

**London Borough of Southwark
Independent Reviewing Officers
Annual Report
2010 - 2011**

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1. Introduction

An Annual Report of the Independent Reviewing Officer (IRO) Service for Looked After Children is required in accordance with guidance arising from The Adoption and Children Act 2002. The report has to be presented to the Director of Children's Services, the Lead member for Children and the Corporate Parenting Panel.

This report contains a summary of work completed by Southwark IRO Service for the period 1 April 2010 – 3 March 2011.

2. Legal Context

- 2.1 Section 118 of the Adoption and Children Act 2002 introduced the statutory role of the IRO, with a duty to monitor the Local authority's functions by means of regular statutory reviews of the Care Plan of looked after children. The IRO was given the power to refer a case to the Children's and Families Court Advisory Support Service (CAFCASS) if any dispute could not be resolved within the Local Authority.
- 2.2 The Children and Young Persons Act 2008 expanded the role of the IRO from just reviewing the child's Care Plan to monitoring the child's case on an ongoing basis.
- 2.3 New regulations (Care Planning, Placement and Case Review Regulations) were issued in 2010 and these are accompanied by 4 sets of statutory guidance including the 'IRO Handbook', which came into force in April 2011. All children in care including those on Adoption Plans or receiving short breaks are now covered by these regulations.
- 2.4 A number of new procedures have been drafted as a result of the new guidance. These include primarily the new arrangements for 'Staying put' and the 'Family and friends placement guidance'.
- 2.5 Every looked after child has a named IRO who has independent oversight of the child's case including:
 - Determining and representing the child's wishes and feelings
 - Ensuring their rights and interests are protected
 - Assessing whether the Local Authorities Care Plan for the child meets the assessed needs of the child within the timescale of the child
 - Negotiating with the social work team and managers on any identified issues arising from the Care Plan or implementation of the Care Plan and where necessary escalating unresolved concerns to an appropriate level in the Local Authority's management structure, and /or if necessary to CAFCASS.
- 2.6 The main forum through which the IRO carries out their monitoring role is the Statutory Looked After Review. These take place regularly at the following times
 - First review within 28 days of the child becoming looked after
 - Second review within 90 days
 - Subsequent reviews at 180 day intervals
 - When a child or IRO asks for one
 - When significant events occur

- 2.7 The review should, wherever possible, take place at the child's placement. Parents, residential workers, foster carers and their support workers, social worker and the IRO are the expected attendees. Reports from other professionals such as Health, Education and CAMHS are also received. In some cases, it may be necessary to hold a series of meetings to facilitate all professionals and views to be heard – for example where a child does not want their parents or another professional to attend a review.
- 2.8 The role of the IRO was reviewed by the Family Justice Review which reported in November 2011. Their conclusions in connection with IROs were as follows:
- The role of Independent Reviewing Officer (IRO) is important to local authorities and they would very likely recreate it were it removed from them. The priority should be to improve the quality of the function and ensure its effectiveness and visibility.
 - We recommend that local authorities should review the operation of their IRO service to ensure that it is effective. In particular they should ensure that they are adhering to guidance regarding case loads.
 - We recommend that the Directors of Children's Services / Directors for Social Services and Lead Member for Children receive regular reports from the IRO on the work undertaken and its outcomes. Local Safeguarding Children Boards should also consider such reports.
 - Courts would benefit from this information too alongside outcomes of care cases. The pilot recommended earlier (for courts to receive information about the outcomes for children and families on which they have adjudicated) should include information from the IRO.
 - The courts and IROs need to develop more effective links. Guardians and IROs should strengthen their working relationship.

3. The Southwark Context

- 3.1 In mid 2009, Southwark was estimated to have a population of 285,600. There is a high proportion of young people, with 61,400 children and young people aged between 0–19 years (21.5%). There are around 24,200 children under 5 years (8.5 %). This is higher than the National proportion of under 5's (6.1 per cent).
- 3.2 Southwark is an extremely diverse borough with over 181 languages spoken in its schools (January 2008). The largest ethnic minority group is black African (mainly Nigerian and West African) which accounts for around 15.6% of the whole population. In 2010 it was estimated that 64.8% of the population was white.
- 3.3 Southwark has relatively high numbers of looked after children compared to other London boroughs. On 5/12/11 there were 555 Children looked After in Southwark compared to 557 at end of March 2010.
- 3.4 The make up of Southwark Looked After children population was as follows on 5/12/11

