

## **Dorset Council Fostering Panel**

### **Terms of Reference**

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## **1. INTRODUCTION**

- 1.1 Dorset Council is a local authority Fostering Service Provider. The Panel considers mainstream fostering (including Mockingbird) family and friends, Harbour foster carers, Short Breaks and specialist foster carers.
- 1.2 The Panel complies with The Fostering Services (England) Regulations 2011, and the National Minimum Standards for Fostering Services 2011, and with other legislation and guidance as listed below. Detailed guidance is also available in the 2019 Coram BAAF publication Effective Fostering Panels.
- 1.3 The composition of Fostering Panels, terms of reference and functions are set out in The Fostering Services (England) Regulations 2011.
- 1.4 All Fostering Service Providers are legally required to have a Fostering Panel. The Regulations ensure that Fostering Panels have an independent role separate from the Fostering Service Provider.
- 1.5 These terms of reference will govern the operation of the Fostering Panel. It will be reviewed annually.

## **2. AIMS AND OBJECTIVES**

- 2.1 The aim of the Dorset Fostering Panel is to provide high quality recommendations to support the provision of a fostering service that safeguards and promotes the welfare of children in care and looked after by our foster carers.

The Fostering Panel will carry out its responsibilities in accordance with –

The Children Act 1989

The Children (Leaving Care) Act 2000

The Adoption and Children Act 2002

The Children Act 2004

The Children and Young Person's Act 2008

The Breaks for Carers of Disabled Children Regulations 2011

The Care Planning, Placement and Case Review (England) Regulations 2010

The Accommodated Children Visiting Arrangements Regulations 2010

The Care Leavers (England) Regulations 2010

The Fostering Services (England) Regulations 2011

The Arrangements for Placement of Children by Voluntary Organisations and Others (England) Regulations 2011

Volume 1 (2008), Volume 2 (2021), Volume 3 (2010), and Volume 4 (2011) of the Children Act 1989 Guidance and Regulations.

The Family and Friends Care: Statutory Guidance for Local Authorities 2011

The Fostering Services: National Minimum Standards 2011

The Care Planning, Placement and Case Review and Fostering Services (Miscellaneous Amendments) Regulations 2013

The Assessment and Approval of Foster Carers; Amendments to the Children Act 1989 Guidance and Regulations (Volume4; Fostering Services)

The Care Planning and Fostering (Miscellaneous Amendments) (England) Regulations 2015

All other relevant Guidance, and Children and Families policy and procedures.

- 2.2 The Fostering Panel is committed to practice which promotes inclusion and diversity and will carry out its duties in accordance with Dorset Council Celebrating Diversity policy and will not discriminate on the grounds of gender, race, religion, sexuality, age or disability or for any other reason.

- 2.23 In all matters the Fostering Panel will hold the welfare of children to be paramount.

### **3. ROLES AND RESPONSIBILITIES**

- 3.1 The role of the Fostering Panel is to consider the full approval, the re-approval through annual review, change of approval, and termination of approval of anyone either seeking to be approved as, or currently approved as, a foster carer, who wishes to care for children and young people up to the age of 18 years.
- 3.2 Approval of carers will include specifying the ages, gender and numbers of children who will normally be fostered by them and will include an evaluation of their future training needs.
- 3.3 The Panel will also consider, in the case of connected persons (family and friends), applicants who have had children placed with them under Regulation 24 of the Care Planning, Placement and Case Review (England) Regulations 2010, and all exceptional requests for a Regulation 25, 8-week extension to a Regulation 24 temporary approval and placement.
- 3.4 The Panel will also consider and make recommendations on first annual reviews of all foster carers and every third annual review thereafter and on any significant changes to a fostering household. It will also receive notification of significant complaints, allegations of abuse or standards of care investigations, though it is not the investigating body for these. Panel will be notified of all resignations.
- 3.5 In addition to the above the Fostering Panel may be consulted if appropriate on the preparation and review of Fostering Service Provider policies and procedures in relation to any aspect of fostering. The Panel will be rigorous in monitoring quality standards and will contribute to the development of good practice.
- 3.6 The Fostering Panel's role is to provide thorough and critical consideration of all cases presented to it and to make sound and appropriate recommendations to the respective Agency Decision Maker. The Panel is not permitted to make any conditional or 'in principle' recommendations but may defer making a recommendation.
- 3.7 The Panel will monitor the standards and quality of assessments and reports and give feedback to the appropriate managers via the Agency Adviser.

