**Allegations and Serious Concerns about**

**Standards of Care**

**Children and young people in foster care**

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**PART ONE: Allegations leading to safeguarding concerns**

**1. Introduction**

Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as:

* protecting children from maltreatment
* preventing impairment of children's health or development
* ensuring that children grow up in circumstances consistent with the provision of safe and effective care
* taking action to enable all children to have the best outcomes.

*(Working Together to Safeguard Children 2018)*

All children are entitled to the same level and standard of protection from harm including those receiving services from statutory or other agencies. For this reason, enquiries and investigations relating to children in receipt of such services must be dealt with under the Gloucestershire Safeguarding Children Executive Child Protection Procedures.

Allegations or suspicions that a foster carer has caused ***harm***or ***significant harm*** to a child will be investigated thoroughly, speedily and sensitively under those procedures and will involve open and honest communication with and support to all those affected.

* ***Harm*** means ill-treatment or the impairment of health or development including, for example, impairment suffered from seeing or hearing the ill-treatment of another;
* ***Development***means physical, intellectual, emotional, social or behavioural development;
* ***Health*** means physical or mental health; and
* ***Ill-treatment*** includes sexual abuse and forms of ill-treatment which are not physical.

Whether ***harm*** suffered by a child is ***significant*** depends on the child's health or development, his/her health or development shall be compared with that which could reasonably be expected of a similar child.

The Adoption and Children Act 2002 broadens the definition of ***significant harm*** to include the emotional harm suffered by those children who witness domestic violence or are aware of domestic violence within their home environment.

There are no absolute criteria on which to rely when judging what constitutes ***significant harm.*** Consideration of the severity of ill-treatment may include:

* The degree and extent of physical harm;
* The duration and frequency of abuse or neglect;
* The extent of premeditation;
* The degree of threats and coercion;
* Evidence of sadism, and bizarre or unusual elements in child sexual abuse.

Each of these elements has been associated with more severe effects on the child, and/or relatively greater difficulty in helping the child overcome the adverse impact of the ill-treatment.

Sometimes, a single traumatic event may constitute ***significant harm***. In other circumstances ***significant harm*** is caused by the cumulative effect of significant events, both acute and long-standing, or the damaging impact of neglect which interrupts and changes or damage the child's physical and psychological development.

*(Gloucestershire County Council Children’s Social Care Procedures Manual: Child Protection Enquiries (Section 47))*

It is important to note that, there may be insufficient evidence to support a Police prosecution, but this does not mean that action cannot be taken to protect a child nor that the termination of a foster carer’s approval cannot be considered.

It may also be necessary to consider during investigation what action, if any, should be taken with regard to other children with whom foster carers against whom allegation are made have contact, including their own children.

**Working Together to Safeguard Children 2018**

An allegation may relate to a person in a position of trust who has:

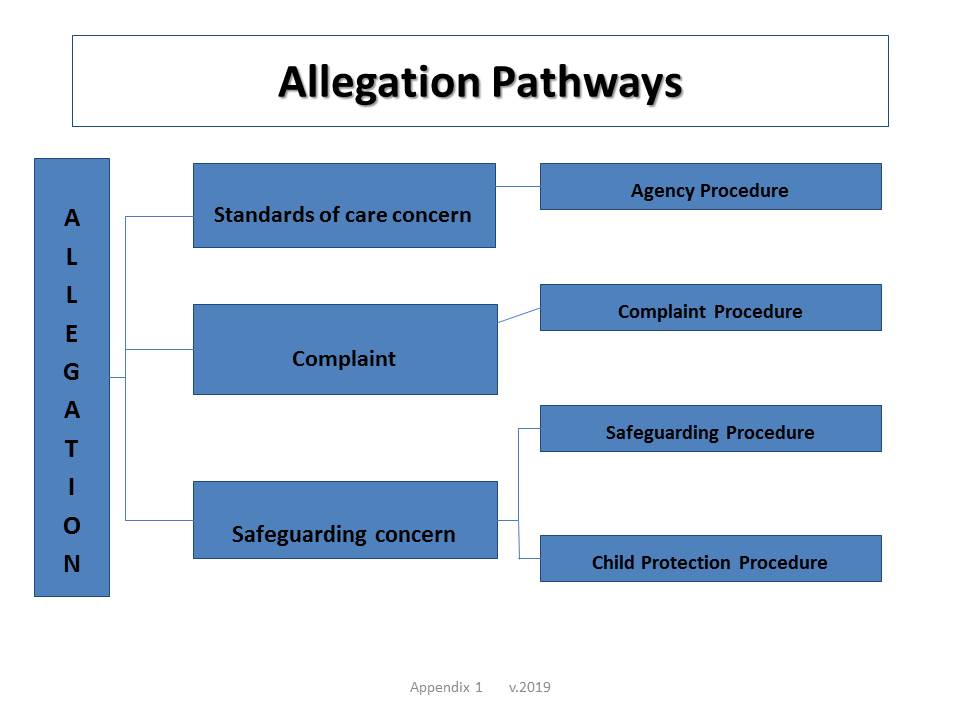
* Behaved in a way that has harmed a child, or may have harmed a child;
* Possibly committed a criminal offence against or related to a child; or
* Behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

