

CLA Review Procedures (Practitioner Guide)

1. New allocations and initial reviews

- 1.1 When a child becomes looked after this must be recorded on ICS by the Social Work team in order to create a notification to the Safeguarding Service. This needs to be done immediately or within 1 working day at the latest of the child becoming looked after.
- 1.2 An IRO will be allocated to a new child who is looked after within 3 days of being notified of the care episode beginning. Apart from the first 4 days there should be no child looked after without an allocated IRO. New CLA allocations will be made by a manager within the safeguarding service. This will be the team manager for the IRO's usually although this will be covered by the Safeguarding Service Manager when needed.
- 1.3 Upon allocation of an IRO, a letter will be sent to the child (if of high school age) which will contain the name and contact details of their IRO. If the child is not old enough or where there are communication difficulties, a letter will be sent to carers or parents (when children are placed at home on an order) with this information.
- 1.4 The allocating safeguarding manager will notify legal services the name of the allocated IRO of any child becoming looked after who is also subject to an interim care order. Legal services will include the name of the IRO on any court documents and ensure that the IRO is in receipt of relevant documents as per the IRO handbook.
- 1.5 The allocating safeguarding manager will notify the safeguarding LAC mailbox the names of new children looked after and their named IRO so that an invitation form (appendix a) can be forwarded to the Social Worker.
- 1.6 The allocated IRO will make contact with the Social Worker in order to arrange the first review. The initial Child Looked After review needs to take place within 20 working days of the child becoming looked after. The IRO will notify safeguarding LAC admin of the confirmed date of the review so that this can be included in the safeguarding diary. Safeguarding LAC admin will forward an invitation form to the allocated Social Worker.

2. Preparation for all reviews

- 2.1 6 weeks prior to the review date (or as soon as possible for initial reviews) the allocated social worker should carry out a consultation with the child/young

person about where the review should be held and who should be invited. The social worker should talk to the child/young person about how they want to participate in the review and how they are to be supported to do this. Any consultation booklets to be used should be taken to the child by the social worker and should not be sent out in the post with the invitation. The social worker must complete the invitation form and return to the Safeguarding LAC admin inbox so that invitations can be sent in good time. The standard of practice is that the invitations are sent out 1 month prior to the review date (or as soon as possible for initial reviews). If the invitation form is not returned to Safeguarding LAC admin by 5 working days prior to the planned review date then invitations will not be sent from the safeguarding unit and will become the responsibility of Children's Social Care to ensure those invited are notified of the review.

(For a child under 5 it is considered standard practice in all cases that a health representative and an early years representative (where relevant) is always invited. For children over 5 a health representative and education representative should be invited unless the child advises they don't want them to attend. Any professional not invited should be asked to provide a comprehensive report to be provided to the IRO with contact details should the IRO want to ask for any clarification or further information from that professional)

- 2.2 Parents (especially those with parental responsibility) should always be included in the review process. Consideration will need to be given how this is managed in consultation with the child, social worker and IRO. Where it is assessed that only an office can promote a safe and effective venue for facilitating a parents attendance at a review, the child should not be expected to attend (they should be consulted about whether they want to attend) and a series of meetings must be considered and the IRO should visit the child/young person at their placement.
- 2.3 If the child doesn't want anybody to attend other than themselves and their carers then the IRO must consider a series of meetings to ensure that the review process has considered all information and hasn't excluded anybody involved from the process.
- 2.4 When the invitation process has completed, the safeguarding LAC admin will email the IRO with the completed invitation sheet. It is the responsibility of the IRO to quality assure this and ensure they have accurate details of date, time, venue and invitees. The IRO needs to store this electronically as this will become the attendance and distribution sheet.
- 2.5 The social worker must complete the review report on ICS at least 5 working days prior to the review so it is available for the IRO to read and to start to

prepare. The manager should have also approved this report so the IRO is satisfied that there is management oversight of the case. This will also avoid the pathways on ICS getting blocked as the IRO part of the review document will be available for immediate completion following the review. The Social Worker's report must be shared with the participants at least 3 working days prior to the review. The rationale for this is that there should be no surprises for anybody at reviews. The social worker should go through the report in person with the child/young person.