- 3.8 The Panel will be committed to anti-discriminatory practice and to ensuring that the welfare of the child is paramount.
- 3.9 The Panel will be transparent in the process of how it arrives at its recommendations, which will be fully reflected in the official minutes of the Panel, and Panel will welcome comments and suggestions, which will improve both its practice and operation. Feedback forms will be sent to all those who have attended Panel to assist in monitoring user's views.
- 3.10 Agreement to vary a foster carer's terms of approval (i.e., age range, gender or number of places) may be made by the Fostering Service Provider's Agency Decision Maker, where necessary, in accordance with current Department for Education guidance. A carer review will be carried out and sent to the Agency Decision Maker, and carers will be given the option to appeal to the Independent Reviewing Mechanism if dissatisfied with the outcome.
- 3.11 Exemptions to the usual fostering limit may be agreed by the Agency Decision Maker.

#### **4. MEMBERSHIP**

- 4.1 The membership must satisfy The Fostering Services (England) Regulations 2011
- 4.2 Membership of "the central list" for the Joint Fostering Panel is not limited, but there will be a core membership and other members who may be included as and when their expertise is needed. Panel is quorate when 5 members including at least one social worker are present. The number of members present at a Panel will not exceed 6 members, and must include:
- An Independent Chair or one of the two vice chairs
  - A Qualified Social Worker (Social Work England registered) with at least 3 years relevant post-qualifying experience.
  - An independent person if the vice chair is chairing the meeting and is not an independent member

Dorset Council will aim to recruit a core membership as follows:

- An Independent Chair
- Two Vice Chairs (to be nominated from within the membership below, excluding the elected member)
- An elected member of Dorset Council

- Two Social Work England (SWE) registered social workers, one with fostering expertise
- At least four independent members including a foster carer from another Fostering Service Provider and an adult with experience of being in the care system
- A Health representative

An Agency Adviser and a Panel Co-ordinator will also be in attendance.

- 4.3 Two Vice-Chairs will be nominated from those people listed in 4.2 above who will chair meetings in the absence of the Chair.
- 4.4 The Panel will aim to have a balance in terms of gender, race, sexuality, culture and religion and should reflect the diversity of the community it serves.
- 4.5 When panel members are recruited, applicants will be required to submit a completed application form or cv and attend an interview. Verbal and written references and an enhanced DBS (Disclosure and Barring Service) check will be obtained for each Panel member prior to being appointed.
- 4.6 All Panel members will be appointed for an open-ended term of office (but this will not exceed 10 years) and will be asked to sign a Panel membership agreement.
- 4.7 All Panel members will have qualifications and/or experience and are expected to comply with the Panel Code of Conduct. Each Panel member will have an annual review meeting with the Chair and Agency Adviser. The Chair will be reviewed by the Agency Adviser and the senior manager of the fostering service.
- 4.8 Panel members should declare an interest where they have direct knowledge of a matter being presented. The Chair will decide whether that interest is such as to debar the Panel member from discussion or decision-making in respect of that item.
- 4.9 Panel members who do not attend Panel as part of their paid employment will be paid in accordance with the remuneration schedule then in force. They will also be entitled to claim for reasonable expenses incurred in the carrying out of their role.

## **5. PROTOCOL FOR PANEL MEMBERS**

- 5.1 All Panel members are required to sign a Panel Member's Agreement.

- 5.2 Core Panel members are expected to attend a minimum of 75% of meetings in a year and to arrive on time for all Panel meetings. Members unable to attend a Panel meeting must ensure that apologies are sent in advance to the Agency Adviser and Panel Co-ordinator. The Agency Adviser will have discussions privately with any Core Panel member where attendance is proving to be a problem and seek to agree a resolution. Should this prove unsuccessful, the escalation pathway at 5.13 should be used.
- 5.3 Panel members will be committed to anti-discriminatory practice and will consider each case on its own merits.
- 5.4 Each Panel member has a duty to maintain the confidentiality of the information to which they have access. The agreement that Panel members sign includes Dorset Council policies for confidentiality and data protection.
- 5.5 Panel members should have read all Panel papers carefully before Panel and should come prepared to contribute to Panel discussions.
- 5.6 Panel members are expected to keep up to date with current practice, issues in fostering and changes in legislation,. They will be supported to achieve this by the panel advisor.
- 5.7 A minimum of 1 annual training events are offered. There is an expectation that Panel members will attend the training events. Panel members will be consulted on the content and format of the training. There is an expectation that all members of the central list will attend the joint training run with members of the fostering social work staff group.
- 5.8 All Panel members will have a current enhanced disclosure from the Disclosure and Barring Service (DBS), which will be updated every three years. Panel members must inform Dorset Council at once if they are convicted or cautioned for any criminal offence.
- 5.9 Two written references (confirmed by verbal references) will be required for all Panel members.
- 5.10 All new Panel members will be expected to observe one Panel prior to confirmation of their full membership.
- 5.11 All new Panel members will receive an induction pack and will have an induction programme. The Agency Adviser will offer support regularly, particularly to independent members.