**1.1** The following guidance is applicable when considering allegations *I* serious concerns against foster carers, or where children are placed for adoption.

**1.2** Allegations, standards of care concerns and complaints are defined as follows:

* an **Allegation** is where a child or young person is considered to have been abused (emotionally, physically or sexually) or has been neglected by the person the allegation is about.
* **Standards of care concerns** are not of a child protection nature, but suggest that agreed standards of practice and care are not being adhered to at a minimum.
* a **Complaint** is generally defined as ‘an expression of dissatisfaction or disquiet in relation to an individual child or young person, which requires a response’.

(*CoramBAAF Adoption and Fostering Academy 2019*)



**1.3** Concerns regarding child protection allegations, standards of care or complaints are dealt with under one of more of the following procedures:

* Gloucestershire County Council safeguarding procedures: where allegations or concerns satisfy the threshold for child protection under section 47 of the Children Act 1989.
* Procedures where there are concerns about the standard or quality of care from foster carers (which do not meet the threshold for a section 47 investigation).
* Complaints and Representations procedure. This is available to any child, young person, parent or carer wishing to make representations or a complaint about any services to children.

**1.4** Within Gloucestershire County Council Fostering Service, the expectation is that:

1. At the time of the child’s placement, foster carers will be provided with detailed information as to the child’s background and in particular the context of any abusive experiences or trauma and / or previous allegations made by the child;
2. All foster carers will receive preparation, training and guidance to help them provide a safe environment for the child and all members of the foster family;
3. All foster carers will have received information about this procedure and the **Gloucestershire Safeguarding Children Executive Child Protection Procedures**:
4. All foster carers will be familiar with and adopt the procedures for recording on a daily basis the progress of children placed with them, including any incidents or complaints, and understand that these procedures have been made to protect all those involved in the child’s placement, particularly at times of high stress, and will provide important evidence if an allegation is made.

**1.5** In addition, in relation to the Fostering Service, it is an expectation of the **Fostering Services National Minimum Standards 2011** that:

* A senior manager within the Fostering Service is identified to be the Designated Person who liaises with the LADO in all cases to which this procedure applies and manages the allegations process. The Designated Person in the Gloucestershire County Council Fostering Service is the current Service Manager for Permanence;
* All staff within the Fostering Service are aware of the requirements of this procedure, including the role of the Disclosure and Barring Service (DBS).

**2. Procedures**

**Responding to allegations of abuse made against foster carers, prospective adopters or any other adult living within the home**

**(See** [**Flow Chart**](https://gloucestershirechildcare.proceduresonline.com/docs_library.html#ch_in_care_health) **1)**

**2.1 Initial response**

Any person who receives information or suspects that a child has suffered or is suffering significant harm in a foster placement must immediately inform:

* The child’s Social Worker and Team Manager.
* The fostering Social Worker and Team Manager \*.
* The adoption Social Worker and Team Manager (if applicable).
* Advice may be sought from the Local Authority Designated Officer (LADO) and a referral made as appropriate.
* Refer the matter to the relevant Assessment Team (if applicable).

