

AGENDA ITEM

**REPORT TO
CORPORATE
PARENTING BOARD**

12 AUGUST 2022

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

**ANNUAL REPORT OF THE FOSTERING PANEL
1 APRIL 2021 – 31 MARCH 2022**

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.

1. PURPOSE OF REPORT

- 1.1 This report is intended to give an overview of the work of the Fostering Panel during the year April 21 to March 22.

2. BACKGROUND

- 2.1 The Fostering Panel considers matters referred to it under the Fostering Services Regulations 2011 and the Care Planning and Case Review Regulations 2010.
- 2.2 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.
- 2.3 Panel also considers and makes recommendations in respect of matches of children with long term foster carers.
- 2.4 The Panel receives some foster carer annual reviews and recommends whether the foster carers continue to be suitable to foster or whether they should be deregistered. Panel considers 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 (e.g. 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.

- 2.5 Other foster care reviews are considered directly by the Agency Decision Maker.
- 2.6 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 Social Care.
- 2.7 Panel has 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.
- 2.8 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.

3. CORONAVIRUS AND THE IMPACT ON FOSTERING PANEL AND THE FOSTERING SERVICE

- 3.1 Prior to the Coronavirus pandemic the Fostering Service and its employees were office based and Fostering Panel was held face to face on alternative Tuesdays.
- 3.2 In line with Government guidance and the national lockdown, Fostering Service staff began working from home on 23 March 2020 and work immediately commenced to identify a means to continue Fostering Business.
- 3.3 Fostering Panels were set up remotely commencing on 9 April 2020. Due to the nature of virtual panels and the potential for long periods of time using screens, it was agreed with the ADM and Independent Panel Chair that Panels should be increased to twice fortnightly, being held on Monday afternoon and Tuesday morning.
- 3.4 The adjustment to virtual panels and the use of different IT platforms was a steep learning curve for all involved, however, as time has moved on, virtual panels have bedded in and have become preferable for most panel members, attendees and social workers. It was agreed by Panel Chair and Agency Decision Maker that Fostering Panel will continue to be held virtually.

- 3.5 The Adoption and Children (Coronavirus)(Amendment) Regulations 2020 were laid on 24 April, which allowed some flexibility to the Fostering Regulations 2011 and Care Planning and Case Review Regulations 2010. These were reviewed on 25 September 2020, with many of the flexibilities removed and again in March 2021. The only flexibility remaining in respect of the work of the Fostering Service, which remained until 30 September 2021 was:

A fostering service is allowed to begin Stage 2 of an assessment, whilst still awaiting the foster carer medical report (however, the amendment that removed the requirement for health information to be supported by a medical report expired on 25 September 20).

- 3.6 The Adoption and Children (Coronavirus)(Amendment) Regulations 2020 included 'savings provisions' which made provision for certain of the original amendments to continue to apply beyond 25 September but **only** to work that had begun **before** 25 September. These 'savings provisions' meant that assessments started before 25 September 2020 could be completed without a medical report, could be considered outside of Panel or, where Panel continued to be held, reduced quoracy and, where a decision is made not to approve an applicant as suitable, the fostering service must notify of the decision as soon as is reasonably practicable. Additionally, where temporary approval of a foster carer had been agreed, this could continue for 24 weeks.

- 3.7 All medical reports for foster carers assessed and approved during the first period of the amended regulations have now been completed.

- 3.8 The main areas of note as a result of the Coronavirus Pandemic between 1 April 2020 and 31 March 22 are as follows:

- Foster carers demonstrated a significant commitment and determination to offer children in their care a period of stability and security during a period of high risk and change.
- Most children were home-schooled during the first series of school closures and foster carers were creative in ensuring children had the opportunity to continue to learn and develop.
- Children were encouraged to return to school during the second period of school closures; where the decision was made for children to continue to be home schooled, this was made in conjunction with social workers, school and the carer.
- Foster carers adapted quickly to offer creative ways of supporting children to maintain regular contact with their birth families including the use of video links, videos, photographs and regular written updates. Foster carers promoted face to face family time for children, once it was assessed as safe to do so.
- Availability of placements has been restricted throughout both years both in-house and via the Independent Fostering Agencies. This is because of foster carers shielding or taking a break as well carers self-isolating for periods because of Covid-19.
- Whilst fostering enquiries initially increased, the number of people requesting information packs has been significantly reduced in comparison to previous years.
- The number of resignations has increased during this current reporting period. Analysis of the reasons for resignations identified that a number of foster carers in the 60+ age bracket made the decision to retire either due to having had a period 'on hold' as a result of shielding or recognizing that the expectations and risks associated with fostering were too high. For other carers significant health issues

