IRO Annual Report

The Contribution of IROs to quality assuring and improving services for children in care

Summary

• The provision of Independent Reviewing Officers (IROs) is a statutory requirement. The status of IROs was enhanced by the 2010 Care Planning and Review regulations with the introduction of the IRO handbook. Hounslow has a well established IRO service located within the Safeguarding & Review Service.

• Reviews held by IROs for Looked After Children appear to be of a good quality

• IROs raise essential issues of care planning with Social Workers, their Managers and other relevant professionals in an appropriate and effective way

• Their quality assurance feedback has a direct and positive influence on raising standards of practice within Children's Services.

• Children and young people are encouraged to participate in their meetings and usually do so; IROs are generally viewed positively by Looked After Children in the influence they can bring

• There are limitations on the capacity of the service; the main impact of this is on performance, for example, in the timeliness of the reviews held. Timeliness is currently around 70% for reviews held on time. (National average was last measured in 2010 at 90%).

• The limited capacity also results in higher caseloads for IROs than are recommended in National Guidance, so that they have less time to devote to individual case monitoring than is ideal or would maximise their effectiveness. Caseloads are approximately 78 children per IRO; Government Guidance recommends an upper limit of 70. (London average last measured at around 55-65.)

• There is a risk to the Council that this reduced performance and effectiveness would be open to criticism in future external inspections. It is highly unlikely that these areas could improve without additional resources and the Council would need to consider increasing resources to this service if this was to be addressed.
1.0 Introduction

The role of the Independent Reviewing officer (IRO) is to oversee the formulation of care plans that meet the needs of Looked After Children, and to review progress against these plans. Regular meetings involving the child, family members and relevant professionals are held for each child. It is important to demonstrate that children, young people and their families are involved in the care planning process whenever possible. The IRO has a key role in helping children and families understand the reasons for a particular plan, and to see that the plan meets the needs of the child.

Those at the review meeting look at what is going well for each child, what needs to improve and who will do what and when to achieve the improvements. It is always important to consider the long term plan for the child as well as the day to day arrangements concerning the placement, contact and education of the child, and a great deal more. The IRO will always seek to reach agreement as to the plan for the child, but where that is not possible, to see that the disagreements and the reasons are documented and understood. The IRO has a responsibility to challenge the Local Authority if they think the plan does not meet the needs of the child or that the implementation of the plan is not going as well as it should.

IROs are required to produce an annual report for Council Members and senior managers as to their activity, in particular their contribution to the quality assurance and performance management in the Local Authority. This report covers the period April 2011- March 2012. The report is presented to the Corporate Parenting Panel and is one way in which the CPP gains a more independent view of services, their impact on children and the quality of practice of those in the council working with children.

2.0 Legal Context for the Duties of Independent Reviewing Officers

Statutory Reviews for Looked after Children (LAC) are a legal requirement based on ‘the Review of Children’s Cases (England) Regulations 2004’ which came into force in September 2004. These regulations clarified and expanded the IRO role which was incorporated, at section 118, into the Adoption & Children Act 2002. This legislation put the role of the IRO on a statutory footing with a requirement to monitor the Local Authority’s care plans for LAC. Many Local Authorities had had IROs for several years before this Act, in Hounslow since 1994, but these regulations now confirmed their legal status and gave them additional responsibilities and powers.

Among those powers was the ability of the IRO to refer the Local Authority to court via the Children & Families Court Advisory Service (CAFCASS) and to take legal action where a child’s human rights were considered to have been breached. It is of note that IROs nationally have rarely even had to consider these ‘last resorts’ in order to challenge the LA as to the planning for and care of Looked After Children, with evidence that most LAs respond to the IRO concerns well before such action is proposed. There was a generally positive response to the strengthening of the IRO role following the 2004 legislation, but it was felt that IROs could still be more robust in their challenges to LAs and so the role was further developed in 2010.

The Children & Young Persons Act 2008 created a new power for the Secretary of State to issue statutory guidance to IROs. New Section 7 Guidance was issued in 2010 (the Care Planning & Review Regulations) in the form of an IRO Handbook.
This set out statutory guidance for IROs and LAs in much greater detail as to their functions in relation to case management and reviews for Looked After Children. This Guidance came into force in April 2011.

3.0 Key Responsibilities for IROs

3.1 As noted above, the essential responsibility of the IRO is in the oversight of the care planning process, both as the plan is made and then as it progresses. This will be through the review process, which is more than the statutorily required meetings (at 28 days, 3 months/91 days and thereafter 6 monthly/183 day’s intervals from the date of admission) and may involve several meetings with different parts of the family or professionals, but always inviting the child/young person to participate in the process.

