



## **London Borough of Newham**

### **Children and Young People's Services**

#### **The Independent Reviewing Service for Children Looked After**

#### **ANNUAL REPORT**

**2014/2015**

**An Annual Report of the Independent Reviewing Service for Children Looked After is required in the guidance arising from the Children and Young Persons Act 2008. It contains a summary of the work completed by the London Borough of Newham's Independent Reviewing Officers between 1<sup>st</sup> April 2013 and 31<sup>st</sup> March 2014.**



## **1. Introduction**

1.1 An annual report of the Independent Reviewing (IRO) Service for looked after children is required in accordance with the Children and Young Person's Act 2008 and subsequent statutory guidance published by the Department for Children Schools and Families in 2010 (The IRO Handbook).

1.2. Guidance states the report should be presented to members of the Corporate Parenting Board for scrutiny and made available as a public document.

1.3 This report provides a summary of work completed by the IRO Service in Newham for the period between 1<sup>st</sup> April 2014 and 31<sup>st</sup> March 2015.

## **2. The Legal Context**

2.1 Every child who is looked after by the London Borough of Newham (LBN) must have a care plan, which details the long term plan for the child's upbringing and the arrangements made by LBN to meet the child's day to day needs. All local authorities have a statutory duty to regularly review that care plan within legislative timescales (Care Planning and Placement Regulations 2010).

2.2 The appointment of an IRO for every looked after child is a legal requirement under section 118 of the Adoption and Children Act 2002 and subsequent Review of Children's Cases Regulations 2004. The role of the IRO was strengthened in the Children and Young Person's Act 2008 and Care Planning and Placement Regulations 2010.

2.3 The role of the IRO was introduced in response to widespread concern about children in care being lost to sight. It was envisaged that this unique position should be used to fight the corner of the children for whom they are responsible. The IRO Handbook (2010) provides statutory guidance regarding the role and responsibilities of IROs and the strategic and managerial responsibilities of the local authority.

## **3. The Statutory duties and Functions of the IRO**

3.1 The statutory duties of the IRO are to:

- Monitor the performance by the local authority of their functions as a corporate parent in relation to the child's case and identify areas of poor practice if they arise.
- Participate in any review of the child's case
- Ensure the wishes and feelings of the child are given due consideration by the authority.



*(Section 25B(1), 1989 Children Act)*

The primary task of the IRO is to ensure that the child's plan fully reflects the child current needs and the actions in the plan are consistent with the local authority's legal responsibilities towards the child.

3.2 It is the responsibility of the IRO to manage the Review process and to have wider overview of the child's case by regular monitoring and follow-up between Reviews. The IRO has a key role in relation to the improvement of Care Planning for Children Looked After (CLA) and for challenging drift and delay. The purpose of reviews is to monitor the progress of achieving the outcomes set out in the care plan and to make decisions to amend the plan as necessary to ensure the child's welfare is safeguarded and promoted in the most effective way while the child is looked after.

3.3 The IRO must ensure that the people responsible for implementing decisions taken in consequence of the review are identified, and that where decisions are not implemented as a consequence of the review this is brought to the attention of a LBN senior officer.

*"The Independent Reviewing Officer must be the visible embodiment of our commitment to meet our legal obligations to this special group of children. The health and effectiveness of the IRO service is a direct reflection of whether we are meeting that commitment or whether we are failing."*

*(Mr Justice Peter Jackson, 'The role of IROs in England', NCB, March 2014)*

#### **4. Independence**

4.1 The independence of the IRO is essential to enable the effective scrutiny and challenge of practice and The Care Planning, Placements and Case Review Regulations 2010 (Regulation 4b) prescribe minimum levels of independence for the IRO which indicates that the IRO must *not* be:

- A person involved in preparing the child's care plan or the management of the child's case
- The representative of the local authority appointed under section 23ZA of the 1989 Act to visit the child
- The child's personal adviser
- A person with management responsibilities for any of the above
- A person with control over the resources allocated to the case

LBN fully adheres to the standards noted above.

#### **5. Service Overview**



5.1 The Independent Reviewing Officer Service is based within the Quality Assurance Service which is part of Children's Social Care and Safeguarding. The Quality Assurance service also delivers services in relation to child protection conferences, the Children's Rights service and the Local Safeguarding Children Board. The IRO service is managed by the Independent Reviewing Officer Manager, who reports to the Head of Social Work Improvement/Principal Social Worker. The current IRO Manager took up her post on 01 June 2015.

5.2 In 2014/15 the Independent Reviewing Service in Newham employed 11 externally commissioned IROs with the required level of experience and qualifications. Each of these external IROs carries a caseload and is paid per individual review process.