led them to submitting their resignation, whilst others had experienced a change in their personal circumstances during the period of the pandemic.

4. CONSTITUTION AND MEMBERSHIP OF THE PANEL

- 4.1 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.
- 4.2 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.
- 4.3 At 31 March 2022 there were 16 members on the Central List, an increase of four from the previous year. A further 1 independent Panel members is going through the recruitment process and it is anticipated that she will have joined the Central List by June 2022. There have been no resignations of Panel members during the year 2021/22. Recruitment activity during the year has resulted in the appointment of a second Vice Chair, two male panel members and two social workers. Recruitment has increased the diversity of the Central List. Current membership comprises an independent Chair and two Vice Chairs, an adoptive parent, a person who was fostered and adopted, 1 foster carer from a neighbouring local authority and one SBC retired foster carer, 1 local authority councillor, 1 youth worker, 1 housing officer and 6 social workers. Achieving quoracy has been generally achievable over the past year, although this has remained challenging on occasion, despite the benefits of attending Panel virtually. Panel Chair/Vice Chairs and members have continued to be extremely flexible over the past year and are now confident in accessing Panel paperwork via Microsoft Teams and attending remotely.
- 4.4 Access to legal and medical advice for Panel is provided by the Legal Advisor and Medical Advisor. The Legal Advisor has not routinely attended Panel in recent years, and the Medical Advisor ceased attendance following the transition of adoption services 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 to avoid a potential deferment. To date, this has not caused any difficulties.
- 4.5 There have been 11 Panels cancelled during this reporting period because of no business, 7 of which were during the second half of the reporting period, when Panels were noted to be slightly less busy than during the first half of the year. The reduction in Panel business is linked to less foster care reviews being presented to Panel (due to a change in requirements and a backlog in completion of review reports within the IRO unit due to staffing issues) and a reduction in the recruitment of mainstream foster carers and a slight reduction in referrals for Connected Foster Care assessments). 5 further Panels were cancelled due to bank holidays. It should, however, be noted that the increase to two Panels fortnightly from March 2020 has allowed for greater capacity overall.

- 4.6 There have been 35 Panels held during 2021-22, a significant decrease from the 49 during the previous reporting period and more in line with pre-covid figures. Panel was chaired by the Independent Chair on 21 occasions, and by one of the Vice Chairs for the remaining 14. Having three people available to chair has reduced the risk of Panels needing to be cancelled due to lack of Chair and has relieved some of the pressure on the Independent Chair, who during the previous reporting period chaired all but 5 of the 49 Panels.
- 4.7 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. Panel paperwork has been provided electronically via a secure platform since December 2020 and this has been well-received by Panel members.

5. QUALITY ASSURANCE

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

Suitability to Foster Applications

- 5.2 There were 20 suitability to foster assessments presented to Panel during the reporting period; 3 of these were mainstream applicants and 17 connected carers. All were unanimously recommended as suitable with no items deferred. All recommendations were agreed by the Agency Decision Maker.

- 5.3 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 4 brief reports presented to Fostering Panel during this period – all were in respect of connected foster carers and were unanimously recommended as not suitable. Where, during the period of temporary approval and prior to completion of the full assessment, the assessing social worker or Panel identify that the carer does not meet the requirements for approval, a recommendation has been made not to extend temporary approval and approval lapses after 16 weeks (24 weeks during the period of the Adoption and Children (Coronavirus)(Amendment) Regulations 2020 Coronavirus).

- 5.4 In respect of mainstream suitability to foster, Panel was satisfied with the quality of all the assessments.

