



Safeguarding Children Policy for Worcestershire Fostering Staff and Foster Carers

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1.Introduction

Worcestershire Fostering (WF) seeks to provide family placements which are safe and in which children and young people feel safe. It has a duty to recruit staff, volunteers and foster carers following best practice guidance and to have a procedure in place which manages allegations or concerns that raise suspicions that a member of staff or a foster carer poses a risk of harm to a child or young person.

This policy sets out Worcestershire Fostering's procedure. It reflects the expectations of Working Together to Safeguard Children 2018 and West Midlands Child Protection and Safeguarding Guidance.

Safeguarding is everybody's business and these procedures are for use of and apply to everyone involved with Worcestershire Fostering, staff, managers, foster carers, panel members and volunteers.

References to "members of staff" in this policy apply to all of the above unless otherwise specified.

2.Threshold for Implementation of this procedure

There should be a clear distinction between an allegation and a concern about the quality of care or a complaint as these will be dealt with under different procedures.

These procedures should be applied when there is an allegation or concern that any person who works for Worcestershire Fostering has:

- ↗ behaved in a way that has harmed a child, or may have harmed a child
- ↗ possibly committed a criminal offence against or related to a child
- ↗ behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

These behaviours should be considered within the context of the four categories of physical, sexual, emotional abuse and neglect and should include concerns relating to inappropriate relationships between members of staff and children or young people, for example:

- ↗ having a sexual relationship with a child under 18 if in a position of trust in respect of that child, even if consensual
- ↗ 'Grooming', i.e. meeting a child under 16 with intent to commit a relevant offence
- ↗ other 'grooming' behaviour giving rise to concerns of a broader child protection nature (for example, inappropriate text/e-mail messages or images, gifts, socialising etc)
- ↗ possession of indecent photographs/pseudo-photographs of children

- ↗ inappropriate behaviour or conduct towards children (i.e. social media, domestic abuse)

If concerns arise about a member of staff's behaviour with their own children, this should be referred to Children's Social Care (for Worcestershire this will be Worcestershire County Council's Family Front Door) and\ or the Police. Consideration should be given on whether these concerns have implications for children with whom the member of staff has contact with through work.

If there is uncertainty on whether the concern or allegation reaches the required threshold it should be discussed with a Local Authority Designated Officer (LADO). who is available for advice and support?

Information on the LADO Service and making a referral, including the referral form can be found at:

[http://www.worcestershire.gov.uk/info/20559/refer to childrens social care/1659/are you worried about an adult who works with children](http://www.worcestershire.gov.uk/info/20559/refer-to-childrens-social-care/1659/are-you-worried-about-an-adult-who-works-with-children)

Telephone number 01905 846221

3 Roles and Responsibilities

3.1 Registered Manager\Designated Senior Manager

- ↗ The Registered Manager has responsibility to:
 - ↗ Be the Designated Senior Manager within the agency to whom allegations or concerns are reported (Should they be absent or the subject of the allegation or concern then allegations or concerns should be reported to the Responsible Individual)
 - ↗ Ensure that this procedure is properly applied and implemented
 - ↗ Have oversight and management of individual cases, monitor the progress of cases and ensure that they are dealt with in a timely, fair and consistent way.
 - ↗ Gathering any additional information which may have a bearing on the allegation, for instance: previous concerns, care and control incidents
 - ↗ Liaise with the LADO, Police, Children's Social Care and other agencies
 - ↗ Attend Strategy Meetings when required;
 - ↗ Provide the subject of the allegation with information as agreed with the LADO and advise them to inform their union, professional body or in the case of a foster carer, FosterTalk.org
 - ↗ Liaise with Human Resources where disciplinary action is required;
 - ↗ Ensure that risk assessments are undertaken where and when required;
 - ↗ Ensure that effective reporting and recording systems are in place which allow for the tracking of allegations through to the final outcome
 - ↗ Provide reports and information as required by the Responsible Individual;

- ↗ Provide advice, information, training and guidance for staff
- ↗ Ensure relevant support is in place for staff, parents and young people;
- ↗ Ensure that children and young people know how to make a complaint or voice a concern.

