

AGENDA ITEM

**REPORT TO
CORPORATE
PARENTING BOARD**

11 DECEMBER 2020

**REPORT OF DIRECTOR
OF CHILDREN'S
SERVICES**

**ANNUAL REPORT OF THE FOSTERING PANEL AND FOSTERING SERVICE REPORT
1 APRIL 2019 – 31 MARCH 2020**

SUMMARY

This report provides Corporate Parenting Board with an overview of the work of the Fostering Panel and Stockton Borough Council Fostering Service.

RECOMMENDATIONS

Members of Corporate Parenting Board are asked to note the detail below.

DETAIL

1. BACKGROUND

- 1.1 The Fostering Panel which considered the matters referred to it under the Fostering Services Regulations 2011 and the Care Planning and Case Review Regulations 2010.
- 1.2 Panel considers assessments of applicants' suitability to foster for both unrelated and connected foster carers. Panel reaches a recommendation in respect of suitability and terms of approval, identifying type of fostering, numbers and characteristics of the children the carer should foster.
- 1.3 Panel also considers and makes recommendations in respect of matches of children with long term foster carers.
- 1.4 The Panel receives foster carer annual reviews and recommends whether the foster carers continue to be suitable to foster or whether they should be de-registered. In previous years, Fostering Panels has considered all foster care reviews, however, this has changed during this reporting period. From January 2020 Panel consider foster care reviews in the following circumstances only:
 - First annual foster care review.
 - Following a safeguarding allegation or serious complaint against the foster carer or a member of their household.

- Where a foster carer is making a serious complaint against Stockton Borough Council.
- Following a disruption to a long-term foster placement.
- Following a significant change in circumstances (eg health, new partner).
- Where a change of terms of approval is recommended.
- Where an IRO recommends that the foster carer is no longer suitable to foster.

- 1.5 Other foster care reviews will be considered directly by the Agency Decision Maker.
- 1.6 Panel also consider requests in respect of the extension of temporary approval of connected person foster carers (family and friends). Regulation 24 of the Care Planning, Placement and Case Review (England) Regulations 2010 gives the local authority power to temporarily approve, as a foster carer, a person connected to the child, where a looked after child has been placed with them in an emergency. This temporary approval lasts for 16 weeks and during this period, a full suitability to foster assessment should be undertaken. Regulation 25 allows for this 16-week period to be extended for a further 8 weeks, where the assessment has not been completed within the timescale. Before extending the approval, the local authority must consider whether the placement remains the most suitable for the child and seek the views of the fostering Panel. In these situations, therefore, Panel provide a view, rather than a recommendation, to the Agency Decision Maker, who is the Assistant Director of Children's Services.
- 1.7 Panel have a role in the quality assurance of fostering work undertaken by the Department. This quality assurance involves scrutiny of the written reports, timescales and whether the Department and the workers are following regulatory requirements.
- 1.8 Panel recommendations are forwarded to the Agency Decision Maker who makes a decision about whether a person is suitable and/or continues to be suitable to foster, whether a child should be placed for long term foster carer with a specific foster carer and whether the temporary approval of a connected person should be extended for up to 8 weeks.

2. CONSTITUTION AND MEMBERSHIP OF THE PANEL

- 2.1 The Fostering Regulations require the Local Authority to maintain a 'Central List' of people considered to be suitable to be a Panel member. The Agency Advisor must ensure that there are sufficient members and that each individual member has the experience and expertise necessary to effectively discharge the functions of the Panel. The Panel must have an Independent Chair, one or two Vice Chairs and one or more Social Workers who have at least 3 years relevant post qualifying experience. The Central List must be made up of independent members as well as those who are employed by, or carry out functions of, the Council.
- 2.2 The Panel needs to have 5 members present to be quorate, including the Chair or Vice Chair and at least 4 other members, one of whom must be Independent (not including the Chair) and one a Social Worker.
- 2.3 As at 31 March 2020 there were 11 members on the Central List, with a further 1 Panel member to join in April 2020. This number remained static from the previous reporting period. During the year 2019/2020 1 independent member resigned and 1 new member joined. Recruitment has continued to be undertaken during this year with a new independent male panel member identified, however, this could not be progressed due to not receiving a personal reference. Current membership comprises an

independent Chair and Vice Chair, an adoptive parent, a person who was fostered and adopted, 1 foster carer from a neighbouring local authority, 1 local authority councillor, 1 youth worker and 4 social workers. Achieving quoracy continues to be a challenge as members, particularly social work members, have other commitments outside of Panel. Attempts to recruit during the past year have been challenging. Panel members, however, continue to be very flexible and committed which has been helpful in ensuring quoracy.