- 5.12 A Panel member may resign at any time by giving one calendar months' notice in writing to the Panel Chair or Agency Adviser. If Dorset Council is of the opinion that a member is unfit or unable to hold office, the Fostering Service Manager may terminate their office by giving them one calendar months' notice in writing.
- 5.13 The Agency Adviser, in consultation with the Panel Chair, will informally approach any Panel member whose behaviour is considered inappropriate or ineffective. If the matter cannot be resolved at the informal stage by further individual training and/or advice and guidance, a letter addressing the issue will be sent to the Panel member with a copy to the Agency Decision Maker and Panel Chair. If there are no substantive changes and difficulties persist then the Fostering Service Manager may terminate their membership.

## **6. PANEL CHAIRPERSON**

- 6.1 The Chair of the Panel will be an independent person with significant experience of social work and fostering work, including at a senior management level, and the necessary skills to ensure that the Panel's work is carried out efficiently and effectively. The Fostering Service Manager will be responsible for the recruitment of the Panel Chair in liaison with the Agency Advisor. When a vacancy arises for a Panel Chair, advertisements will be placed in relevant publications. The two vice-chairs will be drawn from the central list.
- 6.2 The Chair will ensure that Panel meetings are conducted in a professional manner and that all items of business are covered. The Chair will assume responsibility for co-ordination of discussion and time keeping. The Chair will ensure that all applicants, social workers and managers attending Panel will be treated with respect and courtesy.
- 6.3 The responsibilities of the Chairperson include:
- Agreeing any observers or other persons who may wish to attend panel
  - Ensuring that all Panel members contribute fully to the Panel's recommendation and to ensure that where Panel members have serious reservations or dissent from decisions, this is recorded in the minutes of the Panel's meetings.
  - Ensuring that all verbal contributions and all documents presented to Panel are given due consideration, and that Panel records are accurate
  - Notifying the Fostering Service Manager where a Panel member appears unfit, unwilling, or unable to continue



- Deciding with the Agency Decision Maker when a matter is urgent and when an additional Panel meeting may need to be convened.
- That there is clarity concerning the reasons for Panel's recommendation and accurate recording of such.
- The promotion of good practice and consistency of approach and fairness by Panel members in assessing carers.

6.4 The Chair of the Panel will be responsible for producing an annual report of the Panel's work for the Children's Services Corporate Parenting Board.

6.5 The Agency Decision Maker undertakes an annual performance review of the Chair. The views of Panel members and those attending Panel will be sought and considered as part of this process.

## **7. INDEPENDENT MEMBERS**

7.1 There is no limit in law to the number of independent Panel members, however practicality dictates that numbers should be restricted. These members should have personal or professional knowledge and experience of fostering.

## **8. MEDICAL ADVICE**

8.1 Medical advice is available to the Panel from the Agency Medical Adviser, who is a Community Paediatrician and Designated Doctor Looked After Children at NHS Dorset, and who is not a Panel member, and does not attend Panel.

8.2 The Agency Medical Adviser is a senior member of the community child health service and has an in-depth knowledge of child health and development and the consequences of abuse and neglect.

8.3 The Agency Medical Adviser will provide a written report to the Panel on foster carers presented and will be available to discuss any questions or concerns the Panel has.

## **9. LEGAL ADVICE**

9.1 Legal advice is available from a senior lawyer employed by Dorset Council, who is experienced in family and childcare law. They are not a Panel member and do not attend Panel but will give specific legal advice to Panel members on individual cases presented to the Panel when necessary.

9.2 The Legal Adviser can if needed provide general advice to Panel members on the legal functions and duties of the Panel.