The Registered Manager contact details

Kate Wakefield

Worcestershire Fostering, Worcestershire County Council,
County Hall, Spetchley Road, Worcester WR5 2NP

Telephone Number: 01905 766321

E mail: KWakefield@worcestershire.gov.uk

3.2 Responsible Individual

The Responsible Individual will

- ↗ In the absence of the Registered Manager or if they are the subject of the allegation or concern manage this process
- ↗ Ensure that the agency procedure comply with the required standards and procedure outlined in Working Together to Safeguard Children and West Midlands Child Protection and Safeguarding Guidance.
- ↗ Along with the Registered Manager\Designated Senior Manager ensure that their workforce is aware of and implements the procedure
- ↗ Ensure that there are effective reporting and recording arrangements and that there are systems in place to review cases and identify and then implement any changes which would improve both procedures and practice

The Responsible Individual contact details

Adam Johnston

Director of Children's Services

Worcestershire County Council, County Hall, Spetchley Road,
Worcester WR5 2NP

Telephone Number: 01905 845660

Email: AJohnston@worcestershire.gov.uk

3.3 LADO

The agency will refer members of staff where concerns have been raised or an allegation made to the LADO or LADO team in the area that they work. For staff and volunteers this will be the LADO team for Worcestershire. For foster carers it will be the Local Authority in which they reside.

The role of the LADO is to

- ↗ Have management and oversight if the allegation meets the thresholds
- ↗ Provide advice and guidance to Senior Designated Manager;
- ↗ Monitor the progress of cases to ensure they are dealt with within agreed timescales and that there is a consistent and thorough process for all adults working with children and young people against whom allegations are made;
- ↗ Liaise as necessary with chairs of Strategy Meetings or attending/chairing Strategy Discussions/Meetings;
- ↗ Liaise with Police and the Crown Prosecution Service;
- ↗ Chair Position of Trust Meetings (POT)
- ↗ Discuss with Senior Managers the possibility of referral to the Disclosure and Barring Service (DBS) for inclusion of the person on the Children's Barred List or to the appropriate Regulatory Authority.

4. Underlying Principles

4.1 Supporting those involved

Children and Young People who are the subject of the allegation or have made the allegation will be supported by WF staff, Children Social Care and or the Police and will be kept informed as appropriate.

Parents or carers of a child or children involved will be told about the allegation as soon as possible if they do not already know about it. The Registered Manager will discuss with the LADO and the placing Children's Social Care how and by whom they should be informed. In some circumstances the parents or carers may need to be told of an incident straight away, for instance if the child has been injured and requires medical treatment. Parents or carers will be kept informed of the progress of the investigation and be told of the outcome. Should a disciplinary hearing take place then the outcome will be shared although the information considered in reaching a decision will not normally be shared.

The person who is the subject of the allegation will be kept informed, subject to the investigation and be provided with support during process.

4.2 Confidentiality

Every effort will be made to maintain confidentiality while an allegation is being investigated. Information will be restricted to those with a need to know in order to protect children and facilitate the investigation.

4.3 Resignations and Compromise Agreements

The fact that a person tenders their resignation or ceases to work will not prevent an allegation being followed through in accordance with this procedure.

Whether or not an individual cooperates with an investigation, or remains in employment at its conclusion, it is important that the investigation continues, considering all available evidence in an attempt to reach a judgement about the allegation.

It therefore follows that so-called 'compromise agreements' (by which a person agrees to resign, the employer agrees not to pursue disciplinary action and both parties agree a formula of words to be used in future references) will not be used in these cases.

4.4 Record Keeping

A comprehensive summary of any allegations made, details of how the allegation was followed up and resolved will be kept. This record will be placed on the person's confidential personnel file and a copy given to the individual.

The record will be kept until the person reaches retirement or for ten years if that would be longer. This record will be used to give accurate information in response to any future request for a reference.

Details of allegations that are found to be malicious should be removed from personnel records.

4.5 Timescales

While recognising that the time taken to resolve individual cases will depend on a variety of factors such as the nature of the allegation, its seriousness and complexity every effort will be made to resolve cases as quickly as possible consistent with a fair and thorough investigation.

5. Responding to an allegation or concern

An allegation against a member of staff may arise from a number of sources (for example, a report from a child, a concern raised by another adult in the organisation, or a complaint by a parent). It may also arise in the context of the member of staff and their life outside work.