A best value service review completed in 2011/12 concluded that a model of service delivery that employs a number of external providers would be the best option for providing a good quality, flexible IRO service. The current cohort of Newham IROs was established following a competitive tendering process in December 2012. The current 3 year contract reflects an improved outcome-focused service specification. The re tendering process was active at the time of drafting this report will be concluded by December 2015 when contracts will be awarded for a further three year period.

5.3 The team of IROs as of 31<sup>st</sup> March 2015 comprised of 4 (36%) males and 7 (64%) females. Of the 432 children looked after on the same date 237 (55%) were male and 195 (45%) were female.

5.4 The ethnic identity of the cohort of IROs as of 31<sup>st</sup> March 2015 was as follows:

<b>IRO Ethnicity</b>	<b>Number of IROs</b>	<b>Percentage of IROs</b>
White	9	81%
Mixed	0	
Asian or Asian British	0	
Black or Black British	1	9.5%
Other	1	9.5%

The ethnic identity of the cohort of children looked after as of 31<sup>st</sup> March 2015 was as follows:

<b>Ethnicity</b>	<b>Number of children</b>	<b>Percentage of cohort</b>
White	130	30%
Mixed	73	17%
Asian or Asian British	89	21%
Black or Black British	125	29%
Other	15	3%



While it is noted that the ethnic composition of the IROs is not representative of the borough's CLA population, services are provided within an equal opportunities framework and all IROs, as registered social workers, are expected to adhere to the Health and Care Professions Council Code of Conduct.

5.5 The Independent Reviewing Officer Service in Newham performs well in terms of staff retention. The average period of time IROs have worked with LBN is 13 years. This has provided Newham's looked after children with continuity and stability by retaining the same IRO throughout their time in care.

5.6 In 2014/2015 Newham looked after a total 689 children compared to 664 children in 2013/2014 and 668 children in 2012/2013.

5.7 Each looked after child is allocated to a named IRO and as at 31<sup>st</sup> March 2015 caseloads did not exceed 70, which is in keeping with regulatory guidance set out in the IRO Handbook (2010). Average caseload distribution throughout the year has been as follows:

No of Independent Reviewing Officers	Caseload (no. of children)
1	1-10
2	11-20
1	12-30
2	31-40
4	41-50
1	51-60
0	61-70
0	70+

## 6. Performance

6.1 The total number of LAC review meetings carried out in 2014/15 was 1,056, This compares with 852 in 2013/14 and 935 in 2012/13. This increase is partly attributable to the increase in Looked After Children from the previous year. As well as the increase in Looked After Children, some children have had more than the anticipated 2-3 reviews in a year. A sample of reviews held more frequently than indicated by statutory timescales indicates that reviews have been called due to concerns about the child's care plan, placement moves, or to consider care plans for presentation at court or care plans updated following key assessments.

6.2 The service continues to ensure the quality of scrutiny and monitoring function of the IROs between reviews. The IRO Handbook sets out the duty of an IRO to check the progress of the care plan and social work teams are regularly reminded of the need to communicate significant changes and events in a child's life or any proposed change of care plan with the IRO; the IRO is then able to consider if a review needs to be convened and to communicate with the child if needed.



6.3 The percentage of reviews held within statutory timescales was 97.3% which is slightly below the performance target of 98%. The majority of late reviews are first reviews where notification from the social work teams and the Placement Advisory Team to the IRO service have been delayed. Upon notification the IRO service allocates an IRO to every looked after child within 5 working days as required and ensures timely review thereafter

6.4 Each IRO provider attends quarterly Contract Review Meetings where performance is measured in the following areas:

- Participation of child, mother, and father
- Schedule of reviews (to monitor statutory timescales and reviews brought forward)
- Production of review documents within statutory timescales
- The gender/age/ethnicity of the IRO's caseload

In addition, observations of review meetings and audits of review and case records are undertaken by the IRO manager to ensure management oversight. This information informs discussions with IROs regarding performance both on an individual basis and at six bi-monthly IRO meetings. If required standards have not been met action will be taken to end the contract if necessary.

## **7. The Participation of Children, Young People and their Parents in Reviews**

7.1 Statutory guidance states that the local authority must ensure that its reviewing service provides for the full participation of both children and parents in the decision making process where possible and appropriate.

7.2 The review is the child's meeting. It is expected that the child, if of sufficient age and understanding, will be present at the review. If attendance is not possible it is the responsibility of the IRO to ensure their wishes and feelings are ascertained.

7.3 In 2014/15, 97% of looked after children over the age of 4 years communicated their views, wishes and feelings at their reviews. This may have been through their attendance, through correspondence or completing a consultation form, by briefing an advocate, or through discussion with the IRO. This maintains the increased level of child participation achieved in 2013/14 (also 97%) compared to 92.6% in 2012/13.