3.2 IROs have a special responsibility to ascertain the wishes and feelings of any Looked After Child/Young Person. This often means meeting them on their own, perhaps before the main review meeting, or at some other time, if that feels the best way to speak to the young person. The legislation suggests that any child of 4 years and over can give their views. Of course IROs must take special care with any child with communication difficulties, to ensure the best way to communicate with them properly.

3.3 The IRO has a duty to monitor the progress of the implementation of the care plan and now not just at review meetings. This has meant a major change of culture for our Social Workers and their managers, in that IROs now expect to hear about any significant changes of circumstances for the child as they have happened. This includes: any changes in placement, long term plan, contact or education that were not being planned for; significant changes in the child’s own family; safeguarding issues for the child, for example when behaviour is getting risky, the child is going missing, getting involved in criminal activity or going to court; issues for the child’s health, for example going to hospital, after an accident or even a self harming incident. Any of these may suggest a review of the overall plan, or a change to part of it, and the IRO should be involved when that happens.

3.4 IROs also have a duty to monitor the performance of the Local Authority, and report back when things are not going well. These concerns will usually be discussed with the relevant head of service, and then reported to the Assistant Director. There are some examples below.

Although the IROs have to challenge poor practice when they see it, this is done within a framework of generally good relationships between the Safeguarding & Review Team and operational teams; this is also true of relationships with most external providers of placements, schools and health providers. It is the strong impression that issues of poor practice by individuals are taken seriously and addressed both internally and externally (although those changes will be monitored by others in the department – e.g. those in a role to commission placements.) It would be a general observation from IROs that the standards of practice of the Social Workers working with LAC are steadily improving.

The full list of issues which should be covered by every review is at Appendix 1 below.
4.0 IROs in Hounslow

4.1 The Safeguarding & Review Team has 5 full time posts which are held by IRO/Case Conference Chairs. In common with approx one third of London authorities we combine the role of IRO with that of Child Protection Case Conference chair. We will say a little more about this later. We also have a full time post which is funded from the Asylum Grant and which allows essential additional capacity.

4.2 3 of these posts are currently held by permanent members of staff; the remainder have for some time been filled by sessional staff, so as to maximise the number of flexibly working staff available, and yet remain within budget. 'Sessional staff 'may give an impression of a constantly changing workforce, but in fact all sessional staff have contracts with the council, and have been with us for some time. Some combine working for us with IRO part time posts in other London boroughs; this is not uncommon and in fact gives us a useful benchmarking aspect – we can be aware of how other IRO sections are evolving too.

4.3 However the capacity of the team is limited with these 5+1 posts, which are responsible for carrying out all LAC reviews and all CP case conferences. (Plus about 0.3 of a caseload of CP conferences is also held by other Safeguarding Advisers in the team, of which there are two. They have a range of statutory responsibilities for Safeguarding including monitoring offenders and dealing with allegations against staff – so their impact on the team’s capacity to chair work is limited.) Please also see Appendix 3 re Child Protection statistics.

4.4 Whilst LAC numbers overall have reduced, the demands for CP initial case conferences has risen, in common with all London authorities. So there is a squeeze on the capacity for IROs in chairing LAC reviews.

So the total number of staff as at March 31st filling these 5+1 posts was eight, but this equated to four full time equivalent IROs.

The caseload for IROs in this team was therefore 345/4 = 86.2 at the beginning of the year and 315/4 = 78.7 at March 2012.

5.0 Staff Profile

Of the 8 staff employed as at the end of March 2012: all have extensive experience of Children's Services, including the management of front door services, children in care services, other support services to young people in need, Children's Guardian services and others. Several have worked in other industries altogether or academic life or in Social Services overseas. 7 were female and 1 male; 5 were white, 2 African Caribbean and 1 Asian; 5 have lived extensively outside the UK and therefore have experience of other cultures; many are parents and 2 are grandparents. Staff have been working as IROs for between 2.5 and 25 years; having joined the team all have been in continuous employment with us except 1.

The only recent change to staffing levels was from 2009 – 2010 when short term funds were found to support 2 additional posts. This was in part a response to the falling performance of our team in the light of spiralling numbers at that time. This additional funding was only on a temporary basis.
6.0 Relative capacity

6.1 Current benchmarking data for other London Authorities is not widely available, and the last exercise to measure this was 12 months ago. The average caseload of those LAs who returned a figure was in the region of 50-70. Hounslow was then at 76. Only L.B of Hillingdon had a consistently higher caseload than our team in London. The data retrieved from colleagues in London in April 2012 suggest many have experienced a slight rise, although some have achieved a reduction in average caseload.