- 9.3 The Legal Adviser can be contacted by social workers for advice relating to fostering panel matters.

## **10. THE ROLE OF THE AGENCY ADVISER**

- 10.1 The Agency Adviser to Panel must be a senior member of staff with at least five years post qualifying experience and relevant management experience. The Agency Adviser plays a key quality assurance and advisory role in respect of cases coming to Panel.
- 10.2 The Agency Adviser will advise the Chair and Panel as required on matters relating to Dorset Children's Services practice, policy and procedure.
- 10.3 The Agency Adviser is responsible for ensuring comprehensive and appropriate papers are sent to Panel members at least five working days before the Panel meeting, and for reporting back to the agency any concerns or issues raised by Panel members.
- 10.4 The Agency Adviser will assist the Panel Chair in the appointment, termination and review of Panel members. The Agency Adviser is responsible for the induction and training of Panel members and for monitoring the performance of Panel members and Panel administration.
- 10.5 The Agency Adviser is available for consultation and advice to the Agency Decision Maker on matters relating to the Panel and will attend a briefing meeting with the Agency Decision Maker if required. If the Agency Adviser is unavailable, alternative arrangements will be made to ensure that Panel has agency advice.
- 10.6 The Agency Adviser will provide Panel members with specialist advice and access to appropriate training materials, as necessary.

## **11 OTHER ADVISERS**

- 11.1 If other specialist advice is required for any other reason the Agency Adviser to Panel will source this appropriately. Advisers are not voting members of the Panel and are not party to the recommendations of the Panel; they can therefore assist the Agency Decision Maker in their deliberations.

## **12 CONFIDENTIALITY**

- 12.1 All information presented to the Fostering Panel is confidential and Panel members must respect this.

- 12.2 All Panel members (and any observers) will be required to sign a confidentiality and data protection agreement. For Panel members this is included in the Panel member's agreement.
- 12.3 All Panel members should be able to provide assurance that any information relating to their role is kept securely and is password protected, in accordance with Dorset Council requirements.
- 12.4 Any breach of confidentiality by a Panel member will be investigated by the Agency Adviser.

### **13. CONFLICT OF INTEREST**

- 13.1 If a Panel member believes they may have personal knowledge of a case that is before the Panel, they should not read the papers unless and until they have sought advice from and have the agreement of the Agency Adviser or Panel Chair.
- 13.2 Any potential conflict of interest should be declared at the Panel meeting.
- 13.3 The Chair will decide whether a declared interest in a case is such as to debar the Panel member from the discussion relating to that case and/or participation in the Panel recommendation.

### **14. ADMINISTRATION OF THE PANEL**

- 14.1 An experienced administrator will support the work of the Panel as Panel Co-ordinator.
- 14.2 Cases will only be placed on a Panel agenda once the Panel Co-ordinator or Agency Adviser has received all the relevant paperwork.
- 14.3 The Fostering Panel Co-ordinator will minute Panel meetings in accordance with the agreed specification for their role.
- 14.4 The Agency Adviser is responsible for ensuring that accurate and timely minutes of Panel are produced and forwarded to the Chair for checking and agreeing, and that verbal and written notifications of the agency decision are forwarded within statutory timescales, i.e., within two and five working days respectively.
- 14.5 The Panel Chair will gain the agreement of Panel members to the accuracy of the minutes before formally approving these. This should be within seven working days of the Panel meeting.

- 14.6 The Panel minutes and recommendations relating to the approval or review of approval of foster carers will be placed on the foster carer's file. Foster carers do not have the right to see Panel minutes, however they will receive the list of the positive factors and risk factors identified by Panel with their letter informing them of the Agency Decision.
- 14.7 A central record of all minutes of the Fostering Panel must be kept securely, and the required retention period should be observed.
- 14.8 The tabling of reports and agenda items is co-ordinated by the Panel Co-ordinator in consultation with the Agency Adviser. Panel members will receive copies of the agenda and all reports/papers at least five working days in advance of the meeting. An agenda is sent to all Panel attendees.
- 14.9 The Panel Co-ordinator will be responsible for scheduling each case in the agenda for Fostering Panel.