- 2.6 All reports being completed by professionals should be made available prior to the review and circulated to all parties. This is to enable full preparation of all those to be involved in the review process.
- 2.6 As part of the review process the IRO will consider and scrutinise the current approved care plan, pathway/adoption plan (where relevant), personal education plan, health action plan, delegated authority recorded agreement. If the child is subject to care proceedings the IRO will need sight of any care plans, statements and assessments prepared for the court.
- 2.7 The IRO will check ICS 5 days prior to the review that the report is completed. If it is not then IRO will email the Social Worker and copy in the team manager with a timescale for completion. It is the responsibility of the team manager to contact the IRO if the timescale can't be met due to exceptional circumstances.
- 2.8 If the newly agreed timescale is not met and no contact is made by the team manager then the IRO must consider adjourning the review as per the IRO handbook. The IRO must be satisfied that all attendees especially the child is sufficiently prepared for the meeting. Where there is no recorded care plan for the IRO to consider and scrutinise, the review must not go ahead and the review will be adjourned.
- 2.9 If there is a decision by the IRO to adjourn the review due to non-completion of reports then the social worker will need to notify attendees of the adjournment. The review report will need to be completed with 5 working days of the adjournment and the re-convened review within 20 working days of the adjournment. The new date must be agreed at the point of adjournment and shared with invited parties. The IRO team manager must be notified of the decision to adjourn so that this information can be included in the report to performance clinic on a monthly basis.

3. **At the review**

- 3.1 The IRO must meet with the child as part of the review process. When this takes place within the process will be agreed between the child and the IRO. Where a child chooses not to meet with the IRO or take part in the review

process in any way, this must be recorded within the review document and the IRO team manager must be informed so this can be recorded and reported at the monthly performance clinic. The IRO must record any visit to the child on ICS under IRO pre LAC review visit.

- 3.2 The IRO must consider all of the factors in Regulation 35, Schedule 7 (care planning regulations 2010) (see appendix b) at every review and this will be recorded in the Chairs Report section of the ICS review document. Although the agenda of the review should be agreed in consultation with the child, the overall care plan and legal status should always be discussed at the beginning of the review as this will have a significant impact on all of the remaining areas to cover.
- 3.3 At the end of the review meeting the IRO must ensure that they make clear recommendations with a person identified as responsible for carrying out specific recommendations and the timescale in which to carry it out. All in attendance should be asked if they agree with the recommendations made and these agreements should be noted within the report as should any disagreements.
- 3.4 Those recommendations that are of sufficient concern to the IRO that warrant entering into dispute resolution will be known as 'starred' recommendations. It should be made clear at the review that a starred recommendation is being made and the reasons for this. If a starred recommendation is made then the IRO must follow the dispute resolution procedure (appendix c)
- 3.5 The attendance sheet must be completed by the IRO at the review to ensure correct names and addresses. The IRO must decide who receives a copy of the reports.

4. **Following the review**

- 4.1 Within 5 working days of the review process concluding, the IRO will create a case note under the heading type; 'IRO record of review recommendations'. The IRO will also create a notification within ICS to the allocated social worker and responsible team manager so they are aware of this record. There will be a standard message within this case note of - *Please find the review recommendations for the team managers consideration and agreement. Any disagreement needs to be raised with the IRO within 5 working days of receipt of these or they will automatically become decisions and the expectation is that these will be implemented.*

- 4.2 The IRO will complete the full record of the review with 15 working days of the review process concluding. The IRO will complete the report (appendix d) and the distribution sheet and send to safeguarding LAC admin for the report to be uploaded onto ICS and for distribution to be progressed. The distribution sheet must include who should receive a copy of the report and the date, time and venue of the next review. The IRO must complete the outcomes part of the review on ICS in order for the full report to be uploaded on to the system.
- 4.3 The IRO will complete a quality assurance checklist following every review for every child (appendix e). This will be forwarded to the social worker, team manager and Quality Assurance team. If there are any cases where it is judged by the IRO to be inadequate, this will be raised with the Service Manager by sending them the QA checklist.
- 4.4 The full report will be distributed within 20 working days of the review process concluding by safeguarding LAC admin.