CLA by Age & Gender	Female	Male	Total
0-4	52	65	117
5-9	43	50	93
10-14	55	79	134
15-18	83	128	211
Total	233	322	555

Ethnicity breakdown was as follows:

CLA by Gender & Ethnicity	Female	Male	Total	%
Asian - Bangladeshi	3	1	4	1%
Asian - Other	3	16	19	3%
Asian - Pakistani	1	2	3	0.1%
Total Asian	7	19	26	4.1%
Black African	53	61	114	20.5%
Black Caribbean	35	42	77	13.9%
Black Other	22	25	47	8%
Total Black	110	128	238	42.4%
Chinese	1		1	0.1%
Information not yet obtained	2	6	8	1.4%
Other	3	15	18	3.2%
Chinese and other	6	21	27	4.7%
Other Mixed	13	24	37	7%
White & Asian		1	1	0.1%
White & Black African	7	5	12	2.2%
White & Black Caribbean	19	22	41	7.4%
Total dual heritage	39	52	91	16.7%
White British	57	86	143	25.8%
White Irish	2	2	4	1%
White - Other	11	14	25	4.5%
Total white	70	102	172	31.3%
Not stated	1		1	0.1%

CLA by Gender & Ethnicity	Female	Male	Total	%
Total	233	322	555	100

Southwark has an over-representation of black and dual heritage children in care. On 5/12/11 only 31.3% of the care population were described as white. This reflects a similar position to most other London boroughs. The largest single ethnic group is 'White British' at 143 children (25.8%) and the second highest group is 'Black African' at 114 children (20.5%).

3.5 Key Challenges for Southwark Looked after Children Services

The key challenges for Southwark Looked after Children Services reflect many of the challenges faced by other Local Authorities and inner city areas.

- The current financial situation means that there is reduced funding for local authorities. This has an impact of staffing and resources available for placements.
- Meeting the needs of a diverse population of looked after children in terms of race, culture, religion, language and special needs is an ongoing challenge for services.
- The need to identify sufficient placements appropriate to the diverse needs of children and young people in a competitive market place and within the context of a decreasing budget.
- Research stresses the benefit of continuing to offer foster care and support post 18 for many looked after children to improve their outcomes in adult life. This is the case for example where young people continue in education post 18. In addition some looked after children are vulnerable young people who do not quite meet criteria for adult mental health or disability services and struggle with independence. The new 'staying put' procedures outline how Southwark will meet these requirements.

4. Southwark IRO Service

4.1 The Southwark IRO Service is situated within the Social Work Improvement and Quality Assurance business unit. The Business Unit Manager reports directly to the Deputy Director making IROs independent of the operational children's services management structure where allocation of resources lies. The team is based at Tooley Street.

4.2 In addition to the core function of monitoring childrens' care plans, the IRO Service is also involved in:

- Meetings on individual cases
- Wider consultations
- Planning forums where policy and procedures are developed e.g. Health, Education, Participation and Professional Standards groups,
- Audit work in conjunction with other departments,
- Training and liaison with teams
- Assisting with Complaints
- Working with the commissioning team to monitor the quality of placements.

4.3 During the year IROs have:

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- Assisted with development of several policies and procedures. In particular there has been IRO input to the new Staying put policy – contained within the ‘Succeeding into adulthood’ document and the Family and Friends protocol.
- Contributed to the development of revised consultation documents for young people and foster carers.
- Provided induction training for new social workers around planning for looked after children.
- Provided inter-agency training around working with parents who have mental health problems
- IROs have attended LAC service Health, Education, Participation and Adoption/Permanency groups .

4.4 IROs highlight good practice by workers as well as feeding back evidence of poor practice, concerns about placements or safeguarding issues.

4.5 The IRO service establishment consists of 8 full time equivalent IROs. The permanent staff are line managed by the QA service manager. The sessional IRO’s have long-arm supervision via telephone contact with the QA managers and regular group meetings. Administrative support is provided by two full time administrative staff managed by the QAU Admin Manager.

