



National IRO Managers Partnership

Standards for IRO Challenge and Dispute Resolution Practice

Introduction

The partnership seeks to improve outcomes for looked after children by providing up-to-date guidance and templates to independent reviewing officers (IROs) about how they should discharge their distinct responsibilities to looked after children.

About this document

The standards for IRO challenge and dispute resolution have been produced by the National IRO Managers branch of the Partnership and are provided as guidance to IRO Services. The standards should be read in conjunction with the “IRO Handbook Statutory Guidance for Independent Reviewing Officers and Local Authorities in relation to case management and review for Looked After Children” DCSF 2010.

In producing this guidance the National Group is mindful of both the OFSTED Thematic Report “Independent Officers taking up the Challenge” 2013 and the NCB Research “The Role of Independent reviewing Officers (IROS) in England 2014, the findings of which indicate that “the IRO role in ensuring high quality care planning is yet to be fully realised”.

One of the recommendations from the NCB research asks each Director of Children’s Services to undertake a review of how their dispute processes are working, including the “informal stage and the involvement of other agencies”. It is hoped that these standards will provide a framework for CSC Services and IRO services it utilises in undertaking this review.

The checklist does NOT replace the statutory guidance. It should be read in conjunction with the statutory guidance. Relevant statutory guidance can be found in Chapter 6 of the IRO Handbook available online at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/337568/iro_statutory_guidance_iros_and_las_march_2010_tagged.pdf

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Implications

IROs need to be aware of how the local authority they are engaged with is meeting its responsibilities including the effective implementation of the following provisions.

Context

The IRO has a statutory duty to monitor the performance by the local authority of their functions in relation to the child's case and to resolve problems arising out of the care planning process. Challenge and resolution are an integral part of the IRO role. Informal and formal resolution form part of the same continuum of resolution, which needs to celebrate the achievements of resolution as well as highlighting the problems that require resolution.

Ideally resolution processes are there to resolve any problems at the lowest level and as quickly as possible. Through the process the IRO should be able to demonstrate to children that they are taking action on their behalf and they should be able to evidence their own work in resolving the issue.

Corporate Parenting

Standard	Criteria
Every Local Authority should have a dispute resolution process in place that encompasses informal and formal resolution which is accessible to children/families/staff	<p>A policy and procedure is available to all staff and elected members on the IROs' role in challenging and resolving disputes.</p> <p>Information should be available to children, young people and families about the IROs role in challenging and resolving disputes</p> <p>The policy and procedure should comply with the requirements of the IRO Handbook</p>

<p>The child should remain central to the challenge and dispute resolution process</p>	<p>Where appropriate the child/young person should be informed by the IRO that they are seeking resolution to a problem on their behalf and they should be kept informed of how the resolution is progressing.</p> <p>Children and young people should be made aware of the IRO's role to challenge and raise disputes so that they know they can request an IRO to challenge and they are able to ask an IRO to account for their actions.</p>
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Expectations of IROs

It is intrinsic in the role of IROs that they seek to challenge where there are issues that need addressing and they seek to resolve problems.

IROs should exercise their discretion and judgement when considering the level at which they are challenging and whether they are attempting to resolve this as part of the informal or formal process. There is however an expectation that challenge and resolution will be sort in the following situations.

Examples of issues that should be addressed through the IRO challenge and dispute resolution process:

General issues

- Preparation for looked after review (e.g. non completion/poor quality social work reports and care plans/appropriate signatures missing).
- Insufficient evidence of the child's voice & inclusion within the assessment, planning and review process.
- Non completion of decisions / failure to meet timescales.
- Assessments not completed in a timely manner/poor quality.
- Unsuitable/inadequate contact arrangements.
- Concerns arising about inadequate health provision.
- Concerns arsing about inadequate education provision.
- IRO not notified of significant event in the child's life.
- IRO not in agreement with the Care Plan.
- Delays in applications for CICB, passports etc.
- Delay in life story work.

Failure to meet statutory requirements for the child

- No allocated social worker.
- No up to date/poor quality core assessment.
- No up to date/poor quality Care Plan.
- No up to date/poor quality pathway plan.
- Statutory visits not being completed or children not being seen alone, where appropriate, in their placement by the social worker.
- No up to date/poor quality PEP.
- No up to date/poor quality health assessment.
- No up to date/poor quality Placement Plan.

Care Plan implementation

- Drift/delay in the implementation of the child's care plan.
- Delay in progressing a child's permanence plan (second review onwards)
- Failure to implement a significant element of the child's care plan.
- Failure to notify the IRO of potential significant changes to the child's care plan.

Dispute around the provision of services

- Concern around the suitability of the placement to meet the child's needs
- Family finding / placement search
- Placement choice / standard of care
- Concern around professional practice.

More information

More detailed information and relevant Department for Education (DfE) publications can be found online at: <https://www.gov.uk/government/organisations/department-for-education>