5.1 What to do if you receive or identify an allegation or concern.

You should treat the matter seriously and keep an open mind. You should when possible and unless immediate action is needed to safeguard a child or young person

- make a written record of the information (where possible in the child/adult's own words), including the time, date and place of incident/s, persons present and what was said to you
- sign and date the written record
- immediately discuss the issue with the Registered Manager
- Where the designated Registered Manager is absent, or is the subject of the allegation discuss the allegation with the Responsible Individual

You should **NOT** investigate or ask leading questions, make assumptions or offer alternative explanations, or promise confidentiality. (Although it is acceptable to provide assurance that the information will only be shared on a 'need to know' basis.)

Failure to report an allegation or concern in accordance with this procedure is a potential disciplinary matter

5.2 Action to be undertaken by the Registered Manager once they are aware of that an allegation has been made.

When informed of a concern or allegation that appears to meet the thresholds outlined in this procedure (see above), the Registered Manager will inform the relevant LADO **within one working day**. Referrals should not be delayed in order to gather further information. Nor should the Registered Manager investigate the matter or interview the member of staff, child concerned or potential witnesses.

If an allegation requires immediate attention but is received outside normal office hours the Registered Manager should consult with the Children's Social Care's Emergency Duty Team or local police and inform the LADO as soon as possible.

5.3 Initial consideration by the Registered Manager and the LADO

There are up to three strands in the consideration of an allegation:

- A police investigation of a possible criminal offence.
- Social care enquiries and/or assessment about whether a child is in need of protection or services.
- Consideration by Worcestershire Fostering of disciplinary action against a member of staff.

The Designated Officer (LADO) and the Registered Manager will consider what action should be taken.

If there is cause to suspect that a child is suffering, or is likely to suffer, significant harm, the LADO and the Registered Manager will consider what immediate safeguarding action is required and will refer to Children's Social Care so that they can initiate a section 47 enquiry and convene a strategy meeting/discussion if required.

If no immediate action is required the LADO and the Registered Manager will consider whether further information is needed and how this should be obtained.

Where the outcome of the discussion is that the allegation is unfounded or deemed to be malicious the Registered Manager will inform the member of staff that an unfounded or malicious allegation has been made. Malicious allegations should not be recorded on staff confidential files.

If an unfounded or malicious allegation has come from a child or young person, the Registered Manager will discuss with Children's Social Care whether there is a possibility that the child is at risk of harm from another source or whether they need any additional support.

Where the threshold has been met the LADO will decide whether there is a need to convene a Position of Trust meeting (POT).

5.4 Position of Trust Meeting

- ↗ The POT meeting should involve all individuals who hold information relevant to the investigation of the allegation and will be chaired by the LADO. This can include:
 - ↗ Child's social worker and Social Care Manager
 - ↗ The Police
 - ↗ The Designated Health Professional from the relevant CCG .
 - ↗ Line Manager of the employee and WF Registered Manager.
 - ↗ Supervising social worker when an allegation is made against a foster carer.
 - ↗ Ofsted
- ↗ The Purpose of the meeting is to
 - ↗ Share all relevant information about the person who is the subject of the allegation and about the alleged victim.
 - ↗ Plan the investigation/enquiries and set timescales for tasks to be undertaken;
 - ↗ Consider whether any other children are affected by the allegations (for example, any children of the member of staff, or other children being looked after by WF).
 - ↗ Consider the support needs of any children affected and any action that needs to be taken to provide immediate protection or safeguard any children during the investigation. This may need to be reviewed if new information becomes available during the investigation
 - ↗ Determine any action that needs to be taken in respect of any other children identified including the need for a section 47 enquiry and which agencies will be involved if this has not already been done.
 - ↗ Decide how regular information and support will be provided to the child and family and by whom.
 - ↗ Ensure that the member of staff who is the subject of the allegation is kept informed and supported.
 - ↗ Consider whether circumstances require the member of staff to be suspended\ out on hold from contact with children. This may change as the investigation progresses and should be reviewed regularly.

- ↗ Address any issues that are likely to arise (for example, media interest, resource implications).
- ↗ Agree how progress will be monitored by the LADO
- ↗ A follow up POT should be held to ensure that all tasks have been completed, including any referrals to the DBS if required. Where appropriate this follow up meeting will agree an action plan for future practice based on lessons learnt.