- 5.5 Fostering applications should be presented to Panel within 8 months of the registration of interest, or 4 months for fast-track assessments. Of the 3 approved, 1 was completed within timescale but 2 were outside of timescale (9 months and 11 months). Delays were due to statutory checks not being returned within the 8 month period – DBS checks in one case and medical in the second.

- 5.6 Panel was satisfied with the quality of Connected Persons assessments in all cases.

- 5.7 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. Of the 17 applications presented, 2 were completed within timescale, 4 were completed only 4 weeks outside of the 24-week timescale and 11 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, in a number of cases significant delays were due to the receipt of DBS certificates and medical reports from GP's. Covid 19 was also a factor in some cases.

- 5.8 4 connected foster carer households were 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) .

5.9 The applicants in these cases accepted the qualifying determination.

Foster Care Reviews

5.10 There have been 62 foster care reviews considered for the following reasons:

- 29 first reviews
- 24 recommended a change to terms of approval
- 9 were due to allegations or a change of circumstances

5.11 Panel was satisfied with the quality of information in all cases and unanimously recommended continued suitability.

5.12 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 continued to monitor the availability of the views of children and placing social workers in the foster care review. Formal recording of views in Panel minutes started in January 2022.

5.13 In 11 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. This is a slight deterioration on the previous reporting period where no views were recorded in 4 (out of 56) cases. In 9 reviews there were no views provided by the placing social worker. This gap in information also lessens the value of the review. This is a slight improvement on the previous reporting period, when there were 8 reviews (out of 56) without social worker views. The IRO chairing the review is now also requesting the feedback from the placing social worker, where this has not been provided to the supervising social worker. This has helped but this continues to be an area for improvement.

5.14 There were no deregistration's heard during this period, in comparison to 3 during the previous reporting period.

5.15 Panel noted that during the first 6 months of the reporting period 17 (of 41) foster care reviews were completed out of the usual annual timescale, however, during the second half of the year, there was a significant improvement, with only 1 (out of 19) being late.

5.16 Delays during the early part of the reporting period were mainly due to the IRO leaving her post (in May 2021) and a lack of capacity to complete all reviews within timescale within the IRO unit until a replacement IRO was appointed (in post October 21). Other reasons for delay noted were:

- Sickness of carer, social worker or IRO.
- Meetings being cancelled due to an unexpected event

5.17 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 19 (31%) of foster carers chose to attend, which has continued the higher trend in attendance from the previous year.

Extension to Temporary Approval of Connected Carers

5.18 There have been 41 requests for extensions of temporary approval of connected persons. Of these, Panel's view was that all but 1 should be extended.

5.19 Panel were satisfied with the papers submitted in all but 2 cases. In one case no Regulation 24 report had been completed by the child's social worker and in the other the paperwork was described as difficult to understand.

5.20 Extensions for a further 8-week 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. 9 of the 41 requests were submitted outside of timescale (1 had been submitted for an earlier panel which was not quorate) which was a significant improvement on the last reporting period.

5.21 Panel noted a decrease in extensions coming to Panel during this reporting period and a further increase in children's social worker attending Panel, which was very helpful to Panel in reaching a view.

6. LONG TERM FOSTERING MATCHES

6.1 6 long-term fostering matches were considered by Panel over the year. Panel was satisfied with the quality of the reports in all cases.

6.2 There is not a prescribed timescale for long-term fostering matches to be presented to Panel, however, over a year might seem delayed and within 6 months of a placement start, a little too quick. Panel's view of the matches presented was that 4 were presented at an appropriate point and two were delayed longer than ideal.

6.3 It is important that timescales for a match are considered and agreed on an individual basis according to the individual needs and circumstances of each case.

7. FEEDBACK IN RESPECT OF PANEL FUNCTIONING

7.1 The following feedback has been gained through completion of questionnaires from staff and applicants attending Panel during the reporting period. Unfortunately, it has continued to be challenging to gather feedback as applicants and social workers appear to be less motivated to complete feedback sheets than when they attended Panel face to face. To endeavour to increase feedback the questionnaire is now sent twice; once electronically with the invitation to Panel and again as a paper copy, when the Agency Decision Letter is sent by post. 13 feedback questionnaires were received which was disappointing and a further reduction on the previous year. Of these, 10 were from carers/prospective carers and 3 from social workers.