5. **IRO continued involvement**

- 5.1 The IRO has a statutory responsibility to monitor the child's case on continual basis and not just at the time of the review. IRO's need to be consulted regarding any significant changes proposed within a care plan before these are implemented.
- 5.2 Timings of reviews are prescribed by regulations as being at 20 working days, 3 months (91 days) or 6 months (183 days). The IRO will decide the review schedule on a case by case basis but they must not hold a review out of timescales. Where a review does go out of timescale the IRO team manager must be notified of this and the reasons why. The performance of reviews will be considered at monthly performance clinics. When CSC need to make a request to change a review date they must seek the permission of their service manager to request this. When an IRO needs to make a request to change a review date they must seek the permission of the safeguarding service manager.
- 5.3 IRO's will undertake midpoint checks on the progress of recommendations that have been agreed as decisions. They will record in ICS on an IRO case note when this has been undertaken. (This should also include checking that the CLA review pathway within ICS is completed from a safeguarding perspective so the review record is accurately recorded)
- 5.4 When a child moves placement or when their legal status changes, ICS needs to be updated by the social work team and this will alert the IRO electronically.

If it is a legal status change then the IRO will notify legal services that they are the allocated IRO. If the change in placement or legal status is an unplanned change (not discussed and agreed at the previous CLA review) then an early review must be convened within 20 working days. The IRO will arrange this date with the social worker and will notify safeguarding LAC admin so the invitation process can be commenced.

- 5.5 IRO's must be invited to all meetings in relation to the care plan for the child. Where they can't attend they must be provided with the notes of the meetings. Where a child is subject to care proceedings, the IRO must have sight of the final court care plan before this can be ratified. A verbal presentation of this will not suffice.

Appendix A

CLA Review Invitation, Attendance and Distribution List

Name of Child			Details of this review:-	
Date of Birth		ICS ID Number	Date	
Date child became looked after		Legal Status	Time	
First Language		Interpreter required?	Venue	
Special arrangements attendance/consultation (is a series of meetings required?)			Placement type	
			Date/time & Venue of next review	

Designation	Name	Address	Date invite sent	Attended?	Copy of completed review report to be sent?
Child / Young Person					
Parent					
Parent					

Designation	Name	Address	Date invite sent	Attended?	Copy of completed review report to be sent?
Carer (s)					
Independent Reviewing Officer					
Allocated Social Worker					
School representative					
Health representative					
Fostering SSW					

NOT TO BE INVITED BUT CONSULTED ONLY				
Designation	Name	Address	Date Consultation Letter sent	Copy of completed review report to be sent?

Distribution

1 copy Social workers CLA review reports to be circulated at least 3 days prior to the review.

1 copy Following the review a copy of the IRO report should be distributed as directed by the IRO. (within 20 working days of the review)

List updated by		Distributed by	
Date		Date	

Appendix B

Regulation 35 Schedule 7

Factors which must be considered in reviewing each case:

- (1) The effect of any change in the child's circumstances since the last review, any change made to the Care Plan, whether decisions taken at the last review have been successfully implemented and if not the reasons;
- (2) Whether any change should be sought in the child's legal status
- (3) Whether there is a plan for permanence
- (4) Arrangements for contact/whether there is any need for changes to the arrangements in order to promote contact between the child and parents/other connected persons
- (5) Whether the placement continues to be the most appropriate available, whether any change to the placement agreement or any other aspect of the arrangements is likely to become necessary before the next review;
- (6) The child's educational needs, progress and development and whether any change is likely to become necessary or desirable before the next review, including consideration of his/her most recent assessment of progress and development; whether the arrangements are meeting the child's educational needs; whether the child has a PEP and whether its content provides a clear framework for promoting educational achievement
- (7) The child's leisure interests and activities and whether the arrangements are meeting his/her needs
- (8) Health report, and whether any change in health care arrangements is likely to be necessary or desirable before the next review; whether the content of the health plan provides a clear framework for promoting the child's health; whether the arrangements are meeting the child's health needs
- (9) Whether the child's needs related to identity are being met and whether any change is required having regard to the child's religious persuasion, racial origin and cultural background (new)
- (10) Whether the arrangements for advice, support and assistance continue to be appropriate and understood by the child
- (11) Whether any arrangements need to be made for the time when the child will no longer be looked after
- (12) The child's wishes and feelings and (as a new requirement) the views of the IRO about any aspect of the case and in particular about any changes made since the last review or proposed to be made to the Care Plan; whether the plan fulfils the duty to safeguard and promote the child's welfare and whether it would be in the child's interests for an Independent Visitor to be appointed

- (13) Where the child is placed with parents before an assessment is completed, the frequency of the social worker's visits

Appendix C

Dispute Resolution Procedure

Introduction

One of the key functions of the of the Independent Reviewing officers role is to resolve problems arising out of the care planning process for both children looked after and children subject to child protection plans.