\* The fostering Social Worker / Team Manager will advise the Designated Person in the Fostering Service and, in consultation, with the Designated Person:

* Inform the social workers for any other child in the placement;
* Inform any other local authority with an interest in the foster placement.

**2.2** If the child lives with foster carers or prospective adopters at an address outside of Gloucestershire, the Designated Person in the relevant local authority should be informed without delay by the Fostering Service.

**2.3** The LADO must always be informed where a carer, prospective adopter or a member of their family has:

* behaved in a way that has harmed a child, or may have harmed a child, or
* possibly committed a criminal offence against or related to a child, or
* behaved towards a child or children in a way that indicates s/he may pose a risk of harm to children.

The LADO will make a decision as to whether the allegation meets the threshold for an Allegations Management Meeting.

**2.4** The LADO is the person nominated by the local authority in which the foster carer, prospective adopter or family member lives, whether or not there are children in placement from that or other local authorities at the time of the allegation.

**2.5** The relevant Assessment Team must implement the **Gloucestershire Safeguarding Children Executive Child Protection Procedures** in relation to the allegation / suspicion. They will gather relevant background information to convene the Strategy Meeting within 2 working days of the referral.

**2.6** Other investigative routes may be identified as more appropriate at this stage, for example, the complaints process, and should be considered as an alternative to a Section 47 Enquiry.

**2.7** The Regulatory Authority must be informed of the allegation / suspicion and the Fostering social worker’s manager must ensure that an invitation is sent to them to be represented at the Strategy Meeting.

**2.8** In exceptional circumstances where immediate action is necessary to safeguard the welfare of the child, the child’s social worker and his or her manager may decide to request that a new placement be identified.

**2.9** If a Strategy Meeting is not required, see point 3.11 below.

**3 Strategy Discussion / Meeting**

**3.1** The Strategy Meeting will take place within 2 working days of the referral and will involve a face to face meeting. The purpose of the meeting will be to decide if an investigations necessary and, if so, how it should be carried out. People invited to the strategy meeting should include but not be limited to:

* The child’s social worker and Team Manager
* Other children’s social workers and Team Managers who also have children in the placement
* Designated Person from the Fostering Service
* LADO
* Fostering social worker and Team Manager
* A manager independent of the case to chair the meeting
* A representative from the Regulatory Authority
* A representative from the police
* A representative from health

**3.2** The chair will guide all attendees through the process of the strategy meeting, all points that need to be considered include:

1. The nature of the allegation, it’s source and reliability,
2. background information relating to the foster family, how long the family has been known, how many children they have cared for, the family’s strengths and weaknesses and any exceptional features about the child and the placement,
3. whether the child needs to be removed from the placement (if it hasn’t already happened),
4. whether the carers’ own children need to be included in the investigation,
5. the safety of all children in the household including the foster carers’ own children and whether any action is necessary to protect the children including the removal of all or any of the children while the investigation is conducted,
6. How the needs of any child who has to leave the placement will be met including contact with other children in the placement,
7. whether a criminal investigation will be invoked,
8. whether the alleged perpetrator will be asked to leave the home while the investigation is conducted,
9. how the child should be informed of the procedure and supported throughout the process,
10. when and how the carers / adopters will be notified and supported,
11. whether further placements should be suspended whilst an investigation proceeds,
12. how and by whom the investigation is to be conducted. It is important that careful consideration is given to the planning of criteria when a joint investigation is recommended. **In situations where the Police or Crown Prosecution Service recommend no further action then a social worker must interview the foster carers about all allegations and concerns raised. Interview notes must be taken and made available to future meetings and / or Fostering Panel,**
13. when and how the children’s birth family will be notified,
14. the involvement of other agencies, for example if the child was placed by another local authority,
15. the need to inform other agencies who use the foster home,
16. whether a child needs to be formally interviewed by the police,
17. whether legal advice needs to be sought (especially in cases of adoption),
18. who will notify the Regulatory Authority of the outcome of the meeting, if a representative is not present,
19. a referral to the Disclosure and Barring Service for inclusion on the Children’s Barred list. This should be considered whenever a carer is suspended from their duties,
20. the timescales for the investigation and any contingencies agreed should timescales prove unlikely to be met,
21. arrangements for reconvening the Strategy Meeting if applicable.

