

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CORPORATE PARENTING CABINET COMMITTEE

7 JULY 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. 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) Placement and Permanency strategy 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 The attached report at Appendix 1 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 and qualitative data on various aspects of the IRO service.
- 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 2014 was 412, a 6.5% increase on the previous year. 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 2014, there were 127 looked after young people in the 11-15 year old cohort, and 52 under the age of two years, information that will be used to inform planning for the future. The data indicates that overall, during 2013/14, 96.6% of all LAC reviews were held within statutory timescales. 99% of all reviews of Children on the Child Protection Register (CPR) were held within statutory timescales. This is a significant achievement within the context of increasing work pressure, including rises in numbers of children who are Lac and children on the CPR.
- 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.

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 contents of this report and the accompanying annual report of the Independent Reviewing Service.

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Background documents

Appendix 1: Independent Reviewing Service Report to Corporate Parenting Cabinet Committee