- 2.4 Access to legal and medical advice for Panel is provided by the Legal Advisor and Medical Advisor. The Legal Advisor has not attended Panel in recent years, and the Medical Advisor ceased attendance following the transition to Adoption Tees Valley in 2019. A process is in place, whereby Panel members can request legal and medical advice prior to Panel via the Agency Advisor. Should advice be needed on the day of Panel attempts would be made to gain this information at that time in order to avoid a potential deferment. To date, this has not caused any difficulties.
- 2.5 There have been two Panels cancelled during this reporting period. One was due to take place on New Year's Eve and was cancelled due to lack of business. The second was the final Panel for this reporting period, scheduled for 23.3.20, the day that the Government put the country into lockdown as a result of the Covid-19 Pandemic. This was scheduled to be a full day Panel and the business was considered at extra Panels, set up virtually, in April 2020. Panel business has significantly increased during this reporting period, with 14 out of the 24 Panels held, running to a full day, rather than the anticipated half day schedule. Panel members have continued to be extremely committed and flexible in order to accommodate the high level of work.
- 2.6 There have been 24 Panels held during 2019-20. Panel was chaired by the Independent Chair on all the 24 occasions, however, part of one Panels was chaired the Vice Chair to allow the Chair to attend another meeting.
- 2.7 The National Minimum Standards for Fostering identify that Panel members should be allowed 5 working days to read Panel papers. The Agency has consistently met this requirement throughout the reporting period. This helps panel members to ensure they have thoroughly read and considered the information prior to Panel.

3. QUALITY ASSURANCE

- 3.1 Panel has a role in quality assuring the fostering business of the local authority.

Suitability to Foster Applications

- 3.2 There were 27 suitability to foster assessments presented to Panel during the reporting period. 3 of these were mainstream applicants and 24 connected carers. 23 applicant households were recommended as suitable to foster and this was agreed by the Agency Decision Maker. 1 connected carer assessment was deferred for further information. All but one recommendation was unanimous; one was by majority.
- 3.3 Regulation 26 (3) of The Fostering Service (England) Regulations 2011 provides that if, before the full fostering assessment is complete, information comes to light indicating that the applicant is unlikely to be suitable to foster, a brief report can be compiled to set out reasons for considering the applicant is unsuitable. There have been 2 brief reports presented to Fostering Panel during this period – both were in respect of connected foster carers. Panel recommended that the applicant was

unsuitable in one case and recommended the full fostering assessment be completed in the second case. Both recommendations were unanimous.

- 3.4 In respect of mainstream suitability to foster, Panel was satisfied with the quality of all the assessments.
- 3.5 Fostering applications should be presented to Panel within 8 months of the registration of interest, or 4 months for fast track assessments. In two cases the assessment was completed 4 months out of timescale. In one case this was due to the assessing social worker's capacity and availability of the applicants who both worked full time and in the second, it was due to the applicant's availability as he worked offshore so was only available for two weeks each month. The applicant also requested time to process the information as he had not previously parented. The third assessment was completed 3 months out of timescale due to a delay in Stage 1 and the social worker's workload.
- 3.6 Panel was generally satisfied with the quality of Connected Persons applications, however, was not satisfied with the information provided in two cases. Both cases were deferred for further information. For a further two information was tabled on the day of Panel and Panel was then satisfied. Comments for improvement were also made in two cases – Panel identified that a better family tree was required in one and the report had not been updated with new information that had been obtained in the second.
- 3.7 Connected carer applications should be completed within 16 weeks of the child being placed or, if there has been an extension, within 24 weeks. If the child is not in placement, then the timescale is the same as for mainstream applications, 8 months. Only eight of the applications presented were completed within timescales, two were completed only 2 days outside of the 24-week timescale and 14 were outside of timescales. The most frequently cited reason for delay was lack of capacity within the team, which led to a significant delay in allocation, however, other reasons included:
- Delay in referral for assessment.
 - Illness of worker or applicant
 - Complexity of case requiring detailed assessment
 - Holidays
- 3.8 One connected foster carer household was recommended as not suitable to foster during this reporting period. If, after taking into account the recommendation of the panel, the Agency Decision Maker is satisfied that the foster carer or the household is not suitable to foster the Agency Decision Maker will make a 'qualifying determination' decision and will;
- Give written notice to the applicant that she proposes to agree with Panel's recommendation.
 - The written notice will include the reasons for doing so and the recommendation of the panel.
 - The written notification will include advice to the applicants that they have 28 calendar days from the date of the decision in which to consider the following 3 options:
 - a) Accept the qualifying determination and inform the Manager of the Fostering Service in writing of this acceptance;
 - b) Make written representation to the Manager of the Fostering Service; OR