**3.3** Whether or not the Strategy Meeting considers that the allegation or suspicion has any foundation, the matter should be investigated by the Fostering Service unless there are exceptional circumstances, and the Regulatory Authority notified of the decision and outcome.

**3.4** The minutes of the Strategy Meeting must contain clear action points and time-scales for each action. The action points and time-scales must be circulated immediately after the meeting. Actions agreed must be recorded and be the responsibility of named individuals.

**3.5** Copies of the action points and the minutes should be held on the child’s and the foster carers’ records.

**3.6** Any decision to take no further action following the Strategy Meeting must be clearly recorded by the decision-maker on the child’s and the foster carers’ records, and reported to the Regulatory Authority.

**3.7** Every attempt should be made to complete the enquiries and reach an outcome that can be relayed to the carers / adopters and other key parties at the earliest opportunity, commensurate with the need to safeguard the child / young person.

**3.8** Long delays in outcomes and decisions cause distress for all parties. The timescale from initial referral of the allegation to the conclusion of the initial investigation should be **no longer than 7 days.**

**3.9** If circumstances require that the conclusion of the investigation is likely to be longer, carers should be informed in writing by the Team Manager or the Designated Person. Where possible, this should include reasons why with details of the timescale.

**3.10** Once the investigation has been concluded, the Fostering Service will review the status of the carer within 28 days.

**3.11 Strategy discussion / meeting not needed**

Alternatively, following consideration of the nature of the alleged concerns, the Designated Person and the Team Managers together may decide that one of the following may be appropriate:

* informal resolution;
* further assessment of the concerns is needed;
* complaints procedure can be invoked where a child / young person can formally make their own complaint;
* fostering investigation culminating in a chaired review of the carers carried out by a Fostering Independent Reviewing Officer or team manager within the Fostering Service and then presented at Fostering Panel.

**3.12** In all cases there should be a written record of the decision on the child’s case record and on the foster carers’ / prospective adopters’ case record. The LADO must be advised of the decision at this stage.

**3.13** Where it is unclear whether it is a standard of care or a child protection issue, the child protection procedures must be initiated in the first instance. If it is subsequently decided (for example after the Strategy Meeting) that this is not appropriate, the child protection procedures may be suspended and the matter dealt with under the relevant procedures for where there are concerns, i.e. complaints procedure, safeguarding procedure or standards of care.

**3.14** In any child protection matter there may be additional issues of standards of care, however child protection issues always take precedence.

**3.15** When the decision is taken that the concern(s) does not meet the criteria for a strategy discussion / meeting and possible section 47 enquiries, the concern(s) should be assessed and concluded at the earliest opportunity and the outcome relayed to all key parties. Written information should be given to the foster carers or prospective adopters about the concern(s) and outcome and full consideration must be given to how this is achieved. It could also be appropriate at this time to consider whether the concern(s) should be explored by a worker independent of the case in the form of a fostering investigation.

**4 Actions needed following Strategy Meeting (Fostering Service)**

**4.1** The actions agreed at the Strategy Meeting should be implemented by those responsible within the agreed timescales and as outlined in *Working Together 2018*. The Fostering Designated Person must be informed when a child protection investigation is initiated in relation to foster carers or prospective adopters.

**4.2** Unless there are circumstances when the details or nature of the allegation cannot be shared immediately, the Fostering social worker or the team manager should advise the carers of the allegation as agreed at the Strategy Meeting and of the process to be followed in the investigation, including the possibility that an Initial Child Protection Conference may convened in relation to their own children (if that is applicable).

**4.3** Where considered appropriate by those at the Strategy Meeting, the foster carers should be given the opportunity to respond to the allegations before any final decision is made about necessary action to protect the child and other children in the household. Such protective action may include asking the person against whom the allegation has been made to leave the household while the investigation is conducted.