6.2 The caseload recommended by the IRO Handbook, when first introduced was between 50-70. This was to allow IROs the necessary time to conduct their roles effectively. There is obviously a loss of available scrutiny when individual caseloads are that much higher.

6.3 Several authorities outsource their whole IRO service; locally this includes Ealing, Kingston, Brent and Sutton. I do not have the figures as to how cost effective this proves to be, but in those cases the administration of the review process, i.e. the allocation of work, convening meetings and sending out invitations, supervision of IROs and quality assurance reporting is all done externally. In Hounslow the Children in Care teams convene the reviews, the other responsibilities all fall to this team.

6.4 The limited management capacity is further evident in Hounslow when comparisons are made elsewhere; the majority of London authorities have a separate IRO Manager post, responsible for the above aspects, usually reporting to a Service Manager. In Hounslow this Service Manager post directly manages all the review functions, and supervises the 8 staff mentioned, plus another 7 staff engaged in safeguarding work, auditing and the business management of the team. This has an obvious impact on the amount of time which can be spent in supervision of staff, quality assurance follow up from their feedback and problem resolution in difficult cases.

7.0 Allocation of cases

It has always been the practice in Hounslow to allocate an individual IRO to a child in care as soon as we become aware that a child has been admitted and will therefore require a review meeting. Although the system is much tighter now than ever, there are some occasions when SWs or administrators do not complete notifications into the IT system of an admission, thus prompting us to allocate the case. There are also several instances when the request for a review cannot be responded to in a timely way, because all available IROs have to full diaries. The business manager in the team is able to see availability from individual IRO electronic calendars, so is aware of the lack of capacity when this happens.

Whenever possible all siblings in care will be allocated to the same IRO, who will remain the IRO indefinitely. In rare cases there has to be a break in continuity as we juggle administratively to get urgent meetings done. We also seek not to confuse families with overlapping processes, so that children who may be both subject to CP plans and Looked After, even for only a short time, will not have the same person chairing those meetings, but different. Similarly good practice means that when a family has a child removed and placed permanently for adoption, any further allocation for IRO, because of younger siblings in CP, for example, will be to a different IRO.
8.0 Quantitive information about Looked after Children

Please see the data produced by the Management Information Team at Appendix 2

There has been a significant reduction in total numbers of Looked After Children, with an impact on the average caseload for IROs. The numbers placed within the borough have risen slightly, which of course assists us, as the number of longer journeys to review meetings reduce, but the percentage of children placed between 20-50 miles and 100 + miles actually slightly increased as well.

9.0 Qualitative information about the IRO service: Children’s participation in their reviews

The following table shows the breakdown for this period and the PN code (Participation Number). These codes were introduced by the Government some years ago to get a sense of how children participated in their reviews.

<table>
<thead>
<tr>
<th>PN Code Description</th>
<th>Total per code</th>
<th>%age of the Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>PN0 Child under 4 at time of review</td>
<td>107</td>
<td>13.0%</td>
</tr>
<tr>
<td>PN1 Attends and speaks for him or herself</td>
<td>605</td>
<td>73.5%</td>
</tr>
<tr>
<td>PN2 Attends, views represented by advocate</td>
<td>4</td>
<td>0.5%</td>
</tr>
<tr>
<td>PN3 Attends, views represented symbolically (non-verbally)</td>
<td>1</td>
<td>0.1%</td>
</tr>
<tr>
<td>PN4 Attends without contribution</td>
<td>5</td>
<td>0.6%</td>
</tr>
<tr>
<td>PN5 Does not attend but briefs an advocate to speak</td>
<td>30</td>
<td>3.6%</td>
</tr>
<tr>
<td>PN6 Does not attend but conveys feelings otherwise</td>
<td>39</td>
<td>4.7%</td>
</tr>
<tr>
<td>PN7 Does not attend nor are child’s views conveyed to the review</td>
<td>32</td>
<td>3.9%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>823</td>
<td></td>
</tr>
</tbody>
</table>

As noted above, there is no assumption that a child under 4 will attend their reviews and participate, although a number do. IROs should make it clear to children that if they do not wish to attend their reviews, other methods of contributing are quite acceptable. Some children/young people have used e-mail, text and telephone calls to give a view, or asked a carer or friend or other advocate to speak for them.

