

**HAMPSHIRE COUNTY COUNCIL****Report**

<b>Committee/Panel:</b>	Children and Families Advisory Panel
<b>Date:</b>	7 February 2012
<b>Title:</b>	Position Statement – Independent Reviewing Service (IRS) and Safeguarding Unit
<b>Reference:</b>	3684
<b>Report From:</b>	Director of Children’s Services

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## **1. Summary**

- 1.1. The purpose of this paper is to highlight and increase awareness of the work of the IRS and Safeguarding Unit.
- 1.2. Positive progress has been made to redefine and reposition the IRS within Hampshire but work remains to be done. Pressures on the service from increased numbers of children with Child Protection Plans and new, tighter statutory requirements made a review of the IRS resource base appropriate in 2011. The role of the Safeguarding Unit has become more clearly defined following decisions taken by the Children’s Services Department Management Team (CSDMT) in June 2010 with the adoption of some new functions now completed.

## **2. Contextual information**

- 2.1 On 14.06.10 CSDMT considered and accepted a report which moved the IRS under the management of the Head of the Safeguarding Unit, changing reporting lines accordingly to preserve an appropriate degree of independence for the service. CSDMT also agreed some changes of function for the Safeguarding Unit itself.
- 2.2 The structure of the IRS has undergone further slight changes in line with the move to a two area service and consequent establishment of two newly re-graded Lead Independent Reviewing Officer (IRO) posts which have a clear management focus, rather than the three previous posts which delivered more of a ‘senior practitioner’ lead IRO role.
- 2.3 This report is further informed by the outcome of this year’s OFSTED inspection of services related to Looked after Children and Safeguarding, the significant increase in numbers of Hampshire children with a Child

Protection Plan and the recommendations of the Family Justice Review final report. (November 2011)

### **3. Finance**

- 3.1. The work of the IRS and Safeguarding Unit is fully accounted for in current budget provisions and proposals for 2012/13.

### **4. Performance**

- 4.1. The primary function of the IRS is quality assurance as described below. The Safeguarding Unit also fulfils a key role in this regard. As such both are important in ensuring that services to some of Hampshire's most vulnerable children perform to a high level.

### **5. Key Issues**

#### **The Independent Reviewing Service (IRS)**

- 5.1 The IRS manages the work of the Independent Reviewing Officers (IROs), whose function is statutory and relates to the chairing of reviews for Children who are Looked After by the authority (CLA), oversight of the quality of the plans and outcomes for these children and feeding information back into the authority so that individual outcomes and overall processes can be improved.
- 5.2 A key balance which needs to be struck for the IRS to perform well is that between effective co-operation with operational colleagues and being seen as constructively critical from an independent standpoint. In this regard the current work on positioning the IRS within Hampshire sits well with some of the key recommendations of the Family Justice Review relating to this service.
- 5.3 In Hampshire, IROs are not solely Independent Reviewing Officers, they are also employed as Independent Child Protection Conference Chairs. This aspect of their work is in addition to the CLA review caseload. When delivering either function the role of the IRO is essentially one of statutory quality assurance.
- 5.4 At the end of March 2008 there were 1085 children looked after full time by Hampshire, plus 242 having programmed short breaks, these latter being mainly disabled children. The increase in complement of the IRO service from monies voted by members at that time to ensure effective safeguarding in the authority enabled each full time equivalent IRO to manage a caseload of 75 CLA. The statutory guidance within the 'IRO Handbook' recommends a caseload per full time IRO of 50 – 70, so the increase in resource brought the service close to this figure. However in addition to their CLA review work each full time IRO in Hampshire also managed their share of the number of

conferences generated by children with a Child Protection plan, 461 children at the same point, 31 March 2008.

- 5.5 In line with national guidance changes have been made to reviewing arrangements for those children receiving short programmed breaks such that only those with particular identified needs beyond the need for respite now fall within the ambit of the Reviewing Service.
- 5.6 The headline figure for the number of children looked after full time in Hampshire has fluctuated slightly but at the time of writing only changed by less than 1% since March 2008. However numbers of children subject of Child Protection Plans have been steadily increasing in Hampshire, particularly over the last two years. Since the end of October 2011 this figure has been 800 or more. This represents a significant increase from the March 2008 baseline. Whilst the number of CLA cases per IRO remains manageable the increase in Child Protection Conference work carried out alongside the CLA review function inevitably potentially compromises the ability of the service to carry out its statutory quality assurance functions effectively.
- 5.7 Despite these pressures within the service significant progress has been made on a number of fronts:
  - Strengthening of the management arrangements for the IRS with a clear re-written role profile now published for the two Lead IRO posts
  - Implementation and increased use of a revised Problem (Dispute) Resolution Protocol to good effect
  - Increased visibility of IRS on the child's electronic social care records using a specific recording tab 'IRO note' as the tool to achieve this. The IRS management team have ensured all IROs are trained and aware of their duties in relation to this and processes are in place to regularly monitor progress in terms of effective IRO recording.
  - Increased participation and visibility of the IRS in strategic and joint work with operational teams and multi agency forums (e.g. 'Care Matters' sub groups, IROs linked to individual operational teams, Performance Action Groups, and relevant Safeguarding Children's Board sub-groups.)
  - Structured engagement with the 'virtual school' through the Care Matters Board sub groups and regular attendance of the school's development officers at the IRS County meetings