- c) Apply to the Secretary of State to have the qualifying determination decision reviewed via the Independent Review Mechanism (IRM).

- 3.9 The applicants in this case accepted the qualifying determination.
- 3.10 Panel have identified a specific challenge when considering suitability of connected carers who are in the older age bracket, where the plan is for a young child to be placed with them on a long term basis, particularly when legal information is not always available regarding the intentions of the local authority in respect of permanent legal orders.

Foster Care Reviews

- 3.11 There have been 110 foster care reviews considered, 14 of which were first foster care reviews.
 - Panel was satisfied with the quality of information in all but 9 cases. For these 9 cases, some had information lacking and some had inaccurate information.
 - In all cases continued suitability to foster was unanimously recommended.
- 3.12 Fostering regulations require that the foster care review takes into account the views of any child placed and the views of the responsible authority for any child who has been in placement during the previous year. In practice, the latter means obtaining the views of the social worker for any child in placement since the last review. It is Stockton Fostering Service's policy to seek the views of the children cared for by the foster carer via their own social worker. This is in order that the children can give their views openly to the social worker who does not have direct responsibility for the foster carer. During this reporting period, Panel has monitored the availability of the views of children and placing social workers in the foster care review.
- 3.13 In 21 cases, there were no children's views available, where Panel considered it would be possible to obtain those views. This diminishes the quality of the review process. In 29 reviews there were no views provided by the placing social worker. This gap in information also lessens the value of the review. A process has been put in place, whereby the IRO chairing the review is also requesting the feedback from the placing social worker, where this has not been provided to the supervising social worker. Whilst this is helping, it continues to be an area for improvement.
- 3.14 There was no deregistrations heard during this period.
- 3.15 Foster carer reviews should happen annually unless brought forward for any reason. During the period of this report the policy of the agency changed about whether routinely all foster carer reviews are brought to panel to consider suitability to continue fostering. The new procedure is that a review is only brought to panel if: the review is the first, there is a change to approval criteria, there has been a complaint or allegation, or a material change to the foster carers' household or health.
- 3.16 Therefore, the number brought may not be as meaningful in this period as this was a time of transition. In future reports the number brought can be measured against reason.
- 3.17 Panel noted that half of the foster care reviews were completed out of timescale and that 5 of the 110 reviews took more than the recommended 8 weeks following review meeting to be presented to Panel. Reasons identified for this were:

- Staff sickness within Fostering and IRO service or for the carer
- Cancellation of a review due to an unexpected event and difficulty rescheduling

- 3.18 Foster carers are invited and encouraged to attend the Panel meeting where their review is being considered, however, this is not a requirement. During this reporting period 23 foster carers chose to attend.
- 3.19 There have been 35 requests for extensions of temporary approval of connected persons. Of these, Panel's view was that 3 should be deferred for further information and that all but 1 should be given an extension.
- 3.20 Panel were satisfied with the papers submitted to Panel in all but 3 cases, which was deferred for further information or clarification from the child's social worker who had not attended.
- 3.21 Extensions for a further 8 weeks temporary approval under Regulation 25 of the Care Planning and Case Review Regulations should be presented to Panel before the 16-week temporary approval under Regulation 24. 19 cases were presented within timescale, however, 16 were late. One of the 16 was 1 day late, and 2 had been previously presented to Panel but deferred for further information. The main reason for delay in requesting an extension was identified as capacity issues within the Fostering Team which led to late allocation.
- 3.22 Panel noted disappointment that the attendance of the child's social worker when an extension to temporary approval was being considered had significantly declined. Reasons given for non-attendance was annual leave, sickness absence and attendance at other meetings.