As can be seen the majority of children/young people over the age of 4 do convey their views to the meeting if not there in person. Some young people, even though asked to participate, do not wish to at any level, and they will register as a PN7. Some of these are young people who are somewhat disaffected from the process of being looked after, and despite any messages to the contrary do not see it as
worthwhile to contribute to the review of their plans. The majority of this small group are teenagers.

It also needs to be recognised that this is an aggregate figure, a child may have up to three reviews in any year and it possible that they do not attend in person on one occasion, but do so the rest of the time.

9.1 Attendance and consultation forms received from children.

The figures from the IRO monitoring of each review meeting show that for this period, in addition to those of 4 and above who attended their meeting, a proportion of those under 4 also attended their reviews, in the order of 5% of the total; giving a figure of 82% of all children being seen at their reviews.

The figure for consultation forms received from children and young people is 25%. Whilst they are provided with these forms to complete and bring to reviews, or send along in their absence, there is no compulsion to do so. Children are encouraged to write, or draw, on their forms, but clearly a higher proportion would prefer to attend the meetings without doing so. Newer and much simpler formats have been devised recently in consultation with young people, to the replace the current forms and an example can be found at appendix 5.

A figure of 25% of attendance for all mothers is recorded (this is lower than previous figures) but it should be recognised that the denominator will be lower as a total, some mothers no longer have contact with their children by virtue of court orders, or because they have made that choice and it would therefore not be appropriate for them to attend a review. Some children and young people specifically request that the review is held without family members (although the IRO may see them separately) and for some children, especially unaccompanied asylum seeking children (UASC) they do not have mothers in this country.

The figure for fathers’ attendance was very low, at 8%, and for other members of the family, often a grandparent, it was 4%.

All of the above reasons for non attendance are of course as true for fathers as for mothers, but with a much higher incidence of fathers who no longer play any part in their children’s lives. The national trends show similar patterns, even for fathers whose children are not Looked After, but following a family breakdown. It may also reflect some very deep seated traditional views held by different members of the family, that the primary care-giver is the mother, and so it is the mother who may more often remain longer in the child’s life and meet with us to plan for them. More unpicking of these figures is necessary in the future.

10 Timeliness of Reviews

Until the year in question the timeliness of LAC reviews was a National Performance Indicator collected by Government. This has now ceased. The previous definition referred to all the reviews held for a child through out the year; so to score 100% as being on time, each review through the year had to be held on time ( according to the schedule as noted at 3.1 above.) In this borough the greater number of reviews fell out of time at the first review, although had often ‘recovered’ thereafter. The timeliness in 2010-2011 was recorded as being 76% on time. This was well below
the Outer London (91.2%) and National (90.5%) averages then. It represented a marked fall from 89% in the previous year, and it seems to correlate directly with the loss of additional IRO staffing capacity.

The figures for 2011-2012 are not available at the time of writing; I am reliably informed that the DfE have not reviewed the method of calculation although they have implied a change of definition, so we would like more clarification before completing the stats so as to making comparisons with OLAs using the same calculation. Our figures will be likely to be nearer to 70% than 80%. We would also need to be clearer that the statistics continue to reflect that the first reviews are the most out of time - subsequent reviews should of course not present such a problem if properly planned for at the initial review meeting.

11 Service User feedback about the quality and experience of the IRO service.

As yet, we have no systematic way of capturing this information. It would be an option for the children or families who complete consultation forms for reviews to comment on the review process, but no specific question is asked; we also know that the completion of written forms tends to be by a low percentage of those in meetings. Some children and parents volunteer their feedback to IROs. It is usually positive; except for those few young people we have already noted who do not see the point of the review process and want no part.

One of the most positively noted areas for children/young people is the continuity of their IRO: they seem to appreciate not having any changes, especially if they like the IRO assigned to them. Some surveys have shown that children do accept the authority of the IRO – and believe that the IRO is ‘in charge’ in the review meeting and can ‘make the Social Workers do their job’.

12 Quality Assurance and the organisational response

All IROs contribute to the quality assurance monitoring of the review process. They complete a monitoring form after each meeting which is sent on to the line manager of the case and also to the Head of Service for safeguarding. However, if the issues are urgent and the IRO thinks that a change of plan or aspect of day to day care should be addressed as a matter of urgency, they will telephone or email their concerns straightaway.