5.5 Informing the parent(s) and child

The Registered Manager will take advice from the LADO whether or not informing the parents of the child involved will impede the disciplinary or investigative processes. If it is agreed that the information can be fully or partially shared, the Registered Manager will discuss with Children's Social Care who should inform the parent(s) and child or young person.

The processes involved should be explained to the parent(s), and the child if sufficiently mature, and they should be kept informed about the progress of the case and of the outcome where there is no criminal prosecution. This will include the outcome of any disciplinary process, but not the deliberations of, or the information used in, a hearing.

5.6 Informing the member of staff

The Registered Manager will seek advice from the LADO, the police and Children's Social Care about how much information should be disclosed to the member of staff against whom the allegation has been made.

Subject to restrictions on the information that can be shared, The Registered Manager will, as soon as possible, inform the member of staff about the nature of the allegation, how enquiries will be conducted and the possible outcomes (for example, disciplinary action, dismissal or referral to the DBS or regulatory body).

The member of staff will be

- be treated fairly and honestly and the Registered Manager will help them to understand the concerns expressed and processes involved
- be kept informed of the progress and outcome of any investigation and the implications for any disciplinary or related process by the Registered Manager

6. Further Actions Required

6.1 Suspension (Please refer to the Section 8 for the decision to put Foster Carer(s) on hold.)

Staff should not be suspended automatically or without careful thought and the Registered Manager must consider carefully whether the circumstances of the case warrant suspension until the allegation is resolved.

They will consider the suspension of the member of staff in any case where there is cause to suspect that a child is at risk of Significant Harm or the allegation warrants investigation by the police or it is sufficiently serious that it might be grounds for dismissal.

The Registered Manager makes the decision on whether to suspend a member of staff in consultation with the Responsible Individual; however in circumstances where the Police and/or Children Social Care are to undertake further enquiries/investigation, the LADO will canvass their views in order to inform the Registered Manager's decision.

The Registered Manager will also consult with Worcestershire County Councils Human Resources and Organisational Development Team and any action will follow their Employment Policies and Procedures.

If suspension is deemed appropriate, the reasons and justification will be recorded and the individual notified in verbally and in writing.

6.2 Informing Ofsted

The Registered Manager will notify Ofsted and other involved agencies about any allegation or concern made against a member of staff as set out in Schedule 7 of the Fostering Regulations 2011.

6.3 Record keeping

As noted in Section 4 the Registered Manager will keep a clear and comprehensive summary of the case record on a person's confidential file and a copy of this will be given to the individual.

The record will include details of the allegation. how the allegation was followed up and resolved, the decisions reached and the action taken. It will be kept at least until the person reaches normal retirement age or for ten years if longer.

The purpose of the record is to enable accurate information to be given in response to any future request for a reference if the person has moved on.

Where an allegation has been substantiated it may help to safeguard future children.

It may also provide clarification where a future DBS request reveals non convicted information, and will help to prevent unnecessary reinvestigation if an allegation re-surfaces after a period of time.

6.4 Monitoring progress

The Registered Manager will keep in regular contact with the LADO during any investigation or until the matter is resolved and attend any review POT meetings. They will share information with the member of staff on progress as appropriate and as agreed with the LADO or at the POT meetings.

7. Outcomes of allegation investigations

The following definitions will be used when determining the outcome of allegation investigations:

1. **Substantiated:** there is sufficient identifiable evidence to prove the allegation.
2. **False:** there is sufficient evidence to disprove the allegation.
3. **Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive.
4. **Unsubstantiated:** this is not the same as a false allegation. It means that there is insufficient evidence to either prove or disprove the allegation: the term therefore does not imply guilt or innocence.

7.1 False or malicious allegations

If an allegation is demonstrably false, the Registered Manager in consultation with the LADO, will refer the matter to Children's Social Care to determine whether the child is in need of additional support or services, or might have been abused by someone else.

If it is established that an allegation has been deliberately invented the police may be asked to consider what action may be appropriate.

Where the allegation is deemed to be malicious it will not be recorded on the member of staff's confidential record.