- Implementation of processes to ensure compliance with the statutory guidance within the 'IRO handbook' and new 'Care Planning Regulations'
  - Ensuring IROs are allocated to a newly looked after child within 5 working days, and ensuring that Review Records are compliant with the regulations and ask the right questions
  - Ensuring all IROs are clear about the requirements now placed on them, that CLA review decisions should be recorded and shared within 5 working days and the entire review record completed within 20 working days
  - Development by the whole service of a Mission Statement for the IRS which confirms the balance of independence and cooperation, with the child at the heart of processes and outcomes. This is being shared as a draft with all stakeholders prior to its adoption. (Current draft at Appendix 1).
  - Review of the changes to Initial Child Protection Conference and Core Group arrangements (Core Groups being key multi agency meetings which detail the plan for an individual child and keep it on track between the Child Protection Conference meetings) with Child Protection Chairs amending their practice to support this
  - Increased liaison with Participation Officers and Care Ambassadors who have been involved with training of the new Care Planning and Reviewing Regulations and involvement in devising the audit of care plan tool for use in 2012
- 5.8 Work continues to review and redevelop a comprehensive data set of key performance indicators for the IRS. This is complex work as the ability of the IRS to deliver cannot be separated from the efficiency and effectiveness of the operational social work teams, but the need to report back into the wider service as well as reflect on IRS practice means that detail as well as headline data has to be captured. (For example a first review for a child should be held within 20 working days of their becoming looked after. Robust processes are in place to ensure that an IRO is allocated quickly to any CLA, but failure to notify in a timely way that a child is Looked After may cause a late initial review, and operational managers will wish to know from the IRS if this is occurring, even though the performance of the IRS may not be in question.)
- 5.9 The particular challenge in this area of work is to understand what data is already captured through the existing electronic social care record or other reporting mechanisms and not overburden the individual IROs with a reporting framework which can potentially be as time consuming as discharging their core functions. Work is almost complete in this regard and will lead to a consistent input and reporting to local and senior management groups in 2012.

- 5.10 One key area of work for IROs is their considered use of the 'Dispute Resolution Process' which the local authority is required by statutory guidance to put in place. This is the mechanism by which individual IROs can escalate concerns related to care planning and progress under care plans if they feel outcomes are being compromised.
- 5.11 In the last period this process has been formally used six times in six months, by different IROs. This level of use indicates that much work is appropriately done to move issues forward at a less formal level, but also showing that IROs will use their independence to formally challenge if they feel it necessary to assure a child's interests are properly progressed.
- 5.12 The increased number of Child Protection Conferences and pressures on all agencies to tightly focus their resources has meant that on seven occasions in the last six months review conferences have been inquorate. In most instances, as statutory guidance allows, chairs have concluded it is in the best interests of the child concerned to continue the process with those present. These instances are monitored and concerns fed back into the wider children's workforce through IRS involvement in Hampshire's Safeguarding Children's Board sub-groups.
- 5.13 It should be noted that overall the Ofsted Inspection in 2011 reflected that in Hampshire the quality of CLA reviews is good and safeguarding processes are robust. However there are resulting actions, now established within the branch Quality Improvement Plan, which are being pursued.
- 5.14 A particular recommendation was that the service should to be reviewed and delivery models explored to ensure Child Protection Conference chairs have capacity to involve children, young people, their parents and carers in conference processes. We also need to increase the proportion of children and young people contacted by their IRO prior to their review. A base line of data is being established in this regard.
- 5.15 The Service also needs to ensure it is feeding back, on a micro and macro level, to ensure continuous service improvement and improved care planning and updates to care plans as needed and to demonstrate it is achieving this.
- 5.16 Two key questions arise in respect of these challenges. Firstly, could the service better address the needs of children and young people in Hampshire if it split structurally along the lines of its two component functions? (The CLA Independent Reviewing Officer function and that of Child Protection Conference chairs).
- 5.17 Secondly, does the service have capacity to properly meet the challenges identified, particularly around feeding back into the wider organisation, in light of the increased numbers of children with CP plans?
- 5.18 The first question was considered in the report to CSDMT of June 2010, which noted distinct benefits in keeping a larger service combining both functions as this would provide greater flexibility in meeting changing demands. This has proved to be the case. Had the service been divided the

rise in CP plan numbers could not have been well managed as the flexibility inherent in a larger service would have been lost.

- 5.19 It cannot be predicted as to whether Child Protection, or CLA numbers will now remain stable or fluctuate further. CSDMT therefore agreed in December 2011 that there is currently little merit in reopening the debate about splitting the IRS into its component functions. (This position may need to be reviewed in light of the final outcome of the Family Justice Review).
- 5.20 Clearly the service does not have capacity to fully meet the identified challenges in the context of current CLA and particularly Child Protection plan numbers. A calculation within the service indicated the increase in Child Protection Plan numbers alone gave rise for a need of at least an additional 2 FTE IROs. To begin to properly address the increased requirements of the IRO handbook, Care Planning and Review Regulations and Quality Improvement Plan recommendations as well as meet the increased demand through CP plan numbers CSDMT agreed to the establishment and funding of an additional 2 full time IRO posts with effect from the forthcoming start of the new financial year.