The IRO handbook statutory guidance for independent reviewing officers and local authorities on their functions in relation to case management and review of looked after children, only focuses on the care planning of looked after children. However, the handbook acknowledges that there is a correlation between both children subject to a child protection plan and children who become looked after. Therefore as the care planning is interlinked many local authorities have adopted the same standard with regard to care planning for both groups of children.

It is with this principle in mind that Rochdale's Dispute Resolution Procedure has been designed.

Terminology

Conference and Review officer is the person that chairs and reviews all children who are subject to a child protection plan

Independent Reviewing officer (IRO) is the person that chairs and reviews all children that are looked after by the local authority.

For the purpose of this procedure the initials **IRO** will be used.

The terms child relates to both children and young people for the purpose of this procedure

Functions of the IRO in Quality Assurance

'The primary function and focus of the IRO is to quality assure the care planning and review process for each child and to ensure that his/her current wishes and feelings are given full consideration' s.1.21 IRO Handbook

- To review all care planning arrangements of the local authority in relation to the concerned child
- To monitor the performance of the local authority's function
- Identify themes and issues emerging in relation to areas of concern for individual children as well as report upon the quality of the services they receive.
- Ensure that plans for children are based a detailed and informed assessment, that the assessments are up to date, effective and led by a child's individual needs.
- To identify areas of good practice and share these accordingly to promote such practice further
- Chair the child's review
- Monitor the child's case on an on-going basis

The IRO will NOT case manage, supervise or devise the care plan s.1.22 IRO handbook

In exercising the function of quality assurance the IRO can have access to the following

- ICS case notes
- Child protection plans
- Care plans for Looked after Children
- Care planning meeting notes
- Matching meeting notes
- Health Action Plans
- Personal Education Plans
- Assessments such as core/parenting/initial/psychologist/psychiatric that relate to the child and family members.
- Pathway plans for Care leavers
- Permanence plans
- Core group minutes

Dispute resolution Procedure- process for escalation

The formal Dispute Resolution Procedure within each local authority should have timescales in total of no more than 20 days. (Section 6.2 IRO handbook)

IRO's can at any point in the dispute resolution process refer a concern to CAFCASS if it is felt that this is in the child's best interest. It is for the IRO (and their manager) to determine the level of concern. This will be based upon the presenting issues and historical concerns relating to the case.

The IRO can determine what level to begin the process of the Dispute resolution procedure dependent on the concerns. The Independent Reviewing Officer (IRO) will make a decision about the timescale in which the problem should be resolved and make this clear to the operational managers at each stage of the resolution process.

Both informal and formal dispute resolution procedures will be recorded on the child's file. For Rochdale this will be in the child's ICS record.

There will be times when the IRO may be advised that obstacles in the way of resolving the issue are outside the control or beyond the control of the local authority, for example in relation to staffing, interagency or resource issues. However, if these are impacting on the ability of the Local Authority to meet the needs of the child as identified in the child's care plan, the IRO should continue to escalate the issue. (Section 6.5 IRO Handbook)

How will this work in practice

Stage One - The Review

At the end of every statutory review, the **IRO** will identify a set of recommendations which are formulated within the review meeting, determine the timescales for each recommendation and identify the person responsible for implementing that recommendation. Those recommendations that are of sufficient concern to the IRO that warrant entering into dispute resolution will be known as 'starred' recommendations. **IRO** to notify the **IRO Manager** of the details of every starred recommendation made.

Starred recommendations must be considered when the **IRO** is of the opinion that the local authority have not prepared the care plan in accordance with the regulations, not reviewed a child's care plan within the regulations or effectively implemented a decision taken in consequence of a review.

A case may also be referred to **CAFCASS** when an **IRO** is of the opinion that the Local authority are in breach of their duties in any material respect, and having drawn the failure or breach to the attention of persons at an appropriate level of seniority within the responsible authority, it has not been addressed to the satisfaction of the **IRO** within a reasonable period of time.

