

Independent Reviewing Officers (IRO's) and Independent Conference Chairs

Quality Assurance Vision and Expectations

IRO Vision

We will use the Quality Assurance Process to ensure all professionals take the right action, at the right time to ensure the best outcomes for children are achieved in a timely way. We will keep children at the centre of what we do and make sure those involved in the service provision are accountable.

Leicestershire County Council Values and Behaviours

Values

ASPIRATIONAL - Being aspirational for our children and families
BEING CURIOUS - Being curious and paying attention to detail
COLLABORATION - Building strong working relationships

Behaviours

LISTENING - Listening to what children and families tell us. Involving them in decision-making, development and evaluation of new and existing services.
BUILDING RELATIONSHIPS - Signs of Safety (SofS) provides our approach and tools to work with children and families.
OUTCOME FOCUSED - Striving to improve the lives of the children and families whom we work with.
BEING ACCOUNTABLE - Everyone is responsible and accountable for delivering high quality services

Quality Assurance Expectations

Functions and Principles

One of the key functions of the Independent Reviewing Officer (IRO) and Independent Conference Chair is their role in Quality Assurance.

A primary focus is to quality assure the child protection process, care planning and review process for each child/ young person and to ensure that their voice and choice are given full consideration. To be successful, the role must be valued by senior managers and operate within a supportive service culture and environment. An effective Independent Conference Chair /IRO service should enable the Local Authority and the wider Children's Services to achieve improved outcomes for children.

The Quality Assurance and Positive Challenge/Formal Escalation Processes are two separate but interdependent processes which allow IRO's and Independent Conference Chairs to monitor and raise quality assurance issues in a timely manner and also to escalate and resolve concerns in relation to the care planning for Looked after Children (LAC) and children within the Child Protection Conference arena at the very earliest opportunity.

The IRO and Independent Conference Chairs have a central role to quality assurance and the continuous improvement of care planning and safeguarding in Leicestershire and achieving success and good outcomes for our Children and Young People the guidance will set out how this will be systematically embedded into planning processes.

The Quality Assurance process – Positive Challenge and Formal Escalation is fully compliant with the Care Planning Regulations and the IRO Handbook.

The process should be open and transparent and as such, all activity should be recorded on the child's electronic Mosaic record.

The core principle is for the IRO / Independent Conference Chair and the children's Social Work Team to work in collaboration to ensure any issues are identified and resolved in a timely way, ensuring the best outcomes for children.

As part of the child protection and monitoring function, the Independent Conference Chair / IRO has a duty to monitor the performance of the Local Authority's function as a corporate parent and for children subject to Child Protection Plans, to identify any areas of good and poor practice. This should include identifying patterns of concern emerging not just around individual children but also more generally in relation to the collective experience of the Local Authority's children in care and children within the child protection process in respect of the service they receive.

In Leicestershire emerging themes/patterns, and more general issues of concern and areas of good practice, will be addressed within the Quality Assurance Challenge Meetings chaired by the Head of Service for Safeguarding and Performance and will furthermore be shared within the SMT performance meetings. In addition, any specific cases that are currently being managed within the formal stages of Escalation at Head of Service level or above will be managed within the Pre-Challenge and Challenge processes. Senior managers should ensure that all matters identified in the monthly performance meetings are addressed through supervision and appraisal arrangements with the responsible Social Workers and line managers.

The IRO / Independent Conference Chair should identify areas of good practice as well as areas that need to be improved. This should include identifying patterns of concern emerging not just around individual children but also more generally in relation to the collective experience of the Local Authority's looked after children and children within the child protection process in respect of the service they receive. A comprehensive quality assurance process is essential to underpin this within a service culture that is based on high expectations for children and where continuous improvement and learning are expected at all levels of the organisation.