7.4 The service monitors participation of mothers and fathers at Looked After Reviews. Last year it was not possible to report on the discrete participation of mothers and fathers due to data the absence of data but this has been improved upon. In 2014/15 76% of mothers and 48% of fathers participated in the review process; they may have attended the review, met separately with the IRO, briefed an advocate, submitted their views in writing, or communicated with the IRO via email or phone. The combined parental participation is 62% which is a significant increase on the 2013/14 return of 51%.

7.5 The percentage of parental participation is lower than child participation and this is to be expected as not all parents will wish to contribute to the care planning for their children and, for many asylum seeking young people there is no contact with parents or relatives. The difference in participation between mothers and fathers reflects the lack of information, in some cases, regarding the father's identity or whereabouts. IROs have been asked to ensure reasons for non participation are recorded and that, where possible,



reasonable attempts are made to involve both parents in the care planning for their children.

## **8. Conflict Resolution**

8.1 One of the key functions of the IRO is to resolve issues arising out of the care planning process. Issues could relate to the care plan; implementation of the care plan or decisions relating to the care plan; poor documentation; or poor practice (such as not visiting within agreed timescales). IROs seek to establish good working relationships with social workers and their line managers and will normally raise their concerns informally in the first instance. If the issue is not resolved the IRO will initiate the formal dispute resolution process in LBN by issuing a formal LAC Alert.

8.2 The LAC Alert process comprises three levels. IROs generally initiate the process at Stage 1 (Team Manager) but can use their discretion to begin the process at Stage 2 (Service Manager) or Stage 3 (Deputy Director); if no resolution is achieved after Stage 3, the matter will be referred to the Director of Children's Services. At each stage there is a timescale of 10 days for the recipient to respond to the IRO.

8.3 In 2014/15 a total of 81 alerts were initiated by IROs across the all three levels.

8.4 Under Section 118 of the Adoption and Children Act 2002 the IRO has the authority to refer the case of any looked after child to the children and Family Court Advisory and Support Service(CAFCASS) if they are of the view that the child's human rights have been breached. In 2014/15 there were no referrals made to CAFCASS.

## **9. Service Development 2014/15**

9.1 An IRO quarterly monitoring form has been devised to enable IROs to contribute to the strategic planning for looked after children by identifying and reporting on recurring strengths and weaknesses within their caseloads. Information from the forms is collated and analysed by the IRO Manager to utilise the IROs collective experiences and reflection on practice to improve service development. This is an area for continued development and expectations regarding the IROs contribution to strategic planning for service delivery has been incorporated into the revised service specification that will accompany the new contracts that will begin in December 2015

9.2 The IRO Manager attends the Corporate Parenting Board, Child in Care Council and Children and Young People's sub group of the Newham Safeguarding Children Board. It is hoped to strengthen the relationship between IROs and these decision making meetings through the attendance by individual IROs, by agreement, at these meetings. Attendance by IROs at these meetings would raise the profile of the service and increase the contribution of the IROs to service improvement within the authority.

9.3 The working relationship between IROs and Children's Guardians has strengthened and there is now effective liaison regarding the plans and outcomes for Looked After Children subject to court proceedings.

9.4 Members of the IRO Service have delivered training to Newham Foster Carers. The outcomes of the training have been that the foster carers now have a better understanding of their role in the review process and are making constructive contributions that lead to improving outcomes for looked after children.



9.5 The IROs in Newham now review the plans for children subject to Supervision Orders. It has been agreed that IROs will chair two review meetings in the course of a one year Supervision Order, at agreed intervals, to strengthen the oversight and scrutiny and to ensure the Supervision Order remains appropriate and adequate to safeguard the children. This is not a statutory role of the IRO but presents an opportunity for Newham to develop an area of best practice. This activity will be developed and reviewed in the coming year.

## 10. Impact Overview

10.1 A study of the role of IROs in England completed by the National Children's Bureau (March 2014) found that *'the outcomes of looked after children are influenced by many factors and it can be difficult to disentangle the range of influences and isolate the impact the IRO service had compared, for example, with the impact of social workers, foster carers and other support services'*.

10.2 Making sure the child's care plan is reviewed in a timely fashion is currently seen as the area where IROs have the greatest impact and this was achieved to a high standard.

10.3 IRO observations, audits and analysis of LAC alerts have been used to inform the quarterly Children's Social Care Quality Reports. These reports have provided the Director of Children's Services with critical analysis of the quality of practice across Children's Social Care. In response, targeted support for service areas and teams where practice falls short of expected standards has been put in place to improve outcomes for children. This contributes to the identification of patterns of concern and strength in relations to the collective experience of looked after children, a function of the IRO service.

10.4 The IRO service has contributed to improving the outcomes for children by providing increased levels of scrutiny and challenge in individual cases. This is evidenced by the consistent numbers of formal LAC alerts raised which are recorded, tracked, monitored and reported. IROs also provide this scrutiny and challenge by bringing issues to the attention of practitioners and their managers and seeing resolution informally. Evidence of this is recorded on the child's file.