4. LONG TERM FOSTERING MATCHES

- 4.1 A change in Stockton Borough Council's Children's Services procedures from 1 March 2020 has led to Fostering Panel having the added role of considering and making recommendations in respect of children being matched for long term foster care with specific foster carers.
- 4.2 Long Term Match was considered between 1 March and 31 March 2020, where the match was unanimously recommended by Panel. Panel were satisfied with the paperwork; however, it is too early for Panel to give any comment in respect of the quality of this area of work in general.

5. FEEDBACK IN RESPECT OF PANEL FUNCTIONING

- 5.1 The following feedback has been gained through completion of questionnaires from staff and applicants attending Panel during the reporting period. 56 feedback questionnaires were received from fostering applicants/approved foster carers and 46 from social workers.
- 5.2 Feedback from Prospective and Current Foster Carers:
- The Panel process was explained to me
 - We were welcomed and had time to consider questions
 - We had introductions to Panel members
 - Made at ease. Fantastic panel – very reassuring
 - Name plates helped

- Written questions are a good way to relax and prepare
- We had time to prepare and write notes which was extremely helpful
- I enjoyed my panel experience, since it was searching and challenging but very friendly
- Very friendly Panel and well planned
- A cup of tea would have been nice
- It was a little bit daunting having a same sex Panel, however, it was explained why.
- Panel was a good experience and I believe the format works well
- It was a pleasant experience

5.3 Feedback regarding waiting times for Prospective carers attending in respect of suitability to foster assessments and in respect of foster care reviews:

- 25 were on time or didn't comment
- 26 waited less than 20 minutes
- 1 waited for 30 minutes
- 2 waited for 40 minutes
- 2 waited for 1 hour

5.4 The applicants waiting 40 minutes and 1 hour related to the same Panel, which had a high number of fostering assessments. Since that date the time slots given for items have been adjusted.

5.5 Feedback from social workers attending Panel:

- 46 feedback sheets were received from social workers
- All social workers noted that they felt welcomed
- All felt the questions were fair
- One social worker commented Panel was transparent and supportive.

5.6 General Functioning of the Agency and Child Placement Panel:

- During the period no panel was cancelled due to lack of business; 14 were extended to a full day.
- The vice chair has not chaired a panel session during the period and has had some ill health. She was, however, able to chair part of a panel when the chair needed to be at another meeting. There has been some discussion about recruiting another vice-chair to make the system more robust.
- On the day of each panel, there is often considerable flexibility shown on the part of panel members and the supervising social workers with willingness to move items around on the agenda to prevent lengthy waits for applicants and accommodate any who are late in arriving, while also making the most of social workers' availability.
- Overall, there is still considerable satisfaction with the panel process from applicants' feedback and particularly from the prepared questions they receive on the day while waiting to enter panel and they comment on the extra preparedness they feel. The Chair is continuing to go out of the panel room with the agency adviser to meet and greet applicants before they enter panel and then at the end to give the recommendation and the reasons. This seems to be working well. Social workers too seem happy with the panel process.
- The Panel pack information arrived in time to meet the National Minimum Standard of 5 working days for each Panel.

- Only one Panel was cancelled during the reporting period. This did not cause any delay to business.
- The last panel of the period was cancelled due to the coronavirus. That had been planned as a full day panel. Catching up on that business will be reported on in the next six-month report.
- In one panel, the social worker on panel stood down to present an item which meant panel would not have been quorate for that item. Therefore, the chair became the social worker on panel for that item rather than the chair, and the vice-chair chaired the item. This enabled the business to proceed.