7.2 Information gathered from feedback questionnaires:

- Attendees felt welcomed and had had introductions
- The process had been explained
- All suitability to foster applicants received questions in advance
- All but one applicant stated that the questions were fair. For the one who felt the questions were unfair, this was based on information in the assessment report which they disputed.
- All felt they had had the process of decision making explained.

General comments made:

- *After the first five minutes, I felt at ease – all the panel were kind*
- *All was explained in an e-mail and it was easy to follow*
- *I was worried the night before but there was no issue when I saw the questions – there were no trick questions*
- *It was very helpful*

7.3 One of the significant improvements for applicants/foster carers attending a virtual Panel is the reduction in waiting times. During face-to-face Panels, a small number of people attending had a wait time of between 30-60 minutes due to a delay with a previous item. This has not been the case with virtual Panels and, where there has been delay anticipated during an earlier item, the Agency Advisor has been able to contact social workers to inform them and ask them to notify applicants/foster carers.

7.4 The feedback questionnaires asks if applicants would prefer to attend panel remotely or in person; responses were equally spread with some preferring face to face, some remote but most happy with either.

7.5 General Functioning of the Agency and Child Placement Panel noted by Panel Chair:

- All the panels held were quorate and none were cancelled due to a lack of quoracy.
- Another period of virtual panels has seen this way of working bed in and indeed has become preferable to some panel members, attendees and social workers.
- The overall quality of the documentation presented to panel has remained high despite the difficult and stressful times, virtual working and shortage of team members in the fostering service.
- Attempts to recruit new panel members, do now seem to be paying off and it seems diversity and gender balance is much improved
- The commitment and perseverance of panel members and the staff supporting panel over this period has again been very impressive.

- The two vice chairs have now been chairing panels successfully. This is a considerable asset to the service and makes the system more robust.
- There is a high commitment now from children's social workers in attending panel; they bring an important perspective when considering connected carers, as the suitability of carers is inevitably linked to needs of the children
- The overall quality of the documentation presented to panel has remained high.
- A decision taken at the beginning of this period was to continue virtual panels for the foreseeable future, as the advantages outweighed the disadvantages.
- The commitment and perseverance of the staff supporting panel over this period has again been very impressive.

8. TRAINING FOR PANEL

- 8.1 One specific training event has been held for Panel members during this reporting period. It was held virtually over a full day on 20/1/22 due to the rise in the Omicron Covid 19. This was though a very successful day with a number of topics covered and informal feedback was very positive
- 8.2 Annual appraisals of central list members required in this period, have been carried out virtually, mostly following the panel meetings. These focus on individual development and give a pointer to future training needs. There were two overdue appraisals, at 31/3/22, due to difficulties in arranging convenient appointments.

9. APPROVED FOSTER CARERS

Year	Approved foster carers
2017/18	23
2018/19	26
2019/20	24
2020/21	43
2021/22	21

- 9.1 Of the 21 foster carers approved:

- 18 are connected carers (compared to 30 last year)
- 3 are new foster families (compared to 3 last year)

10. QUALIFYING 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 were 4 applications 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 3 during the previous reporting period.
- This year there were 0 recommendations by Panel to deregister foster carers (compared to 3 in the previous year.)
- 0 applicants have applied to the IRM for a review of the qualifying determination decision.
- The ADM agreed with the recommendation of Panel in all cases.

11. CURRENT STATUS

- At 31 March 2022 there were 166 approved fostering households, a decrease of 11 from the previous reporting period (177).
- There were 91 mainstream approved foster carers (which has reduced by 12 from the previous year).
- There were 75 approved connected carers (which has increased by 1 from the previous year).
- Between 1 April 2021 and 31 March 2022, 14 mainstream foster carers resigned (compared to 15 during the previous year). 6 of these carers retired from fostering due to age/ill health, 4 for personal reasons due to a change in personal circumstances, 1 following an allegation, 2 following a disruption and 1 retired though continued to care for a young person under a staying put arrangement.

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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