### **Safeguarding Unit**

- 5.21 Several significant changes to the functions carried out within the safeguarding unit have occurred since the report to CSDMT in June 2010.
- 5.22 The role of the Safeguarding Unit has been clarified in respect of the delivery of Internal Management and Serious Case Review processes and endorsed through a report to Children and Families branch Management Team. This was necessary to address the issue that the process of identifying learning and development from these reviews had not systematically involved the Safeguarding Unit. The unit should provide a quality assurance and consistency role for this area of work and by providing this the Unit is also well positioned to ensure that learning is reflected in supporting policy and procedure.
- 5.23 Licensing applications relating to the sale of alcohol, entertainment and the sale of hot food and drink between 11 p.m. and 5 a.m. are received by Borough and District Councils. The Licensing Act 2003 is framed to ensure consideration is given to the issue of protecting children from harm when such applications are made and in consequence the Children's Services Department are consulted on a statutory basis. This work has now come into the Safeguarding Unit. It previously sat with the front line Referral and Assessment teams where, understandably, it was never prioritised. Processes are now in place within the Safeguarding Unit to ensure the Department responds within the relatively tight timescales laid down for this work. Applications have some seasonal fluctuation but have averaged 26 a month; feedback from the eleven first tier councils as to how this is now being managed has been very positive.

- 5.24 The move of the part of the 'Children Missing Education' function previously managed in the unit into the admissions sections of the Education and Inclusion branch has been completed as previously agreed by CSDMT.
- 5.25 Requests for checks by other local authorities and providers seeking to approve potential foster carers and adopters have been brought into the unit from what is now the Children and Families branch Commissioning Team and is managed without extra resource within the clerical team in the unit, overseen by one of the Local Authority Designated Officers (LADOs. LADOs provide another statutory function, having oversight of any allegation or concern raised in respect of a member of the wider children's workforce, be that within a school, statutory setting or voluntary organisation).
- 5.26 The strategic lead for Private Fostering has recently been lodged with the Head for the unit and work is underway to ensure the department meets expectations in this regard. The three key elements of this work are ensuring awareness of their responsibilities and the legislative framework amongst all those involved in the wider children's workforce, ensuring accuracy and updating of our own recording of data related to such cases, and ensuring our social work staff are aware of and adhere to existing procedures.
- 5.27 The LADO function appropriately remains in the unit and is the subject of separate regular reports to the Hampshire Safeguarding Children's Board. In headline the level of work in this area continues to steadily increase, as do the number of Freedom of Information requests related to allegations. In regard to the latter a data base newly developed with IT colleagues will assist in answering future queries.
- 5.28 In the academic year to 31<sup>st</sup> August 2011 394 allegations were recorded by the two LADOs, who also fulfil the role of safeguarding advisors. Of these allegations 200 related to schools, the significant majority of these being Hampshire schools, although some of the private establishments in the county dealing with children who exhibit challenging behaviours may generate in the region of a dozen referrals a year.
- 5.29 The relationship between Hampshire's Safeguarding Children Board and the department's Safeguarding Unit is now well defined. The links and dependencies between the various Children's Safeguarding Groups are given in Appendix 2.

## **5. Future direction**

- 5.1. The direction of work for the IRS is well defined, and the service is appropriately positioned and equipped to respond to current challenges. As always drivers for future change are most likely to come from central government, particularly for the IRS from the outcomes of Family Justice Review and possibly also from the issuing of updated statutory guidance in

relation to safeguarding, which will come in the form of a new 'Working Together to Safeguard Children'.

- 5.2. The safeguarding Unit has better defined and consolidated its position in the organisation. No further changes are anticipated in the short to medium term future, other than any driven by the new 'Working Together to Safeguard Children', as above, and the final outcomes of the government's consideration of Professor Munro's review of Child Protection arrangements in England.

## **6. Conclusion**

- 6.1. Members of the panel are asked to note the report and the work of the IRS and Safeguarding Unit.

**CORPORATE OR LEGAL INFORMATION:****Links to the Corporate Strategy**

<b>Hampshire safer and more secure for all:</b>	yes/no
Corporate Improvement plan link number (if appropriate):	
<b>Maximising well-being:</b>	yes/no
Corporate Improvement plan link number (if appropriate):	
<b>Enhancing our quality of place:</b>	yes/no
Corporate Improvement plan link number (if appropriate):	

**Section 100 D - Local Government Act 1972 - background documents**

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

DocumentLocation

None

## **IMPACT ASSESSMENTS:**

### **1. Equalities Impact Assessment:**

1.1.

### **2. Impact on Crime and Disorder:**

2.1.

### **3. Climate Change:**

- a) How does what is being proposed impact on our carbon footprint / energy consumption?
  
- b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?