

1. Introduction

1.1 Standard 22.8 of the Fostering Services: National Minimum Standards states:

“As soon as possible after an investigation into a foster carer is concluded, their approval as suitable to foster is reviewed.”

1.2 It is the policy of Dorset Council to refer all such reviews to the Fostering and Permanence Panel under Regulation 25(1)(c) of the Fostering Services Regulations (England) 2011. The role of the Panel is:

“to recommend whether or not a person remains suitable to be a foster parent, and whether or not the terms of their approval (if any) remain appropriate –

- (i) on the first review carried out in accordance with Regulation 28(2);
and
- (ii) on the occasion of any other review, if requested to do so by the fostering service provider in accordance with Regulation 28(5)”.

1.3 Regulation 28 sets out the procedure to be followed for reviews and terminations of approval.

2. Content of the Review

2.1 Reviews following the conclusion of Management of Allegations (MoA) or Standards of Care (SoC) processes should be conducted using the same CoramBAAF Review paperwork on MOSAIC as for any usual annual review. However, the following additional information will be needed in order to enable the Panel to come to an informed view about the suitability of the foster carer to continue to foster, and their terms of approval.

- (a) A chronological list of the current allegations against the foster carer(s) and the outcome of each of those allegations i.e. whether they were substantiated or unfounded.
- (b) A description of the circumstances giving rise to the allegation – detail the event or actions which led to the allegations being made and any mitigating factors

- (c) Details and dates of any meetings held e.g. PAIM, SoC meeting, Strategy discussion, Stability Meeting, Disruption Meeting, and what the outcome or recommendations of that meeting were
- (d) Details of any other children in the household
- (e) Views from the foster carer(s), other professionals and children in care, in line with the review process (see Regulation 28(b)). This must also include, wherever possible, all the children in care currently living with the foster carer and those formerly living with the foster carer since their last annual review. Views from the children should be obtained independently i.e. children should not be helped by the foster carer to complete their feedback form. Views should also be sought from the child(ren)'s IRO, the child(ren)'s social worker(s), and any other relevant professional working with the foster carer(s) or child(ren) e.g. psychologist, CAMHS Worker. If it is not possible to obtain any of these views, the fostering social worker should explain why this is
- (f) A chronological list of all previous allegations in the carer(s) fostering career, the outcome of these and any support or measures subsequently put in place e.g. change in approval, training identified, extra supervision and support visits etc
- (g) What support has been provided to the foster carer(s) throughout the process e.g. FosterTalk, increased support calls and visits, extra supervision visits, support from the child's social worker or the psychologist, respite care
- (h) An analysis by the fostering social worker taking into account:
- the circumstances and seriousness of the current allegation(s)
 - the impact on the child(ren)
 - the context of the current allegation alongside any former allegations
 - the views of the children and other professionals
 - the impact on the foster carer and their own family
 - the foster carer(s) response to the allegations and throughout the process i.e. regarding their relationship with the child(ren) in care, with those who have made the allegations if not the children in care, their relationship with the fostering social worker and the child(ren)'s social worker, their ability to maintain a working relationship in the future and future commitment to fostering, training etc.
 - A recommendation to the Fostering and Permanence Panel regarding the foster carer(s) suitability to continue fostering, whether their current terms of approval should be maintained or changed, and

- whether, and what, actions should be put in place to prevent the likelihood of further allegations e.g. training, respite etc.
- 2.2 Whilst the review will make some reference to information shared in the PAIM and the outcome, the minutes of any formal meetings (IEM, PAIM) as part of the Management of Allegations process, should not be shared with the Fostering and Permanence Panel members as these are confidential.
- 3. Quality Assurance**
- 3.1 In line with all annual reviews undertaken, the fostering social worker's report should be quality assured by their Team Manager to ensure that all of the review paperwork has been fully completed, and that any review following MoA or SoC processes incorporates the content outlined above.
- 3.2 The foster carer must see a copy of the full review prior to the panel meeting in time for them to be able to correct any factual inaccuracies and to have the opportunity to write their own response for the panel to consider. Foster carers are also entitled to attend and be heard at all panel meetings and to bring a supporter to the panel if they so wish.
- 3.3 In line with its quality assurance role, the Fostering and Permanence Panel must:
- (a) "advise, where appropriate on the procedures under which reviews in accordance with regulation 28 are carried out by the fostering service provider, and periodically monitor their effectiveness." (Regulation 25(4))
- 3.4 The Panel Chair and Panel Adviser will discuss any themes, concerns and good practice that they have noted in their regular meetings with the Service Manager and make recommendations to Dorset Council to ensure good practice in future reviews.
- 4. Panel Recommendations**
- 4.1 The Panel will make a recommendation to the Agency Decision Maker (ADM) as to whether the foster carer remains suitable to foster, and, if so, on the terms of their approval, after considering the written report submitted by the supervising social worker, the written report of the fostering reviewing officer, any representations made by the foster carer, and the discussion at the panel meeting.

5. Agency Decision Maker's Decision

- 5.1 The ADM must take into account all of the information available to them, including the recommendation of the fostering and permanence panel, when making their decision regarding the foster carer's suitability to continue fostering (Standard 14.9, National Minimum Standards). They must make their decision with 7 working days of receipt of the final set of panel minutes. The foster carer should be informed orally of the decision within two working days and written confirmation of this decision should be sent to them within five working days (Standard 14.10, National Minimum Standards).
- 5.2 If the ADM's decision is that the foster carer is no longer suitable to foster, or that their terms of approval must be revised, they must:
- “(a) give written notice to the foster parent that they propose to terminate, or (as the case may be) revise the terms of the foster parent's approval (a “qualifying determination”), together with their reasons and a copy of any recommendation made by the fostering panel, and
 - (b) advise the foster parent that, within 28 days of the date of the qualifying determination, the foster parent may-
 - (i) submit any written representations that the foster parent wishes to make to the fostering service provider. Or
 - (ii) apply to the Secretary of State for a review by an independent review panel of the qualifying determination.” (Regulation 28(7)).
- 5.2 Regulation 28(7)(b) does not apply if the foster carer has been convicted of an offence against a child or sexual offences against an adult (see Regulation 26(5), (6), (7) and (8) and Schedule 4 of the Fostering Services Regulations (England) 2011.
- 5.3 If Dorset Council's Fostering Service receives any written representations within 28 days they must:
- “(a) refer the case to the fostering panel for further consideration, and
 - (b) make their decision, taking into account any further recommendation made by the fostering panel.” (Regulation 27(9))
- 5.4 If the foster carer chooses to opt for a review by the independent review panel, Dorset Council must take into account their recommendation, as well as the original recommendation of the Fostering and Permanence Panel, in making the decision as

to whether the foster carer should continue to foster and, if so, the terms of their approval. The person making this decision on behalf of Dorset Council will not be the original Agency Decision Maker but a nominated officer such as the Executive Director of People – Children. As in paragraph 5.2 above, the foster carer will receive written confirmation of the decision, with reasons for it, and a copy of this letter must also be sent to the Secretary of State. This decision is final, and the foster carer has no further recourse to appeal