## **15. PANEL MEETINGS**

- 15.1 The Panel meets twice in each calendar month.
- 15.2 The Panel will consider cases with the following approximate timings:
- Approval of prospective foster carers: 60 minutes
  - Review/re-approval of foster carers: 45 minutes
  - Complaints and Standards of Care reviews 60 minutes
  - Termination of approval: 90 minutes
  - Regulation 25 extension of Regulation 24 temporary approval 30 minutes
- 15.3 Panel members are expected to read the Panel papers in advance of the Panel meeting and come prepared to contribute to the discussion. All Panel members have an equal role in agreeing a recommendation.
- 15.4 Panel members will discuss and agree the issues they wish to explore with the social workers and applicants before inviting them in. The Chair will co-ordinate the discussion and ensure that all areas are covered and that the social workers and applicants have the opportunity to present any other relevant information.
- 15.5 Panel members will endeavour to reach a consensus and the Chair will ensure that all members can express their views. Every Panel member must express a view about whether or not they support the recommendation.

- 15.6 If a consensus cannot be reached then a majority view will prevail with the dissenting members' views being noted in the minutes. The views of those not able to support the recommendation will be communicated to the Agency Decision Maker. The Chair does not have a casting vote but will summarise the voting for the Agency Decision Maker.
- 15.7 If there is insufficient information available for Panel to reach a recommendation, they will defer the case (see section 16) until the additional information is provided by the relevant social worker.
- 15.8 At the end of each case the Chair will summarise the recommendation made and the reasons for it. The Chair will also advise all attendees of the recommendation and decision-making process and when the agency's decision will be made.
- 15.9 The appropriate social workers will convey the Panel recommendation orally to all those involved i.e., children, applicants, and foster carers within 48 hours of receiving the details from the Agency Adviser, who will notify decisions by e-mail on the day of the Agency Decision Maker Meeting.

## **16. PRINCIPLES FOR DEFERMENT OF CASES**

- 16.1 The relevant social work team managers and team managers from the Fostering Team, in liaison with the Agency Adviser, should ensure that cases are fully prepared for presentation to the Fostering Panel, with quality assurance and scrutiny complete. The Agency Adviser may defer the presentation of a case to Panel members if insufficient information, evidence or analysis has been provided. This decision will be made in consultation with the relevant social worker and their manager.
- 16.2 Where the Chair, Agency Adviser and Fostering Team Manager decide, prior to the Panel meeting, that it is necessary to defer a case that has already been added to the Panel agenda, this should be notified to all concerned as soon as practicable. This will spare the applicants/foster carers the distress of needless attendance at panel. For further guidance regarding pre-Panel deferment, see section 17 below.
- 16.3 Notwithstanding 16.2, consideration of a case at a Panel meeting may reveal a significant gap in information, evidence or analysis that was not clear before an individual contribution is made or a pattern or theme emerges from collective discussion. The Panel may therefore decide to defer such a case, and this is in order. In such a situation, the Fostering Panel with its different professional and lay perspectives is carrying out a valuable quality assurance

role. For further guidance concerning deferment by the Panel, see section 18 below.

16.4 Nevertheless it is expected that deferment will be a rare occurrence.

## **17 DEFERMENTS BEFORE A PANEL MEETING**

17.1 Once papers have been circulated to Panel members, if the Chair considers a report has significant gaps in information, evidence or analysis or is of a poor quality they will contact the Agency Adviser (or relevant Team Manager in the Agency Adviser's absence) to discuss their concerns. Together they will agree either that the case should be deferred or, if there is sufficient time available, the Agency Adviser will ask the supervising social worker or assessing social worker, in consultation with their manager, to re-write the report, or write a supplementary report for tabling at the Panel meeting. It is understood that this will not normally be a feasible option because of time constraints.

17.2 If a Panel member has concerns about the adequacy of a report prior to a Panel meeting and considers the item should be deferred they should contact the Agency Adviser to discuss their concerns. If the concerns are shared by the Agency Adviser, the latter should contact the Chair to discuss whether the case is deferred prior to the Panel meeting.

17.3 Once the Chair or Agency Adviser has agreed with the relevant team manager to defer a case prior to a Panel meeting the Agency Adviser should contact the supervising social worker immediately so that the carer's attendance at Panel can be postponed and explanations and future plans discussed with them.

17.4 At the Panel meeting, after minutes and matters arising, the Chair will inform members that the case has been deferred and give the reasons for the deferment. The Chair will clarify any questions or queries members may have and in consultation with the Agency Adviser inform Panel, if known, when the deferred item will be presented to Panel.