Examples of when a starred recommendation may be used are:

1) Implementation of Significant action within the Care Plan – i.e.

- Delay in the Discharge of Care Order
- Delay in initiating care proceedings
- significant documents incomplete – Care Plan, Court reports, Adoption process records
- Placement issues – placement not appropriate to meet child's needs – lack of action taken to address this
- Placement move planned without a full assessment of the child's needs and matching not taken place to evidence that the planned move is the correct move
- Transition planning – lack of clear plans for any child leaving care or those requiring transition to adult services

2) Accessing other resources – i.e.

- School placement
- Referral to CAMHS
- Children's Advocacy service / Independent Visitor
- Additional aids and adaptations for children with disabilities

3) Inadequate / poor practice – i.e.

- No PEP, despite previous recommendations
- No up to date care plans
- Statutory visits not undertaken
- Delays in completion of 'life story' work and 'later life' letters

Recommendations

- **IRO** produces 'starred' recommendations' with clear timescales for completion
- **IRO** electronically forwards the recommendations to the **Allocated Worker**, the **Team Manager** and the **IRO Manager** within 2 working days.

Stage One - to be completed within 2 working days

Stage Two - Ratification of the Recommendations

- The **Team Manager** will respond, electronically, to the **IRO** with signature (**i.e. only the Team Manager to authorise the recommendations**) stating that the recommendations are either agreed or not agreed
- If agreed, this must be recorded on the child's ICS record
- If not agreed the **IRO** informs the **IRO Manager** and a decision is made whether to progress to stage three
- If the **Team Manager** doesn't have the remit to make a decision in respect of a particular Starred Recommendation then the **IRO** and the **IRO Manager** will refer directly to relevant **Service Head** at **Stage 4**

Stage Two - to be completed within 2 working days

Stage Three - Notification of Decision

- The **IRO** will meet with the **Team Manager** with a view to resolving the matter informally
- If there is no agreement following discussion, the **IRO** will inform the **IRO Manager**.
- The **IRO** will inform the young person of what is happening ensuring the young person understands the issues – this may be done via the **child's advocate** if they have one
- The **IRO** will inform the young person that they have a right to complain to the local authority and of the local authority's responsibilities to provide them with an independent advocate should the child so wish
- All discussions to be recorded on the child's ICS record by the **IRO**
- **Complaints Officer** to inform the **IRO** if a complaint is made

Stage Three - to be completed within 4 working days

Stage Four - Informal Resolution

- **IRO** to discuss with **IRO Manager** to decide whether to progress – consideration should be given at this stage whether the issue that has not yet been resolved is a matter for CAFCASS / Courts or whether it is within the remit of the agency for resolution

- **IRO, IRO Manager, Team Manager and Senior Manager** to have meeting / discussions about the recommendation(s) and whether informal resolution can be reached. A compromise may be reached but the decision whether to pursue the issue rests with the **IRO**.
- The **IRO Manager** will inform the **Safeguarding Service Manager** and seek advice where necessary
- The child/young person may choose to concurrently pursue the issues through the complaints procedures at the informal stage

Stage Four - to be completed within 4 working days

Stage Five - Formal Resolution with Children's Services

- The **IRO** and the **IRO Manager** will seek discussions with the **Assistant Director of Childrens Social Care**.
- If resolution is not agreed the **IRO** and **IRO Manager**, with advice from the **Safeguarding Service Manager** where appropriate, will need to decide if the matter is for internal decision making only and cannot be referred further by the **IRO**

OR

- The matter continues to be unresolved and progression to stage six is required

Stage Five- to be completed within 4 working days

Stage Six - Formal Resolution within the Local Authority

- If resolution is not agreed and legal advice has been considered the **IRO, IRO Manager & Safeguarding Service Manager** will discuss the unresolved issue with the **Director**. All details should be documented including the reasons for a 'potential breach of human rights' or a breach of the Care Planning, Placement and Review of Cases Regulations 2011.
- If the **Director** is not able to provide an acceptable resolution, the **Safeguarding Service Manager** will be required to refer the matter to the **Chief Executive** for

discussion. If the **Chief Executive** is not able to provide an acceptable resolution, the **IRO** and **IRO Manager** MUST refer the matter to **CAFCASS**

Stage Six - to be completed within 4 working days

Stage Seven - Decision by CAFCASS

Once the **IRO** has referred the matter, CAFCASS have 14 days in which to decide whether to proceed or not.