**4.4** Any decision to suspend making further placements with the foster carers while the investigation is being conducted should be discussed with the Fostering Head of Service and be communicated in writing to the foster carers from the Fostering team manager.

**4.5** Decisions about payments to the foster carers whilst the investigation is ongoing should be communicated to the foster carers in writing from the Fostering team manager. Full details are also available in the core cost document.

**4.6** The independent worker nominated to support the foster carers throughout the process should contact the foster carers as soon as is practicable after the allegation and resulting Strategy Meeting and keep carers notified of progress at regular intervals (at least monthly). They should explain their role to the foster carers and must make clear their responsibility to report to the local authority, the Police and, in some circumstances, to the Court if any information relevant to the investigation comes to their attention. They should confirm that the foster carers are aware of the following:

* The contents of this procedure and the relevant **Gloucestershire Safeguarding Children Executive Child Protection Procedures,**
* The address and contact telephone number of the Fostering Network who are the independent agency identified to provide foster carer support,
* Information regarding consulting a solicitor for legal advice and
* Information on insurance arrangements for legal expenses.

**4.7** Interview(s) of carers in the course of section 47 enquiries should take place in an appropriate setting and the carers offered appropriate support.

**4.8** If an Initial Child Protection Conference is convened, the Fostering social worker must liaise with the Conference Chair to decide if the foster carers should be invited to attend. In any event, the carers’ views must be obtained for and communicated to the Conference. This would normally be completed by the supporting social worker.

**4.9** The social worker undertaking the child protection investigation will prepare a report and a copy will be provided to the foster carers and their representatives.

**4.9** **Concluding the child protection investigation**

**4.10** A Strategy Meeting will be reconvened to conclude the investigation. The

same individuals will be invited and the same person will chair the meeting; the foster carers and their representative will be invited to participate as considered appropriate by the Chair.

**4.11** The purpose of the final Strategy Meeting is to agree on the outcome of the investigation and responsibilities for any further action, including reporting on the matter to Fostering Panel and /or considering whether it may be appropriate to make a referral to the Disclosure and Barring Service for inclusion of the foster carers on the Children’s Barred List.

**4.12** The Chair will notify the foster carers (if not in attendance), the child, the parents, other children in the placement or involved, other relevant agencies and the Regulatory Authority of the recommendations made at the meeting.

**A formal review of the foster carers’ approval will be carried out following the completion of the section 47 investigation:**

**4.13** A meeting to discuss the outcome of the child protection investigation should be arranged with the foster carers and their representative and should be attended by the Fostering Social Worker and their team manager. This should make clear to the foster carers whether the department believes that the allegation is:

* **Unfounded** – no evidence and not based on fact.
* **Unsubstantiated** – no evidence to prove the allegation.
* **Substantiated** – evidence indicates that the allegation is true.
* **False** – evidence found to prove the allegation is false.
* **Malicious** – the allegation is a deliberate act to deceive and has no foundation.

**4.14** A report should be presented to the next available Fostering Panel. The social worker preparing the report should consult with the Chair of the Fostering Panel who will advise on who should attend the Panel meeting (usually the child’s social worker and the Fostering social worker for the foster carers).

**4.15** The report should consider the following:

* The outcome of the child protection enquiries,
* What, if any, concerns remain,
* Whether a report has been forwarded to the Crown Prosecution Service,
* The feelings and experience of the foster carers,
* An acknowledgement of any pressure or stress within the placement,
* Identification of any training and future support needs of the carers,
* The views of the Fostering social worker and
* Any other relevant issues that would normally be discussed within the foster carers’ annual review such as behaviour management strategies, working in partnership, family contact considerations, etc.

**4.16** Prior to Fostering Panel, the foster carers and their representative should have seen, and had time to comment on the report being presented to Fostering Panel. The procedure to be adopted for the Fostering Panel will be the same as for any other foster carer review (see **Review and Termination of Approval of Foster Carers Procedure**).