Quality Assurance Process

The Quality Assurance and Positive Challenge/Formal Escalation Processes are two separate but interdependent processes which allow IRO's and Independent Conference Chairs to monitor and raise quality assurance issues in a timely manner and also to escalate and resolve concerns in relation to the care planning for Looked after Children (LAC) and children within the Child Protection Conference arena at the very earliest opportunity.

Please refer to Appendix 1: Quality Assurance Process Flowchart – Positive Challenge and Formal Escalation

Positive Challenge / informal process

In respect of Looked after Children, prior to the review, the IRO reviews the electronic record in MOSAIC as per the requirements of the IRO handbook and local procedures. Any concerns that are identified are addressed with the Social Worker and/or their Team Manager either by phone or email. All actions should be recorded on the Chairs Activity (Positive Challenge) on the child's file in Mosaic. The Team have 5 days to respond to the concerns/actions requested. If the matter is not resolved to the IRO's satisfaction, then the IRO decides whether to access the Formal Escalation Process in MOSIAC.

Prior to the conference the Independent Conference Chair reviews the electronic record in Mosaic as per the requirements of local procedures. Any concerns that are identified are addressed with the Social Worker and/or their Team Manager either by phone or email. All actions should be recorded on the Chairs Activity (Positive Challenge) on the child's file in Mosaic. The Team have 5 days to respond to the concerns/actions requested. If the matter is not resolved to the Chair's satisfaction, then the Chair decides whether to access the Formal Escalation Process.

The IRO and Independent Conference Chair has a duty to monitor the progress of the case (known as Midway Tracking). Should any issues arise during this time such as review decision timescales not adhered to or any other issues which are/or may impact upon the child then these should be addressed informally, as per above using the Positive Challenge process in the first instance, before considering if the Formal Escalation Process needs to be initiated.

All actions should be recorded on the child's file and logged on the IRO/Chairs Activity Step within Mosaic. The learning from Positive Challenges will be used as part of the wider Quality Assurance processes with a quarterly analysis of alerts including themes and learning shared across the service.

Formal Escalation Process:

The IRO or Independent Conference Chair has the power to enter into dispute at any of the 4 stages of the Formal Escalation Process.

This is determined by the urgency of the matter and the appropriateness of the stage where decisions can be carried out to resolve the matter. It is for Team Manager Level and above.

Once the Formal Escalation step has been accessed, the resolution period is 20 working days.

The IRO or Independent Conference Chair Team Manager (Assistant Service Managers for Safeguarding and Performance) is kept fully informed throughout the Formal Process by the IRO or Independent Conference Chair. If cases are progressing to Stage 3 or above, the Service Manager for the Safeguarding and Performance Service are to be made aware and kept fully updated.

Stage One – Team Manager

This stage is used for situations where attempts to address the issues informally via Positive Challenge have been unsuccessful or the concerns are such that the Team Manager is best placed to address them.

This is recorded within the Mosaic Step.

The Step is then sent to the relevant Team Manager and Social Worker. The Team Manager and Social Worker should be notified by email of this escalation being sent.

The Team Manager must respond using the Step within 5 working days and send the response back to the IRO or Independent Conference Chair.

If at this stage the IRO or Independent Conference Chair is satisfied by the response, they should record this in the final section of the Step within Mosaic and complete the Step and notify the Team Manager. Should the IRO or Independent Conference Chair not be satisfied then the matter can be escalated to stage two.

Stage Two – Service Manager

The same Step is used and the formal section is completed or updated and sent to the relevant Service Manager. The Service Manager and Team Manager should be notified by email of the escalation.

The Service Manager must respond within 5 working days and send the response back to the IRO or Independent Conference Chair; the Team Manager and Social Worker should be notified of the response by email. If at this stage the IRO or Independent Conference Chair is satisfied by the response, they should record this in the final section of the Step; notify the Service Manager and Team Manager.

Should the IRO or Independent Conference Chair not be satisfied then the matter can be escalated to stage three.

