning this report with quantitative data as a basis from which to explore the critical qualitative information. The presentation that Members receive at the meeting will include quantitative data that is being gathered under the following fields, and key areas;

- the number of Looked After children at quarter end;
- the number of children in a quarter who became looked after on a planned or emergency basis;
- the legal status of children who became looked after in a quarter;
- analysis of age / gender of the Looked After population;
- LAC population by safeguarding team;
- length of time for which LAC are looked after;
- permanence plan type;
- the number of child who became looked after and ceased being looked after during 2012/13;
- performance of IRO service against key PIs;
- IRO caseload.

4.2 Analysis of the quantitative data leads to two clear conclusions with which Cabinet Members will already be well familiar. Firstly, the increasing trend of children becoming looked after: Bridgend's looked after population at the end of March 2012 was 345 and by the end of March 2013 it was 390. Bridgend has consistently had a higher LAC population than the Welsh local authority average throughout the previous 10 years. Secondly, at the end of March 2013, there were 120 looked after young people in the 11-15 year old cohort, information that will be used to inform planning for the future. The data indicates that the overall average percentage of LAC reviews being held within statutory timescales is 98.9% for the period of March 2012 to March 2013. The overall average percentage of second LAC Reviews where a plan for permanence was in place was at 93.2% for the same period. The IRO service set has set as its target for the upcoming year to reach 100% on all key PIs.

4.3 The qualitative aspects of the report equally require consideration and are drawn from IRO supervision, team meetings and data reports. IROs are satisfied that in Bridgend there are a significant number of examples of sound care planning leading to positive outcomes being achieved for looked after children and young people but acknowledge, that in a small numbers of cases, their ability to track progress of all care plans is challenged by their high caseloads.

4.4 Notwithstanding the improvements that have been noted, continuous improvement is required. The Independent Reviewing Service aims to have a greater impact in terms of improving the quality of the experience of being looked after and the

outcomes that we assist our looked after young people in achieving their full potential. The areas for focus include the following:

- improving the quality of the Care Plan document making it a needs-led, outcome-focused and user friendly for young people and their families;
- assisting workers in improving their preparation for LAC reviews; involving young people in the review of the LAC review consultation documents;
- strengthening the relationship between assessment and care planning, particularly by increasing the use of the Assessment and Progress Record;
- increasing IRO involvement in panels that make decisions about the resources for young people;
- continuing to challenge poor practice and praise positive practice;
- contributing to the LAC achievement awards to celebrate the achievements of BCBC's looked after young people;
- making use of the local resolution process under the Independent Reviewing Officers Guidance Wales (WAG 2006) to prevent drift and delay in cases where this occurs;
- increasing the level of IRO involvement in quality assurance and learning activity within the service.

4.5 The cohort of LAC children aged 11–15 continues to grow. It is therefore proposed, that closer working relationships with the Just@plus service should ensue to gather better information about the needs of the current 11-15 year old LAC cohort so that looked after exit strategies can be established, via sound care planning where this is appropriate and need anticipated where this is evidenced.

5. Effect upon Policy Framework& Procedure Rules

None

6. Equality Impact Assessment

This has been considered but there are no new or changed services/ policy/ functions and it is therefore not applicable.

7. Financial Implications

All work will be carried out within existing budgets.

8. Recommendation

It is recommended that the Committee notes this report and the two proposals in Section 4.

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Background documents

Appendix A: Independent Reviewing Service Report to Corporate Parenting Cabinet Committee