**4.17** All relevant documents in relation to the investigation, whatever the outcome, must be retained on the child’s and foster carers’ records, **a copy of which should be given to the carer.**

**4.18** Consideration should be given to holding a debriefing meeting for all involved as to the impact of the allegations and the resulting investigation, whatever the outcome, and any necessary assistance or support should be made available as necessary. This meeting should be chaired by the Fostering Service Designated Person.

**4.19** In all cases when an allegation has been substantiated, senior managers should consider the lessons learned and how they should be acted on. This should include whether there are features of the organisation which may have contributed to the abuse occurring or failed to prevent the abuse occurring.

**4.20** In all cases where an allegation has been substantiated and deregistration has been decided, the Fostering Designated Person must consult with the relevant LADO about the issue of referring the carer to the Disclosure and Barring Service.

**PART TWO: Allegations leading to serious standards of care concerns**

**5 Procedures where there are serious concerns about foster carers’ practice or standards of care (see** [**Flow Chart**](https://gloucestershirechildcare.proceduresonline.com/docs_library.html#ch_in_care_health) **2)**

**Definition reminder from CoramBAAF from Fostering National Minimum Standards (22.10)**

**Standards of Care concern or Allegation?**

Fostering Services need to ensure that a clear distinction is made between investigation into allegations of harm or significant harm and discussions over standards of care. Investigations which find no evidence of harm should not automatically become procedures looking into poor standards of care; these should be treated separately

**5.1** If the Fostering Service has information or an allegation suggesting that there may be concerns about the quality of care in the foster placement, or that the carers practice may not be meeting the expected standard, the following actions are needed.

Team Manager, Fostering social worker and Fostering Service Designated Person decide that one of the following may be appropriate:

* Informal resolution,
* further assessment of the concerns,
* progress to the complaints procedure where the child / young person can formally make his / her own complaint,
* Fostering review or
* review of the plan for the child.

**5.2** In all cases there should be a written record of the decision on the child’s case file and the carers’ case file.

**5.3** Informal resolution may be considered if the information is deemed to be unfounded, or part of an ongoing development area for the foster carer which is already being explicitly addressed with them. Fostering Designated Person may advise that the foster carers’ Fostering social worker will be the most appropriate person to discuss the issues with the carer.

**5.4** An investigation planning meeting will be convened by the Fostering social worker or their team manager; Fostering Service Designated Person to chair the meeting. An action plan with timescales will be agreed at the meeting including who will carry out the investigation, nomination of the independent Fostering social worker who will support the carers throughout the process, provisional date for the chaired review, provisional date of Fostering Panel and agreement of information to be shared with the carers.

**5.5** Fostering Service Designated Person informs the carers in writing about the outcome of the planning meeting and also gives details of the support available to the carers. Independent Fostering social worker arranges a preliminary meeting with the carers to explain next steps.

**5.6** Written recording is made of all meetings and shared with the foster carers and added to the carers’ case file.

**5.7** It is the responsibility of the independent social worker to update foster carers at regular intervals (at least fortnightly) regarding the progress of the investigation and likely duration and future Fostering panel date.

**5.8** The investigation into serious concerns should take no more than four weeks to complete. The worker responsible for the investigation will prepare a report which summarises the information, sets out the findings and makes recommendations. The report should be shared with the foster carers 14 days before a further meeting is held to decide actions.

**5.9** The foster carers should be given the opportunity to provide a written response to the report prior to attending Fostering panel.

**5.10** The foster carers will be advised of the panel date and will be invited to attend with independent support if they wish. The Fostering social worker and team manager should also attend the panel meeting.

**5.11** If the foster carer gives 28 days’ notice of their wish to cease fostering, there are no means of continuing the investigation beyond the expiration of the notice period. The team manager should continue to ensure that the information already known is collated in order to include it on the foster carers’ record. There will also be a need to consult with LADO in respect of making a referral to the Disclosure and Barring Service. This should be included in information submitted to Fostering panel and the Agency Decision Maker.