Performance Management

The number of dispute resolutions and the themes arising from them will be collated on a monthly basis. The information gathered from these will be used in supervisions with IRO's in order to track outcomes and the themes will be feedback to the Director of Childrens Services and the Senior Management team and RBSCB.

Appendix D

ROCHDALE METROPOLITAN BOROUGH COUNCIL

**CHILDREN'S SERVICES
SAFEGUARDING CHILDREN UNIT
NUMBER 1 RIVERSIDE
SMITH STREET
ROCHDALE**

CHILDREN LOOKED AFTER REVIEW

INDEPENDENT REVIEWING OFFICER REPORT

Name:

DOB:

Date:

Time:

Venue:

Present:

Apologies:

Recommendations from the previous review and update on progress

(What was recommended was this achieved and what was the outcome?)

Care Plan & Legal Status

Placement

Contact

Education

Health

Leisure interests

Identity

Access to advice support and guidance

Child/Young Persons Views

Recommendations

(What needs to be done, by whom and by when?)

Name of Independent Reviewing Officer

Date of next review

Time of next review

Venue of next review

Appendix E

Children Looked After Review Quality Assurance Form

Child:			
ICS Number:			
Legal Status:			
Social Worker:			
Team:			
Date of Review: Type of Review:	1 st (1 month) <input type="checkbox"/>	2 nd (4 months) <input type="checkbox"/>	On-going <input type="checkbox"/>
IRO:		Date:	

1. Were the recommendations of the last meeting completed? 1a. If any recommendations are outstanding, for how many reviews have they been Outstanding?	YES		NO		N/A	
Comments:						
2. Has the IRO made a Starred Recommendation 2a. Is there a Starred Recommendation ongoing?	YES		NO		N/A	
	YES		NO		N/A	
Comments:						
3. Did the IRO meet separately with the child as part of the review process?	YES		NO			

Comments:						
4. Is the Child/Young Person's legal status appropriate?	YES		NO			
4a. Has it been recorded correctly?	YES		NO			
Comments:						
5. Is the Child/Young Person's care plan appropriate?	YES		NO			
5a. Has it been recorded correctly (in line with Regulation 5, Care planning regs 2010)?	YES		NO			
Comments:						
6. Does the Child/Young Person have an up to date Pathway Plan?	YES		NO		N/A	
6a. Did the young person take part in their pathway planning?	YES		NO			
Comments:						
7. Does the Child/Young Person have an up to date Adoption Plan?	YES		NO		N/A	
Comments:						
8. Has the CLA Review report been completed within timescale?	YES		NO			
8a. Has it been shared with all relevant parties?	YES		NO			
Comments:						
9. Has the Child/Young Person been consulted and prepared appropriately for their review?	YES		NO			

Comments:				
10. Have the Child/Young Person's wishes and feelings been taken into account and recorded?	YES		NO	
Comments:				
11. Have statutory visits for this Child/Young Person been completed within timescale & recorded?	YES		NO	
Comments:				
12. Is there an up to date Health Action Plan recorded on ICS?	YES		NO	
Comments:				
13. Is there an up to date Personal Education Plan recorded on ICS?	YES		NO	N/A
13a. Did the young person take part in their PEP meeting?	YES		NO	
Comments:				

<u>Overall Rating</u>		
Outstanding	All requirements are met, there are no deficiencies in standards of assessment, practice, timeliness of intervention and there is evidence of highly effective practice reflected in outcomes for the child and in relation to non-statutory requirements. The voice of the child is evidenced throughout the ICS record in all areas.	
Good	All statutory requirements are met, there are no deficiencies in the standards of assessment, practice and timeliness of intervention in relation to statutory requirements. There is some evidence of good practice for outcomes and in non-statutory areas. The voice of the child is	

	evidenced in all decision making processes.	
Need to improve	Statutory requirements are met with only minor deficiencies in non-statutory areas. Outcomes for the child or young person are adequate. The voice of child is evident in statutory decision making processes but not in other areas.	
Inadequate	There are serious deficiencies in statutory requirements in relation to standards of assessment, practice, timeliness of intervention and or, other areas of non-statutory requirement. The child or young person is vulnerable to negative outcomes and there is no record of the child's voice.	