17.5 After the Panel meeting the Agency Decision Maker should be informed of the deferment by the Agency Adviser.

## **18 DEFERMENTS AT A PANEL MEETING**

18.1 If during the Panel's initial consideration of a case, serious concerns arise about the adequacy of a report in terms of insufficient information, evidence or analysis, the Chair, in consultation with the Agency Adviser, should either:

- clarify through questions and discussion with members whether they wish to continue to hear the case with additional verbal input from the carers and social workers, or,
- based on the concerns expressed, decide to defer consideration of the case and give the reasons for the decision.

- 18.2 If the Panel decides to seek clarification in order to try to reach a recommendation, the Chair or Agency Adviser will ask the supervising social worker and manager to join the meeting and ask the applicants/carers to wait, explaining to them that a number of points in reports need to be clarified before the Panel decides to invite them in. If the verbal responses the supervising social worker and manager give to the Panel's queries are sufficient to fully answer the concerns raised the Panel will ask for the assessment report to be amended and the application can be considered fully and not deferred. If the responses demonstrate that there is still significant assessment work to be carried out, the Panel will confirm the item is deferred until the outstanding work is completed. The Chair and Agency Adviser will leave the meeting and with the supervising social worker and their manager explain to the applicants/carers that the item has been deferred for further information to be obtained.
- 18.3 If the Panel decides to defer considering the case and has clarified their reasons for doing so, the Chair and Agency Adviser will leave the meeting and explain briefly to the applicants/carers and supervising social worker and manager (if present) that the item has been deferred for further information to be obtained and clarify what further information the Panel will require. It will also be clarified with the supervising social worker and their manager which future Panel the item has been deferred to.
- 18.4 After the Panel meeting the Agency Decision Maker should be informed.

## **19. PROCEDURE FOR TERMINATIONS OF APPROVAL**

- 19.1 Terminations of approval will only be dealt with when an annual review, scheduled or otherwise, has been completed, and the carer has been involved in discussions leading to the recommendation.
- 19.2 Voluntary resignations should be sent to Panel for notification and minutes, with a copy of the letter of acknowledgement and thanks from the Agency Decision Maker.
- 19.3 Where a termination of approval with which the carers disagree is being presented to the Panel, the supervising social worker must supply to Panel full annual review documentation, PLUS a full report including details of

complaints, allegations of harm, standards of care and all other investigations and concerns; a clear account of the process of investigation; an explanation of any mitigating factors; and setting out recommendations as to termination of approval, with clear and complete evidence as to the reasons. The foster carer must have been given 10 working days' opportunity to respond in writing to the report. Any such response must be considered by Panel at the same time as the supervising social worker's report.

19.4 Normal Panel process will then be followed for dealing with the reports, as this offers the option of transparency, openness and honesty. However, if the relationship between the carers and the social work staff has become very acrimonious, or it is felt that either party may become so upset as to make it difficult for the Panel to function, the Chair may decide to see them separately in Panel.

## **20. REPORTS FOR PANEL**

20.1 The Panel will require the following reports:

- For approval of prospective foster carers - foster carers' Assessment Report and supporting documentation.
- For approval as foster carers regarding the placement of a child with connected persons – family and friends foster carer's Assessment Report, and all relevant supporting information.
- Review of foster carer approval (including change in approval status) - annual foster carers review reports and minutes of previous Panel
- Review of foster carers with recommendation for termination of approval – see guidance in CoramBAAF's "Effective Panels", and guidance above – full review documentation, previous minutes and detailed report and analysis of reasons for recommendation.

20.2 The Agency Adviser to the Panel will be available to offer advice to social workers on the completion of reports and the standards required by Panel.

20.3 Reports to the Fostering Panel in relation to fostering matters upon which the Panel are asked to make recommendations must be prepared by sufficiently experienced and qualified staff (Fostering Services NMS Standard 19) and who have the skills and experience necessary for the work they are to perform (The Fostering Services (England) Regs 2011, regulation 20). This should include direct experience of fostering work. Where the author of the report does not have the requisite qualifications and experience, he or she should be supervised by a suitably qualified and experienced colleague or manager.



20.4 Where those preparing reports are not employed by the Fostering Service Provider, they should be suitably qualified and experienced and supervised by a member of staff who also has suitable qualifications and experience.