We do recognise that the information currently collected by our monitoring systems has its limitations and are revising both what is collected and how. The implementation of the new IT system within Children’s Services (TRIO) is an excellent opportunity to integrate the quality assurance process into the system as a whole. We also have a dispute resolution process should the difference of opinion, as to the plans for a child, between an IRO and operational manager reach an impasse; essentially the matter is referred to the next level of management, Heads of Service, to resolve. It has been rare to do this, and even rarer to involve the Assistant Director.
12.1 Preparation for meetings: Our monitoring shows that 92 % of the Social Work reports prepared for review meetings were to standard. However, the vast majority did not reach the IRO until either the day before the meeting or on the day itself. The SW reports were also rarely seen by the children or young person until the day of the meeting. (The recommended time is 3 days in advance.)

12.2 Care Plans: Social workers should bring copies of the most recent Care Plan to the review for discussion. This practice has fallen by the wayside recently, and IROs equally have not insisted on seeing it at every review. It is of course often quite clear to the Social Worker and IRO what the Care Plan is and amendments to it are a matter of note from the last review, but the young person, their families and carers also need written and updated Care Plans. The figure for the past year was that 26% of current Care Plans were available at the review. IROs have been recently reminded that they always need to see an updated care Plan.

12.3 Contributions to reviews: As noted above some 82% of children are actually in their review meetings, and the degree to which they will contribute will vary enormously. This will relate to their age and understanding, their relationship with their Social worker, carer and others in the meeting, and often to the skill of the IRO in encouraging the child to participate. The golden rule for IROs is to limit the number of other individuals in the review meeting to those who are essential, and wherever possible to plan this in consultation with the child. So some parents will not be in the meeting, because the child has asked for them not to be.

12.4 The written reports received from schools, and more rarely health professionals tend to be good and helpful to the planning process, but it is not necessarily the case that those professionals need sit in the review meeting. The most variable contributions come from carers, whether foster carers or residential carers. They are virtually always present at review meetings (again unless the young person wants to meet separately) but there are wide variations in whether a written report is available or to an acceptable standard.

12.5 Decision Making: We are asked to report on the quality of decision making by Social Workers and their Managers for children in care. This cannot be done on a quantitative basis, except to comment that in the vast majority of cases IROs are in agreement with the Care Plans for children in their broad direction and outline, but some of the routine concerns are listed below.

12.6 Complaints about IROs: Two complaints were received about the actions of IROs. The first was from an internal manager about the apparent over-zealousness of the IRO in challenging a SW. The IRO was challenged about this, and acknowledged this to a degree. The second was from an external Social Worker who resented being challenged about their failures. Their line manager accepted that there were issues.
13.0 Some of the areas IROs have frequently intervened about:

- Changes of social worker, non-allocation
- Child reporting that they haven’t seen enough of their SW
- Permanence planning and placement choice for permanence
- Accommodation/housing for Care Leavers
- Issues between a child and their carer
- Drift in placing a child, too many short term placements
- The difficult behaviour of a child/young person including aggressive, racist and threatening behaviour – and consequences for placement or meetings
- Specific medical or therapeutic needs of a child
- Degree of involvement with the family, revision of contact
- Education arrangements, and proposed changes
- Delay in beginning Care Proceedings
- Secure review arrangements
- Some Practice Consultants who less firm in their decision making than is helpful, greater clarity also required
- Managing very challenging young people in placement
- Access to savings for Care leavers; too much too soon
- Some decisions from Placement Panel and the consequences
- Administrative failure to notify IRO of change of circumstances

I plan to bring some specific examples of these cases and their outcomes to the Corporate Parenting Panel. I need to check information with others first.

14.0 Conduct of the organisation in relation to the case

Please see Appendix 4 for the full list of Local Authority responsibilities in relation to Looked After Children and the review process.

The majority of these responsibilities are met by this authority. Those that are outstanding would include:

Issues of limited capacity and support to the IRO service as a whole (7, 12, 16, 17.) as noted above.

There is no specific provision for independent legal advice for IROs. This has to date not proved to be an issue. IROs can speak to staff at CAFCASS for independent advice on legal aspects of cases. (14).

More timely arrival of relevant documents before the review (5)

15.0 Resource issues that are putting at risk the delivery of a quality service for Looked After Children.

The IRO service is asked to comment on this, and I have yet to complete my consultation with all IROs about this, but will bring our findings to the Panel.
16.0 Priority areas for improvement and action in the IRO service in the coming year

- Develop further the feedback on the service by children, their families and other professionals
- Redesign the monitoring process used by IROs and incorporate into TRIO
- Implement the new consultation forms for young people and probably redesign those for younger children
- Seek to improve the contributions from Carers into the review process, particularly form external providers.
- Encourage much greater use of updated Care Plans and ensure these are circulated to all
- Seek wherever possible to maximise the capacity in the team
- Stronger evaluation process of the IRO service arising from several of the above.

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