6. TRAINING FOR PANEL

- 6.1 One training event has been held for Panel members during this reporting period.
- 6.2 A half day training was provided by Fostering Network in respect of Serious Case Reviews. This training was attended by both Panel members and social workers from the Fostering Team.
- 6.3 A further two days training were planned but unfortunately cancelled due to the Covid-19 lockdown. The first was to be held jointly with Darlington's Fostering Panel, in respect of Transgender Issues in Foster Care. This training has now been rescheduled to 24 March 2021. The second was 'An Overview of Fostering Preparation Training' which was to be facilitated by members of the Children's Fostering and Carers' Team. Work is now underway to offer the training remotely via Microsoft Teams within the next reporting period. 6.4 Panel members also have access to Stockton Borough Council Workforce Development training courses.

7. APPROVED FOSTER CARERS

Year	Approved foster carers
2015/16	12
2016/17	22
2017/18	23
2018/19	26
2019/20	24

- 7.1 Of the 26 foster carers approved:
- 21 are connected carers (compared to 18 last year)
 - 3 are new foster families (compared to 8 last year)

8. DISQUALIFYING DETERMINATION DECISIONS (A DECISION NOT TO APPROVE SOMEONE AS SUITABLE TO ADOPT OR AS SUITABLE TO FOSTER OR DEREGISTRATION OF A FOSTER CARER AS THEY ARE NO LONGER SUITABLE TO FOSTER.)

- This year there was one application where the recommendation was that prospective foster carers were not suitable to foster. The Agency Decision Maker agreed with Panel recommendation and the applicants accepted the Qualifying Determination. There were three during the previous reporting period.
- This year there was 0 recommendation by Panel to de register foster carers (compared to 1 in the previous year).

- 0 applicants have applied to the IRM for a review of the disqualifying determination decision.
- The ADM agreed with the recommendation of Panel in all cases.

9. SCHEDULE 6 AND SCHEDULE 7

9.1 Schedule 6 of the Fostering Service (England) Regulations 2011 require certain matters to be monitored by the registered person and Schedule 7 identifies events to be notified. Within this reporting period there have been the following matters and notifications recorded:

- There have been 2 accidents for children in foster care. Both were 'normal' childhood accidents resulting in minor injury which were treated.
- There have been 4 allegations of neglect and abuse. 1 allegation was in respect of safeguarding concern and, in fact a repeat of an allegation made during the previous reporting period. A police enquiry is still underway. The additional 3 allegations were followed up by the children's and supervising social workers and were deemed to be unfounded.
- There have been 6 incidents of a child missing from placement – all incidents relate to the same young person. Appropriate steps were taken by the foster carer to notify EDT and police and the child was returned safely.
- There have been 0 allegations that a child placed in foster care has committed a serious offence.
- There have been 0 incidents of police being called to the foster carers' address. There has been one incident of a child being involved in a serious incident in school which resulted in a police interview and the foster carer acting as the appropriate adult.
- There have been no incidents of carers not complying with care plans.

Exemptions of Usual Fostering Limit and Variations to Terms of Approval

9.2 There have been 8 Exemptions during the reporting period and 7 Variations to Terms of Approval.

10. CURRENT STATUS

- At 31 March 2020 there are 155 approved fostering households.
- We have 103 mainstream approved foster carers (this has reduced slightly from the previous year 106).
- At 31 March 2020 we have 52 approved connected carers (this compares to 43 in the previous year) and 63 temporary approved connected carers.
- Between 1 April 2019 and 31 March 2020, 7 mainstream foster carers resigned (compared to 8 during the previous year). 2 of these carers retired from fostering, 1 resigned due to being granted an SGO for the children in their care and 4 for personal reasons.

FINANCIAL IMPLICATIONS

11. There are no direct implications from this report.

LEGAL IMPLICATIONS

12. The Fostering Services Regulations 2011 and the Care Planning and Case Review Regulations 2010.

RISK ASSESSMENT

13. No additional risks.

COMMUNITY IMPACT IMPLICATIONS

14. There are no specific implications from this report.

COUNCIL PLAN POLICY PRINCIPLES AND PRIORITIES

15. The work of the Fostering Panel and Service contributes to Council Plan Priorities.

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