## **21. ATTENDANCE BY SOCIAL WORK STAFF**

21.1. All social workers must attend and present their cases to Panel as follows; this also applies to social workers attending from other fostering agencies or Fostering Service Providers:

- Approval of prospective foster carers: Assessing social worker.
- Placement of a child with foster carers: Child's social worker and the prospective foster carers' supervising social worker
- Foster carer review of approval: Supervising social worker

21.2 The Agency Adviser must be notified as soon as possible regarding any problems with staff attending Panel.

21.3 Employees and practitioners attending Panel will be asked to complete a feedback form regarding their experience of the Panel process.

## **22. ATTENDANCE OF CHILDREN, APPLICANTS, AND FOSTER CARERS AND OBSERVERS**

22.1 Dorset is committed to user involvement and transparent decision-making. Prospective and existing foster carers are invited and strongly encouraged to attend Panel when their full assessment or review is on the agenda. However, there is no obligation for the foster carer to meet with the Panel; if they decline to do so, this in itself will not be considered as a reason for recommending that they are not suitable.

22.2 Attendees will be given a Panel leaflet explaining the Panel process and what to expect when they attend. Attendees will also be sent a feedback form so that their views on their experience at Panel can be gained and fed back on a regular basis to Panel members.

22.3 All applicants will be given sufficient notice to enable them to attend. The responsibility for this lies with the supervising social worker.

22.4 An invitation will be sent to applicants by the Panel Co-ordinator confirming the date and time of the Panel meeting at least one week beforehand.

22.5 When applicants attend, they will be invited into the Panel meeting with the social workers after the Panel has decided upon the areas for which it needs further discussion or clarification. The applicants will be introduced to the

Panel and will also have the opportunity to ask questions of the Panel, to give any further information they may wish, or to make a statement to Panel.

- 22.6 The applicants may remain in the Panel meeting with the social workers whilst the Panel asks its questions. They will then be asked to leave the meeting whilst Panel discusses its recommendation.
- 22.7 In the event of a contested or conflictual matter, the Panel may wish to hear the carer's contribution on their own, and then hear the social workers on their own. This procedure will be tailored to the specific details of each case.
- 22.8 Once the Chair has summarised the recommendation of the panel the Agency Adviser will inform the Social Worker of the recommendation and the reasons for it. The Social Worker will then inform the applicants of the recommendation. They will also be advised when the decision will be made by the Agency Decision Maker. Applicants will be informed of the strengths in their application and any areas of potential difficulty/risks.
- 22.9 Approved foster carers will be encouraged to attend the Panel meeting when their first annual foster care review, subsequent review or any other matter relating to the care they provide is being considered. Carers are welcome to bring a representative or friend with them if they so wish.
- 22.9 Birth parents are encouraged to make written or recorded representation to Panel and in any event should be shown and be fully aware of the information about them which is presented to Panel.
- 22.10 Children should be supported and encouraged to write or record their views for Panel or, when appropriate to attend in person. Arrangements for a child to attend Panel should always be discussed in advance with the Agency Adviser.
- 22.11 Usually no more than two people at a time will be allowed to observe at Panel. Panel attendees will be informed that observers may attend Panel; if they have any objection to this, they must notify the Agency Adviser in advance of the Panel meeting.

## **23. DECISION MAKING PROCESS AND NOTIFICATIONS**

- 23.1 The Chair or Agency Adviser will provide feedback to all attendees of the Panel's recommendation as soon as practicable.
- 23.2 The Agency Adviser will convey the Panel recommendations to applicants within two working days. However, applicants must be clear that whilst Panel

makes a recommendation the final decision is made by the Agency Decision Maker.

- 23.3 The Corporate Director for Quality Assurance and Safeguarding Families has delegated responsibility for making the decision on behalf of Dorset Children's Services and is the designated Agency Decision Maker.
- 23.4 The Agency Decision Maker must consider the Panel recommendation when making the decision but is responsible for the decision that they make. The decision cannot be delegated to another party.
- 23.5 The Agency Decision Maker will be sent a copy of all the papers presented to Panel. They will be notified of all recommendations made by the Fostering Panel, finalised Panel minutes and may have a verbal briefing session, where required, with the Agency Adviser.
- 23.6 Where the Agency Decision Maker is minded to disagree with a Panel recommendation they may, before making a final decision, consult with a senior colleague with the relevant social work qualification and experience, and record the discussion and outcome; a copy of the record must be passed to the Agency Adviser for placing on the foster carer's record. If the result is a recommendation with which the applicants or carers disagree and wish to contest, they may have recourse either to the Dorset Council complaints procedure or to the Independent Review Mechanism process may be invoked on the carers' application to the IRM.
- 23.7 The Agency Adviser will notify the social workers of the agency decision within one working day. Social workers will orally inform foster carers of the agency decision within two working days of the decision being made. The Agency Decision Maker will write to the carers confirming his decision within 5 working days. The Agency Decision Maker will include the reasons for the decision and, where the agency decision is different from the recommendation of the Panel, information about this and the Panel's recommendations.