4.6 Staffing in 2010-2011 consisted of :

- 4 directly employed permanent staff making up 3 f.t.e. posts
- 14 freelance self employed sessional workers funded by 5 full time equivalent posts. These have varying caseloads between 14-76 children looked after.
- Of the 18 workers 2 are male, 16 female; 2 are black and 16 are white.

4.7 The team make up is the same as for 2009-2010 indicating good retention of staff but, more importantly, consistency for children. 11 of our IROs have been working for Southwark for between 3 - 9 years.

5. Performance

5.1 The IRO team provides an efficient service, within budget. During 2010 - 2011 the team chaired and completed reports for 1521 reviews of children looked after as well as making representations, participating in staff induction and training, undertaking audits and undertaking a range of other tasks.

5.2 Given the budget for the service this represents a unit cost of approximately £360 per review including professional and administrative costs.

5.3 The review reports, once signed off by the Team Manager, are the child’s Care Plan.

5.4 The IRO service makes an important contribution to good performance against key performance indicators in the National Indicator Set: C63 (Participation at Reviews) and N166 (timeliness of Reviews). They also contribute to other Performance Indicators through quality assurance and collection of data or raising issues on cases at appropriate levels to minimise poor outcome e.g. drift in care planning, placement stability, educational achievements, health appointments etc.

5.5 Performance data 2007-2010

Year	2007-2008	2009-2009	2009-2010	2010-2011
Number of LAC Reviews	1579	1599	1571	1521
NI66 Reviews in timescales	95.7%	94.1%	92.8%	95.7%
C63 Participation at Reviews	94.7%	95.7%	94%	90.2%
No of LAC at March 31st	576	533	557	522

5.6 The performance in relation to reviews not held within timescales in 2010-11 is much improved on the previous year, with only 4.3% of 'fails' as opposed to 7.2% the year before. Of the 491 children who had been looked after for at least 4 weeks, 21 children did not have all of their reviews within the time-scale. Of those 4.3% the reviews were, in most cases, held within a few days of the deadline date.

5.7 Of the 21 reviews that were late, 12 were due to late referral to the IRO service or late entry onto the ICS system; the remaining 9 were due to minor miscalculations by the IRO in setting the dates.

5.8 Participation

The Performance Indicator for child participation is based on number of children who have not contributed to any one of their reviews in a year. So although a child may participate in 2 out of 3 reviews in a year this would not fulfil the criteria for participation.

In total, 9.8% of looked after children over 4 years did not contribute to one of their reviews held during 2010-11. This represents 54 review meetings for 51 children or young people.

Participation Code	Number
PN7 No attendance –views not expressed (Young person's choice)	20
PN7 No attendance –views not expressed (Not available)	20
PN7 No attendance –views not expressed (Not facilitated)	14
Total	54

The table above is a breakdown of the 54 meetings where children or young people did not contribute to one of their review meetings in the year. Of these 3 children did not contribute on two occasions. There were 20 young people who actively chose not to participate. Of the remainder – 20 young people were not available on the day of the review – this might have been due to another appointment or educational commitment

or because the young person was missing from care. Where the attendance of the young person was not facilitated – this might be because the young person was not invited to the meeting or it was felt that the young person should not attend the review for some reason.

In all reviews where a young person does not contribute to the review the IRO will try to agree a plan with the social worker or carer to ensure the young person's views are available for the next review if they are not attending.

5.8 IROs will always aim to spend time individually with children and young people prior to a review to determine their wishes and feelings, identify if they have any concerns and find out how they would like to participate in the meeting. If necessary or requested the IRO will ensure an advocate is provided to support the child or young person.

5.9 IROs will usually arrange to meet children and young people at different times, or speak to them on the phone to try and gain their views when they have not attended a review meeting. Children or young people who have English as a second language will have an interpreter available. Children with disabilities or with communication difficulties will be supported to express their views with help of their carers or a specialist worker or an advocate.

5.10 Distribution of review records

Distribution of reviews is not currently a Performance Indicator. However statutory guidance now indicates that decisions should be circulated within 5 working days/7 days and the full report within 15 working days /21 days.

6. Representations and Escalations

6.1 IROs seek to ensure good outcomes for children. They do this through their quality assurance role in LAC reviews e.g. by checking diets are healthy and culturally appropriate, medicals take place, foster carers attend parents evenings or read bedtime stories, check contacts with siblings take place.