Stage Three – Head of Service

Notification of the Step to be sent to the Head of Service. The Head of Service, Service Manager and Team Manager should be notified by email. The Service Manager for the Safeguarding and Performance Service should also be notified by email.

The Head of Service must respond within 5 working days, and send the response back to the IRO or Independent Conference Chair, the parties as above should be notified of the response by email. If at this stage the IRO or Independent Conference Chair is satisfied by the response, they should record this in the final section of the Step, notify the Head of Service, Service Manager and Team Manager and complete the Mosaic Step.

Should the IRO or Independent Conference Chair not be satisfied then the matter can be escalated to Stage 4.

Stage Four – Assistant Director

Notification of the Step to be sent to the Assistant Director. The Assistant Director, Head of Service, the Service Manager and Team Manager should be notified by email. The Service Manager for the Safeguarding and Performance Service should also be notified by email.

The Assistant Director must respond within 5 working days, and send the response back to the IRO or Independent Conference Chair, the parties as above should be notified of the response by email. If at this stage the IRO or Independent Conference Chair is satisfied by the response, they should record this in the final section of the Step, notify the Assistant Director, Head of Service, Service Manager and Team Manager and complete the Mosaic Step.

Should the IRO not be satisfied then the matter can be escalated to CAFCASS. However, it should be noted that the IRO may consider it necessary to make a concurrent referral to CAFCASS at the same time that they instigate the dispute resolution process, and this can be done at any of the stages within the process. Referrals to CAFCASS only apply to Looked After Children.

A meeting with the Assistant Director and relevant Head of Service and Head Of Service for Safeguarding and Performance will always be convened prior to escalation to CAFCASS to set out issues that cannot be resolved. Once this has been held if matters remain unresolved the following steps will be taken IRO to record within the Mosaic step that the matter is escalating to CAFCASS.

Total timescale for the Formal Escalation Process is 20 working days (IRO Handbook) if resolution not achieved sooner.

The IRO or Independent Conference Chair may bypass any stage and progress the escalation process to the level s/he considers most appropriate at any point.

The IRO or Independent Conference Chair line manager will support the IRO / Independent Conference Chair during the process and address issues in the absence of the IRO or Independent Conference Chair so that timescales are met.

Monthly challenge meetings take place between the Safeguarding and Performance Service Manager, Assistant Service Managers in the Safeguarding and Performance Service, Agency Decision Maker (ADM) and Assistant Director. This meeting discusses cases at stage 3 & 4 of the escalation process and gives opportunity for challenge and senior leadership oversight. The IRO and Independent Conference Chair can escalate to the challenge meeting outside of the escalation process in circumstances where immediate oversight is required, and the timeliness of this requirement negates the escalation process.

Emails can be copied into/recorded in the Independent Chair/IRO Activity.

IRO Support, legal advice and Lancashire Ruling

The IRO or Independent Conference Chair will be supported by their line manager with the Quality Assurance process – Positive Challenge and Formal Escalation.

During supervision The IRO or Independent Conference Chair will be expected to provide an update regarding quality assurance activity and identified themes, or cases which are entering stage 3 or 4, which will need to be discussed at the Challenge Meetings.

The IRO or Independent Conference Chair has access to independent legal advice where appropriate.

The IRO or Independent Conference Chair will discuss with their line manager any cases where they feel independent legal advice is needed. The line manager will keep the Service Manager also informed of these cases.

Lancashire ruling - IRO's, Independent Conference Chair and Social Work practitioners should familiarise themselves with the Lancashire ruling. This involves two brothers who were found to have their Human rights breached. The IRO was found personally responsible, alongside the local authority, because he did not hold the Local Authority to account for failing to implement its care plan and review decisions.