## **24. ADDITIONAL MEETINGS**

- 24.1 Additional meetings may be required when there is sufficient pressure of business, and the organisation of any additional meetings will be undertaken after consultation with Panel members.
- 24.2 The normal Panel procedures will apply to additional Panels. Panel members will receive the papers at least 5 working days in advance of the Panel meeting. Panel members will be contacted by telephone or email to ascertain

their availability and the Agency Adviser will liaise with the chair to arrange the meeting.

## **25. MONITORING AND REPORTING**

25.1 The Agency Adviser will take responsibility for reporting back to the Fostering Service and Dorset Council any concerns or issues raised by Panel.

Examples of good practice will similarly be fed back. Fostering managers will take forward practice issues as necessary within the agency and ensure that any actions taken by them are fed back to the Panel and the Agency.

25.2 An annual report on the work of the Fostering Service Provider will be written by the Agency Adviser and presented to the Corporate Parenting Board. This report will include the annual Panel report prepared by the Chair for endorsement by elected members of Dorset Council. The Agency Decision Makers and senior managers from the fostering service will be invited to Panel to review learning from the annual report. The Agency Decision Makers will also be invited to take part in the annual Panel training day.

25.3 The Chair's Report to elected members should include:

- number of foster carers approved, ethnicity, family structure, geographical location
- work of the Panel and the service
- strengths and weaknesses of current provision including sufficiency
- quality of work presented to Panel
- specific issues arising for Panel over the past year
- recommendations regarding the operation of Panel and the provision of fostering services in Dorset.

25.4 The Panel will be consulted on any significant proposed changes to fostering policy and practice guidance, to enable them to contribute

## **26. COMPLAINTS AND REPRESENTATIONS**

26.1 Where a carer is not in agreement with the decision made regarding their suitability as a foster carer, and/or the Fostering Panel's recommendation, and does not accept the recommendation, they may choose one or other of the following routes for representation (they cannot use both):

### **EITHER**

26.2 The prospective or existing foster carers may choose to either make a written representation directly to Dorset Council or a written application to the

Independent Review Mechanism (IRM) – they cannot do both. If a representation is made directly to Dorset Council, the prospective or existing foster carers must write directly to the Agency Decision Maker (ADM) within 28 working days from the date of the ADM letter. The Agency Decision Maker may at their discretion meet with them to discuss their concerns and should then refer the matter back to the Fostering Panel. The Panel will consider the prospective or existing carer's concerns and will make a further recommendation. This recommendation will be communicated to the Agency Decision Maker who will make the final decision.

## **OR**

- 26.3 If the applicant decides instead to make a representation to the Independent Review Mechanism (IRM), they should directly notify the IRM of their wish to do so within 28 working days from the date of the qualifying determination (the Agency Decision Maker's letter to them). Dorset Council fostering service will forward all relevant information to the IRM within 10 working days of being informed by the IRM of the need to do so. The IRM will review the matter and notify the Dorset Council Agency Decision Maker of its recommendation and the reasons for it. The Dorset Council Agency Decision Maker will make the final decision.
- 26.4 A prospective foster carer cannot make use of the IRM unless a full assessment has been completed and presented to the Fostering Panel.
- 26.5 Where a practitioner is not in agreement with a recommendation made by the Fostering Panel and wishes to pursue the matter, they should do so directly through their line manager and the Agency Adviser (who will inform the Chair of the Panel).
- 26.6 Complaint about any other aspect of the Fostering Panel's work should be addressed to the Agency Adviser or Chair in the first instance. If they are unable to resolve the matter, they will signpost the complainant to Dorset Council's complaints procedure.

## **27. REVIEW**

- 27.1 The function, role, policy, procedure and operation of the Fostering Panel will be formally reviewed annually.
- 27.2 After each Panel a feedback form will be sent to all attendees (applicants, social workers, foster carers and children) seeking their views and feedback. This feedback will be presented in the annual report.