6.2 IROs pick up often on matters which make a difference to a child if they get overlooked for example ensuring sleepovers or school trips take place; passports are obtained so holidays are not missed; ensuring cultural and faith needs are met such as a prayer mat for young people of the Muslim faith. They will normally do this through suggestions at reviews and encouraging carers and workers rather than via formal escalation processes and so this cannot always be visibly evident or easily quantified.

6.3 Where there are concerns relating to implementation of the Care Plan, resources or poor practice, IROs will initially liaise with the team and seek to resolve things informally – often by bringing reviews forward or participating in professionals meetings. A record of this should be on the child's record. In the past this was often done via email or discussion with team and so was not previously very visible on the file. However an ICS record format for IROs has now been introduced which has assisted in tracking IRO interventions.

6.4 When a concern cannot be resolved informally each Local Authority must now have a formal 'dispute resolution' process through which an IRO can escalate their concern to the appropriate management level.

6.5 A simplified procedure for escalation of concerns entitled 'IRO Representation' was introduced in April 2011 with the introduction of the IRO Handbook. The representation form was put onto the Carefirst system as a 'careassess' form in September 2011. IROs will be liaising with Teams to ensure there is a common understanding of the process and its purpose.

- 6.6 During 2010-11 IROs escalated 13 cases aside from the many others where they liaised informally with social workers. Of these escalations, 9 were passed to team managers and 4 to service managers.
- 6.7 Five of the escalations were due to concern about drift or excessive delay in permanency planning for children. Another 6 were primarily in connection with children aged 16 or over – either in connection with the plans for them to move on or because of concerns about their welfare for example in one case the young person was going missing regularly.

In all cases, following the escalation, the managers concerned worked closely with the IROs to take action to remedy the concerns noted.

7. Involvement and Feedback from Stakeholders

- 7.1 Speaker Box, the Children in Care Council, have revised the Review consultation form for young people with a lead IRO to make it more child friendly. The new consultation form also includes a section for young people to feed back what they think of reviews. These comments will be collated for a future report.
- 7.2 Speaker Box have recently asked several young people what they think of IROs and the following quotes were received:
- ‘He goes the extra mile to help me. He is always listening. At the review he goes through everything. He’s the best!’
 - ‘I wanted more space for myself. I told my foster carer but she didn’t listen. I told my IRO and she did it well. She asked questions in the review.’
 - ‘She listens to me. She sorted out my contact with my dad.’
- 7.3 During 2010 an analysis of feedback from foster carers was carried out from data recorded in consultation forms. From 52 consultation forms received between July 2010 – March 2011:

Number	Rating – where 0 is very poor and 5 is very good
3	3
13	4
23	5
13	No rating given

A number of comments were made by carers in the forms:

- Foster carers can be nervous regarding reviews
- The social worker and IRO always take (the child’s) feelings into account, she is main priority
- Reviews are relaxed and very well done putting (the child) at ease which is not easy
- The social worker and IRO make (the child) feel relaxed and comfortable

- Having to chase minutes after reviews. Chair/IROs not acknowledging comments made on consultation forms, by previous IROs.

8. Audits

8.1 A number of audits carried out in 2009-10 highlighted that IROs need to focus on risk issues to young people in reviews. The key risk areas are:

- where a child or young person is having unsupervised contact with family members
- where the child or young person is being rehabilitated to a family member
- where the child or young person is behaving in a way that may place them at risk – in particular criminal or gang-related behaviour.

This has been discussed in IRO meetings and the review record has now been amended to include a consideration of risk issues as part of the review process.

8.2 The revised working together in 2010 recommended that the LAC review and the Child protection conference processes should be integrated. A new procedure was drawn up in 2010 for children subject to dual processes – which has ensured more integrated practice. Current practice is that where there is a dual process either the same chair will chair both meetings or, failing that the IRO will attend the Child protection conference.

8.3 As a result of the audit findings, the CLA review ICS form has now been amended to include a separate consideration of risk issues. It is hoped that this will assist IROs to integrate these issues in more detail at future meetings.

8.4 IROs have directly participated during 2010-11 in a number of audits undertaken by the CLA service. These include an audit of pre-birth risk assessments in December 2010, an audit of teenage pregnancy in January 2011 and an audit of Foster care reviews in December 2010.