10.4 IROs have driven the improvement in parental participation as mentioned above. The combined parental participation is now at 62% improved from the 2013/14 return of 51%.

10.5 'Drift' in care planning is carefully monitored by IROs and an alert will be issued when standards are not met. In 2013/14 almost half of all alerts related to this issue but 2014/15 records a reduction in alerts raised regarding care plan 'drift' to 38%; it is thought that an increased level of IRO monitoring will have contributed to this improvement.

10.6 There have been organisational changes in how social care services are offered to children with disabilities in Newham and fourteen year old children will now be allocated within the Preparing for Adulthood Team (formerly the Transitions Team) located within Adult Social Care. The IRO Service is committed to offering advice, support, and consultation to the team to embed good practice in relation to children subject to child protection plans and Looked After Children.



10.7 IROs have recently become involved in the review of care plans for children subject to Supervision Orders. Early indications are that the IROs are offering improved monitoring and challenge to the social workers and their managers in these cases where the threshold of significant harm has been reached but the courts have not felt the threshold for removal/Care Orders have been met.

## **11. Resources**

11.1 The Independent Reviewing Service is funded by the council's core budget.

The total budget committed to the Independent Reviewing Officer Service in 2014/15 remained the same as the previous year at £381,000. This comprised £249,000 for direct reviewing and £132,000 finances business support and management oversight.

## **12. Areas for development in 2015/16:**

12.1 2015/2016 will see the development and implementation of Azeus Care, a new case management system. The IRO Manager will contribute to the development of this system to ensure processes and forms are designed to support the work of the IROs and best practice in planning for and safeguarding Looked After Children. IROs will attend comprehensive training on the new system. It is hoped that the new forms will facilitate more accurate reporting of key targets and support improved outcomes for children.

12.2 IROs have a dual role in both ensuring the best outcomes for individual children and informing the corporate parent of any trends, strengths or weaknesses emerging from their case work. The LAC Alerts relate to individual children and IROs have been asked to complete quarterly monitoring forms to identify recurring themes in their work. The IRO Manager will collate and analyse the findings in order to facilitate practice improvement and informed decision making at the corporate level. Currently only the IRO manager attends the Corporate Parenting Board but it is hoped, subject to agreement, to offer individual IROs the opportunity to attend and contribute directly to the decision making process.

12.3 Although LBN has a good level of participation of children and young people, there is still room for developing more collaborative methods to involve them in the review process. The 'menu of choice' was developed as a tool for workers to engage children and young people in the planning of their reviews by considering the venue, invite list, agenda, and other key points about the review process. Another tool available to support participation is the consultation form provided for children prior to the review. Feedback from the Child in Care Council indicates that young people would like a greater choice in the methods they use for participation and this is an area for development which may include more technological methods of communication such as electronic surveys or secure websites designed for this purpose.

12.4 Systems for assuring quality of the IRO service will continue to be provided by the IRO manager in 2015/16 and will include one to one supervision/contract reviews, observations of IRO practice and audits of review and case records. Feedback mechanisms for obtaining the views of children and young people, parents and carers, social workers and other agencies will need to be developed and utilised to help drive improvement of the service.

12.5 IROs will continue to offer scrutiny and monitoring to ensure best practice and avoidance of care plan drift for vulnerable children subject to Supervision Orders. This



area of practice will continue to be developed and embedded in LBN and will be subject to review at regular intervals to highlight areas for training and development and to consider the impact of this new practice. Although this is not a statutory duty of the IROs it is a valuable additional support for monitoring the implementation of care plans for Children in Need.

12.6 The IRO service will continue to offer advice and consultation to other areas of LBN Social Care. There have been changes in the structure of services for disabled children and young people and the Preparing for Adulthood Team (previously the Transitions Team) will now have responsibility for young people from the age of fourteen. This service is based within Adult Social Care and the IRO Service will be able to offer consultation regarding duties and best practice in child protection and Looked After Children.

12.7 Training needs of the service will be informed by the contract reviews of individual IROs and analysis of observations and audits. This analysis will be shared with the children's Social Care workforce development manager and the Newham Safeguarding Children's Board training officer to inform the development of training programmes. IROs will be provided with targeted training and development on an ongoing basis through six bi monthly IRO development meetings.

### **13. Monitoring and Review**

13.1 The performance of the IRO service will continue to be monitored regularly by the IRO Manager, Children's Social Care and Safeguarding, with oversight, advice and challenge from the Head of Social Work Improvement/Principal Social Worker.

13.2 Reports will be provided to Children's Social Care Senior Management Team and the Corporate Parenting Board as and when required. An annual report will be submitted to the Corporate Parenting Board