7.2 Unsubstantiated Allegations

Where it is concluded that there is insufficient evidence to substantiate an allegation, the Registered Manager will discuss with the LADO and the Responsible Individual whether any further action is required. Although the allegation has been unsubstantiated there may be continuing concerns about the conduct of the staff member. The Registered Manager and Responsible Individual may decide

1. No Further Action is required
2. Training need for the member of staff has been identified. The Registered Manager will ensure that the member of staff undertakes the required training.
3. To consult with Human Resources on whether the member of staff should be subject to any disciplinary action
4. In the case of foster carers whether a post allegation review or an early review of their approval status is needed.

7.3 Substantiated allegations (Procedure for Foster Carers Section 8)

When the allegation has been substantiated, even if a police investigation or section 47 investigation was considered not to be necessary, the Registered Manager and the Responsible Individual having taken advice from the LADO and Human Resources will decide whether disciplinary action is required.

The discussion will consider any potential misconduct or gross misconduct on the part of the member of staff, and take into account:

- information provided by the police and/or local authority children's social care
- the result of any investigation or trial
- the different standard of proof in disciplinary and criminal proceedings.

Disciplinary procedures may be commenced prior to the police investigation being completed or the outcome of a trial known if there is sufficient evidence that the threshold for these have been met.

Any disciplinary action will follow the process and timescales set out in Worcestershire County Council's Employment Policies and Procedures.

7.4 Referrals to the Disclosure and Barring Service (DBS).

If an allegation is substantiated the Registered Manager will discuss with the LADO whether a referral is required to the DBS. If it is agreed that a referral is required, this will be completed by the Registered Manager on behalf of WF. The LADO has overall responsibility to ensure the referral is made in a timely manner.

As Fostering is a regulated activity there is a legal duty for WF to refer information to the DBS

If we have withdrawn permission for the person to engage in Regulated Activity with children and/or adults **or** moved them to another area of work that isn't classed as Regulated Activity or we have dismissed them. This includes situations when you would have moved the person but the person was re-deployed, resigned, retired, or left

And we think the person has behaved in such a way in relation to children and/or adults that has harmed a child or adult or put them at risk of harm or they have been cautioned or convicted of a relevant offence

Full details on the DBS process and how to make a referral are available on the DBS website www.gov.uk/guidance/barring-referrals

8. Allegations against Foster Carers

WF are required to meet guidance for managing allegations against foster carers as set out in Regulations 12 (Fostering Regulations 2011) and NMS 22 (Fostering National Minimum Standards 2011) and there are additional decisions and responsibilities when a foster carer is subject to an allegation.

When a child or young person is placed with a foster carer they should receive all known information on the child or young person's background including and abusive experiences they have been subject to and if they have made any previous allegations they have made.

An individual Safer Caring\Risk assessment will be completed on each child or young person placed and this alongside training will support them to provide a safe environment for the child or young person and all members of the fostering family.

Foster Carers will receive a copy of this policy when they are approved.

Foster Carers should adhere to WF recording procedure to record the progress of children and young people but also to record any incidents or complaints that the young child or young person may have made. This could provide important information if an allegation is made.

8.1 Action required following an allegation being made.

The procedure set out in this policy should be followed if a foster carer is the subject of an allegation.

Allegations concerning need to be referred to the LADO of the Local Authority in which they are resident.

It is important to differentiate between complaints about quality of care and an allegation. Most complaints about quality of care will not meet the threshold for this procedure but if there has been a significant event, such as a young child being left unsupervised, or there is a pattern of care which could meet the thresholds for neglect or emotional abuse then the Registered Manager will discuss these with the LADO.

8.2 Putting Foster Carer(s) on hold

Depending on the nature of the allegation a decision will need to be made on whether the child or young person remains in placement and whether any action is needed to protect other children in the household including other looked after children.

The Registered Manager will discuss with Children's Social Care and the LADO what action if any should be taken. They will take into consideration the nature of the allegation and the impact on the child or young person in moving them to a new placement in an unplanned

way. The final decision on whether a child or young person remains in placement will be taken by Children's Social Care.

The Registered Manager will make the decision on whether the foster carer(s) are put on hold and whether this is for all placements, if children or young people are removed, or if some looked after children or young people remain in placement any vacant places which were available at the time the allegation was made.