**5.12** If foster carers decide to give notice, the Fostering social worker should be clear with the carers about implications of the investigation, for example, if they apply to a Fostering agency, then full information about the investigation will be shared when the required checks are carried out.

**5.13** A report to Fostering panel should be produced in all cases. The report will initially be considered at a meeting with the Fostering Independent Reviewing Officer, the foster carers and the Fostering Social Worker before being presented at Fostering Panel at a later date.

**5.14** At the end of any investigation, foster carers should be offered a formal opportunity to attend an evaluation meeting. Carers should be enabled to express the impact of the investigation on them, their family and any future support needs they may have as a result. This meeting should be offered within 14 days of the conclusion of the investigation and should be chaired by the Fostering Designated Person.

**6 Low level concerns about Standards of Care**

**6.1** In some circumstances ‘low level concerns’ about practice or standards of care may be observed. Concerns of any kind should be addressed at the earliest possible opportunity by the Fostering social worker during regular supervisory visits. The outcome of this dialogue should be recorded with the carer on their supervision record and passed to the team manager. A copy should also be given to the foster carers.

**6.2** Opportunities to improve practice and learning should be identified and timescales set. This may include training and mentoring. Outcomes should be recorded on the carer’s supervision record.

**6.3** As part of the carers’ development progress, it may be appropriate to include reference to this at the carers’ annual review. The details in the review will be shared with the carer prior to the review’s completion.

**6.4** If the concerns continue, the foster carers’ suitability to foster must be considered and a review of approval should be undertaken.

**6.5** Concerns observed by a child’s social worker or other professional should be addressed as soon as they are identified. It is not acceptable to include issues of concern at a later review that were not made known to the Fostering social worker at the time they were observed.

**6.6** If ‘low level concerns’ are not resolved at an early stage, a build up of concerns may be identified. If this happens, or if a serious concern about quality of care is identified, then the procedures at section 5 apply.

**7 Allegations of abuse against a young person within the foster placement**

**7.1** When an allegation has been made against the foster carers’ own child or another child in placement, the matter will be investigated as outlined above.

7.2 Careful consideration should be given to the accommodation needs of all the children in the placement a decision made about who can safely remain in the household, and who should move. The Strategy Meeting must clearly record the decision making and risk assessment process which underpins this.

7.3 All children’s views must be taken into account and support from social workers and the Advocacy Service made available to all involved children.

7.4 Particular sensitivity should be considered when establishing whether the foster carers were aware of what has happened.

7.5 Consideration must also be given as to whether the alleged perpetrator is at risk of significant harm.

7.6 The support needs of the young people and the carers must be considered following the outcome of the investigation.

7.7 Foster carers may need particular support revising the family safe care policy.

**PART THREE: Support for foster carers**

**8 Support for carers following an allegation being made**

Foster carers must be given appropriate information about any allegation made against them and the reasons for an unplanned removal of a child. The possible risk of harm to children posed by an accused person needs to be effectively evaluated and managed. Foster carers must not be suspended automatically or without careful thought.(*Fostering Statutory Guidance 3.73 2011*).

When proposing fostering arrangements, foster carers must be given relevant background information about the child they are going to foster; this should include any history of abuse the child has suffered and any history of allegations made by a child or young person against a previous carers. They should also be provided with guidance on acceptable behaviour management strategies and on risk management. The foster carers’ Safe Care policy should be updated as relevant when a new child joins the home.

Foster carers must receive training on safe care practices, including child protection safeguarding, and be informed how allegations of abuse are dealt with.

**8.1** If an allegation is made against foster carer(s), it is the local authority’s responsibility to ensure that foster carers are:

* Made aware that in cases of serious allegations considered to have substance, a criminal prosecution may be sought;
* Be aware that birth parents will be informed of any child protection enquiries in relation to their children where this is appropriate;
* Advised of the substance of the allegation at the earliest opportunity, unless this would jeopardise the enquiries made under Section 47 including any police investigations;
* Advised to seek independent legal advice (their own or through Fostering Network) if child protection enquiries are invoked and the police are involved;
* Given a copy of GCC safeguarding children procedure;
* Aware of and understand the process of the enquiry and why it is taking place;
* Given details of when, where and by whom interviews will be conducted;
* Informed of the independent support that will be provided to them and who will update them and when about the ongoing enquiry;
* Made aware that they can be interviewed but that they can make a written statement if they wish; the carers should be given the opportunity to contribute to the record of any enquiry or investigation;
* Given information about the financial support they will receive in relation to allowances / fees if fostered children are removed or the carer is temporarily suspended from taking further placements.