Key Responsibilities

The IRO Handbook (2010) refers to the need for a Dispute Resolution Process. The IRO has a crucial role to play in ensuring that the local authority fulfils its responsibilities as a 'corporate parent' for all the children that it looks after. The IRO should ensure that the child is offered stable care that is sensitive and appropriate to each individual's personal needs so that the child is able to flourish and achieve. The pivotal role of the IRO is highlighted in the judgement of Mr Justice Keehan in relation to Hertfordshire County Council. (A & B (care orders and placement orders – failures) [2018] EWFC 72 (30 November 2018) <http://www.bailii.org/ew/cases/EWFC/H CJ/2018/72.html> the failure of the IRO to challenge and escalate on behalf of the children was criticised ' The IRO is, or should be the, the child's protector or advocate', *'The essential safeguard the court and the public at large have that a local authority will be a good corporate parent is the function and role of the IRO.'*

The IRO and Independent Conference Chairs are responsible for following Leicestershire County Council's Quality Assurance process – Positive Challenge and Formal Escalation.

There is the expectation that all IRO's and Independent Conference Chair's will be familiar with the policy and process.

IRO's and Independent Conference Chairs are expected to follow the process when there are concerns identified within their preparation for meetings (CP or LAC), during or after the meeting, or within the role of mid-way tracking of cases within review periods.

The IRO / Independent Conference Chair is responsible for setting any remedial timescales if actions have not been taken and there is a risk of drift in the delivery of a plan that will meet the child's needs and planned outcomes within the child's timescales (Care Planning Regulations 3.39). These timescales are for individual actions, the timescales for the response to the escalation processes is five working days.

The IRO / Independent Conference Chair will:

Consult relevant parties (e.g. social worker) and seeks to resolve issues via Positive Challenge process before raising as an escalation step.

IRO / Independence Conference Chair addresses any concerns / actions with the Social Worker or Team Manager by email or telephone.

IRO / Independent Conference Chair will record any informal positive challenges within the child's case notes on Mosaic, using the IRO/Chairs Activity step under "Positive Challenge".

The team have 5 days to respond to any actions or concerns. The IRO / Independent Conference Chair to the determine next steps.

The IRO / Independent Conference Chair are then responsible for overseeing the Formal Escalation Process if this is initiated, escalating to the appropriate stage and ensuring the assigned Manager (Team Manager, Service Manager, Head of Service or Assistant Director) has responded by day five and if not this is escalated to the next level. All activity is recorded under the Formal Escalation step on Mosaic.

During supervision IRO's and Independent Conference Chairs will be expected to provide an update regarding Quality Assurance process activity both Positive Challenge and Formal Escalation and identified themes, or cases which are entering stage 3 or 4, which will need to be discussed at the Challenge Meetings, or where independent legal advice is being considered.

Where applicable the IRO is responsible for making a referral to CAFCASS (Looked After Children only) or seeking independent legal advice.

The IRO and Independent Conference Chair will be expected to use appropriate supervision and line manager support when considering escalation of issues to CAFCASS and should record all issues of concern in detail on Mosaic.

The IRO or Independent Conference Chair line manager will support the IRO / Independent Conference Chair during the process and address issues in the absence of the IRO or Independent Conference Chair so that timescales are met.

IRO and Independent Conference Chair Team Managers (Assistant Service Managers) are responsible for ensuring the Service Manager is aware of any cases which are entering Stage 3, Stage 4, being referred to CAFCASS or where independent legal advice is being sought.

Monthly challenge meetings take place between the Safeguarding and Performance Service Manager, Assistant Service Managers in the Safeguarding and Performance Service, Agency Decision Maker (ADM) and Assistant Director. This meeting discusses cases at stage 3 & 4 of the escalation process and gives opportunity for challenge and senior leadership oversight. The IRO and Independent Conference Chair can escalate to the challenge meeting outside of the escalation process in circumstances where immediate oversight is required, and the timeliness of this requirement negates the escalation process.

Further reading:

Leicestershire County Council Quality Assurance Process – Positive Challenge and Formal Escalation

Leicestershire County Council Quality Assurance Process Flowchart – Positive Challenge and Formal Escalation