8.3 Payment to carers following an allegation

If an existing placement comes to an end as the result of an allegation because a child is moved, or an available placement is put on hold, the foster carer will receive payment as follows:

- a. the full fee according to the foster carer's level will be paid for four calendar months or until the resolution of the allegation (by re-approval, termination of approval or resignation), whichever occurs sooner
- b. the fee will be paid in respect of a placement(s) from which a child/ren have been moved as a result of the allegation and/or any placement which was vacant and available prior to the allegation
- c. the fee will not be paid in respect of a placement which was on hold for any reason at the time of the allegation
- d. the Foster Care Allowance will not be paid following an allegation.

The payment will start from **either** the date on which the child/ren were removed from the foster home **or** the date of the decision to put any available placements on hold.

In exceptional circumstances where the post allegation procedures are still ongoing after four months, through no fault of the carers, the Registered Manager in consultation with the Responsible Individual can agree to the payment of the retainer (ie 50% of the fee) for up to a further four months. An extended police enquiry, for example, may constitute justification for continuing the payment.

If foster carers fail to engage in any investigation or a post allegation review then payment will not continue.

8.4 Support to Foster Carers

Foster Carers should be supported by their supervising social worker however we recognise that can be difficult when the foster carer is the subject of an allegation and the supervising social worker has a role in any investigation.

The Supervising Social Worker must at all times be aware that their primary responsibility is the welfare of children. They must work within the decisions of the POT meeting. While any investigation is ongoing they should not have detailed discussions about the substance of the allegation with the foster carers unless this is an action from the POT

They must ensure that the foster carers are aware that any information passed to them by the foster carers will form part of the investigation

Foster carers can seek support from whomsoever they please but must bear in mind issues of confidentiality which will preclude them from discussing information about the child and their family except with professionals who have a need to know.

WF provides household with membership of the FosterTalk Organisation and has a contract with them to provide independent advice and mediation.

If foster carers find themselves subject to an allegation we strongly advise that they contact the FosterTalk Organisation for advice and support.

Where foster carers are subject to a police investigation they will offer legal advice and if required a solicitor to accompany the foster carer to any police interviews.

Following the resolution of the allegation if the outcome is that there will be a post allegation review that is considering the foster carers approval the Advice and Mediation worker can assist foster carers to respond to any report to fostering panel and can accompany to the panel meeting.

Contact details are:

FosterTalk

5 Highfield Road,
Edgbaston,
Birmingham
B15 3ED

0844 800 3880 (24 Hours)
0344 800 3880 (free from mobiles)
or 0121 758 5013 – (Office) for general enquiries
enquiries@fostertalk.org

8.5 Outcomes of Allegation Investigations Concerning Foster Carers

The possible outcomes from allegations are set out in Section 7 of this policy. Depending on the allegation and the outcome the Registered Manager will decide what further action if any is needed. The Registered Manager will decide

1. No further action is required.
2. A training or performance issue has been identified and the carer needs to go on specific training or be subject to a Performance Plan.

3. That the matter be report to next annual foster carers' review at either local panel or main Fostering Panel
4. That the foster carers annual review is brought forward for presentation to Fostering Panel
5. That a full Post Allegation Review to consider the foster carers approval is required.

In all cases foster carers will be informed in writing the nature of the allegation, the outcome of the investigation and whether any further action is to be taken. When further action is required the timescales for this will be agreed with the foster carers.

8.6 Foster Carers coming off hold or children and young people returning to the Fostering Household.

Where foster carers have been put on hold or looked after children have been removed from the fostering household the Registered Manager will decide whether foster carers can come off hold or children to return to the fostering household.

If the foster carers are undergoing a full post allegation review and there are no children or young people in placement they should remain on hold and no child or young person should be placed with them until the assessment has been presented to the independent fostering panel, an Agency Decision Maker decision has been made and any appeal process has been completed.

If there is an ongoing police investigation or prosecution the review process with the foster carers cannot be started until this has been concluded.

If a foster carer is convicted or cautioned for a criminal offence, which involved the abuse of a foster child their approval will be terminated forthwith.