**8.2** Carers also need to be able to seek help, advice and support from other sources within the bounds of confidentiality. The carers must be made aware that whoever they discuss the allegation with, they may be required to give evidence if the case goes to trial.

**9 The role of the Fostering social worker**

**9.1** Within these procedures, the primary duty of Children’s Services is to address the welfare and safety of children in foster care and any other children in the household. There is also, however, a responsibility to any foster carers against whom allegations of abuse have been made.

**9.2** When a Fostering social worker receives information that could constitute significant harm, it is not their role to undertake the section 47 investigation. The information should be passed immediately to the Fostering team manager and the child’s social worker and team manager. The Fostering Designated Person should also be notified.

**9.3** The Fostering social worker should be kept informed of the progress of the child protection enquiries and should ensure attendance at any Strategy Meeting or child protection conference.

**9.4** The Fostering social worker should liaise with investigating social workers as to when to make contact with the foster carers.

**9.5** Contact with carers should be made as soon as is appropriate in relation to the investigation; this should be determined as part of the Strategy Meeting or the planning meeting in cases of standards of care concerns.

**9.6** A visit to offer advice and information should be given to carers following the Strategy Meeting. If the visit is refused, the offer should be confirmed in writing.

**9.7** The carers’ fostering social worker should ensure the carers have received copies of the appropriate information, including full details of all support available to them. The Fostering social worker should be prepared to explain any or part of the investigation process and ensure that the carers understand the worker’s role. This should also be followed up in writing.

**9.8** Further visits and agreements to provide additional support should be made and followed up in writing. The Fostering social worker must ensure that the carers are aware of all other sources of support. The Fostering Service recognises that independent support, separate from the allocated Fostering social worker, should be offered in every case and may be crucial to help the carers through a difficult period.

**9.9** If carers do not want support from their worker following the initial contact after the allegation, this should be acknowledged in writing and the carers made aware that they could change their minds at any time.

**9.10** Whilst the role of the Fostering social worker is to provide appropriate support, they are not able to keep information confidential which is relevant to any section 47 enquiries. Similarly the Fostering social worker may be aware of information which cannot be divulged to the foster carers.

**9.11** The process of investigating an allegation against a carer can be extremely traumatic for the individuals involved and the effects should not be under-estimated.

**9.12** If the Fostering social worker has been closely involved in providing evidence about the allegation or concerns, another worker from the service should undertake the role of keeping carers up to date with how the investigation is progressing and helping them understand the ongoing process.

**References:**

**CoramBAAF Adoption and Fostering Academy 2019** <https://www.coram.org.uk/corambaaf-adoption-fostering-academy>

**Fostering Network**

<https://www.thefosteringnetwork.org.uk/about/about-us/contact-us>

**General contact**: 020 7401 9582

**24-hour legal helpline:**  01384 885734

**Stress counselling helpline:** 01384 885734

**Fostering Services: National Minimum Standards 2011** <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/192705/NMS_Fostering_Services.pdf>

**Gloucestershire County Council Children’s Social Care Procedures Manual: Review and Termination of Approval of Foster Carers** <https://gloucestershirechildcare.proceduresonline.com/p_review_fos_care.html>

**Gloucestershire County Council Children’s Social Care Procedures Manual: Child Protection Enquiries (Section 47)**

<https://gloucestershirechildcare.proceduresonline.com/p_sec_47_enq.html?zoom_highlight=significant+harm>

**Gloucestershire Safeguarding Children Executive** <https://www.gscb.org.uk/>

**Working Together to Safeguard Children 2018** <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/779401/Working_Together_to_Safeguard-Children.pdf>