9. Education of Children Looked After

9.1 The educational attainment of Looked after children is priority for the IRO service. Many of the informal and formal representations from IROs concern the provision of appropriate education to looked after children.

9.2 As part of the Looked after review the IRO will always review the personal education plan for the child or young person.

9.3 Almost all secondary provision within Southwark is now in the form of Academy schools. This is causing the IRO group some concern as Academies have no obligation to provide priority places for looked after children. This, coupled with a current shortage of school places in years 10 & 11 is having some impact on the provision of mainstream education both within Southwark and in other areas for looked after children and may mean that more looked after children may be educated in Pupil referral units or at home.

10. Safety of Children Looked After

10.1 Following a gang-related incident in 2010 the issues arising were discussed in the Southwark safeguarding children board. In addition, an internal management review is underway and will be reporting in January 2012. The case was discussed in an IRO

meeting and the group agreed that Looked after reviews should always ensure that there is information from the Youth Offending service in reviews where appropriate.

- 10.2 Following the discussion IROs reviewed their case loads and where there were children who in their view were at risk because of criminal activity this was flagged up for managers.
- 10.3 IROs are always informed where looked after children are missing and are invited to attend missing from care meetings.
- 10.4 Two of the formal escalations made this year were in connection with older young people who were at risk – one because of gang-related activity and the other from going missing.

11. Key Successes in 2010 and Future Priorities

11.1 Key successes in 2010-11 have been

- Maintaining an experienced, committed and trained team of IROs providing consistency for children and young people.
- Improving the number of reviews held within time-scale
- The standard of Review reports remains high. Review reports provide a pen picture of the child, synopsis of family history and a good 6 monthly summary of the case, including assessed needs and action plan.
- The IRO service receives positive feedback from partner agencies such as Health, Education and CAMHS . Partners state that they value having an independent professional to liaise with, giving their views weight and integrating them into Care Plans.
- Advocates and the complaints section often find IROs can help negotiate resolution in a quicker and smoother manner.
- Introduction of a feedback form for IROs to give feedback to teams, commissioning and fostering service when placements are not of a satisfactory standard.
- Working with operational services to reduce delay in permanency planning and achieve better outcomes for Southwark Children Looked After. IROs will highlight concerns identified at reviews and seek resolution mostly through informal negotiation but also using the formal escalation process when necessary.
- IROs bring issues to the attention of management – for example drift or serious concerns where workers are ill or where there is poor practice.

11.2 Key Priorities for the IRO Service for 2011-12 are

- Ensuring IROs and operational teams are fully up to date with the requirements of the new Regulations and guidance which were implemented in April 2011. Much is already good practice in Southwark. However extending the role to monitoring a child's Care Plan in between reviews is a challenge within existing resources.
- Improving the proportion of reviews held to time.
- Ensuring that all children and young people participate in a meaningful way in their LAC reviews or are spoken to separately by the IRO.
- Improving timeliness of completion and distribution of reports as timescales for distribution of review decisions are decreased in the new guidance.
- To ensure that IROs always take account of risk factors in chairing reviews – both in terms of younger children who may be at risk from placement move or rehabilitation or from older young people at risk from crime or gang-related activity or from going missing.

- Improving IROs access to court documents in proceedings through a more formal liaison with Legal Section. A specific protocol to be drafted in 2012.
- Improving the effectiveness of IRO representations to management in order to resolve issues of concerns ensuring transparency of work undertaken through IRO records on ICS. The new Carefirst report format will enable more accurate reporting of this.
- Improving the rate of progress of Permanency plans for Adoption or Special Guardianships and Long Term Fostering to ensure our children are in their permanent family at as early an age as possible through closer working with operational teams and Adoption and Fostering .
- Working with the Speaker Box council to obtain more information from children and young people as to how the review process and IRO role can be more useful for them

12. Summary

The IRO Service has continued to provide an efficient and effective provision for reviewing and monitoring the Care Plans for Looked After Children. It contributes to improved outcomes for Looked After Children through increasing participation of children and young people in the decision making about their care as well as making independent representations to Operational Teams and Management on planning and practice issues. Communication and relationships with teams are for the most part positive with the independent scrutiny valued by social workers and management.