8.7 Post Allegations Review (PAR) of Approval

A full Post Allegation Review involves a significant piece of work with the foster carers, which will lead to a recommendation to the independent Fostering Panel about whether to re-approve the foster carers.

Whenever possible a second social worker will be allocated to work alongside the foster carers supervising social worker and they will be line managed by the Team Manager of the Supervising Social Worker.

The PAR will consider

- Foster carers' record of fostering with the department. This will include their training record and any previous concerns or allegations
- The outcome of the investigation

- Foster carers' responses to the allegations; although the foster carers may have had the opportunity of responding earlier in the process they may have been under considerable stress at the time and it will be crucial to explore with them in greater depth their views on the substance and context of the allegation.
- Child's behaviour patterns within the household, any changes in the child's immediate environment prior to the allegation, details of the care plan.
- Any information specific to the particular enquiry, which requires further clarification.

In discussion with the Registered Manager the Team Manager may decide to request an update of some or all references, for example personal references, school references. The Foster Carers will need to consent to this.

The social workers will meet with the foster carers on a number of occasions to clarify the issues listed. The carers must be seen both together and separately. The stressful nature of this process for both carers and social workers must be acknowledged; it may be necessary to arrange for the interviews to take place away from the carers' home, and to limit the length of any one interview.

Social workers should confirm again at this stage that foster carers have access to appropriate support.

Records of these meetings should be given to foster carers and signed by the social worker and carers as accurate.

The PAR report should be shared with foster carer 28 days prior to the paperwork being sent to panel members unless a different timescale is agreed with the foster carer. This gives the foster carer the opportunity to respond to the report and if they wish any written response can be sent out to panel members with the report.

Following the presentation at the independent Fostering Panel and the initial decision of the ADM the foster carers will be informed verbally and in writing and of the decision. In cases where WF is seeking not to reapprove foster carers will be given information on the appeal process.

No final decision will be made by the ADM until the timescale for appealing has concluded or the appeal has taken place. The ADM will take the outcome of the appeal into consideration when making her final decision.

If the foster carers are approved there may be conditions to this and a Performance Plan and/or an early return to the independent Fostering Panel for their annual review may be required.

Where foster carers have been subject to a PAR presented to the independent Fostering panel their first review after that will also be presented at that panel.

8.8 Resignation during investigation or post allegation review

At any point during this process the foster carers may state a wish to resign from fostering. The Fostering Service Regulations states:

A foster parent may give notice in writing to the Fostering Service Provider at any time that he no longer wishes to act as a foster parent, whereupon his approval is terminated with effect from 28 days from the date on which the notice is received by the Fostering Service Provider.

If a foster carer gives 28 days' notice of their wish to cease fostering, any ongoing PAR following an allegation may not proceed beyond the date of termination of approval, i.e. 28 days from the foster carers' notice.

Once the individual/couple is no longer a foster carer for WF there is no basis for the review.

Notification of the foster carer's resignation and the reasons for this will be presented to the Fostering Panel. This information and any minutes of panel will be sent to the foster carers even if they have resigned.

The nature of the allegation, outcome of the investigation and any information gathered if the PAR has commenced will be kept on the foster carers file and be available if the foster carers apply to another fostering agency.

Section 7.4 Referral to the DBS also applies to foster carers.

8.9 Timescales

It is in everyone's interest to resolve cases as quickly as possible, consistent with a fair and thorough investigation and the Registered Manager will make this a priority.

The 2011 Statutory Guidance for Fostering sets out targets to be achieved in all but exceptional cases and WF will work to these targets. It is expected that

- 80 per cent of cases should be resolved within one month,
- 90 per cent within three months,
- and all but the most exceptional cases should be completed within 12 months.

For those cases where it is clear immediately that the allegation is unfounded or malicious, it is expected that they should be resolved within one week.

Where the initial consideration leads to the decision that the allegation does not involve a possible criminal offence, it will be for the fostering service to deal with it, however, if there are concerns about child protection these should be discussed with the LADO and the child's responsible authority. In such cases, if the nature of the allegation does not require formal action, the fostering service should institute appropriate action within 3 working days.

If action is required and can be taken without further investigation, this should be done within 15 working days.

The Registered Manager and The Responsible Individual will regularly review these targets and take action if they are not being met. If the delay is due to the LADO process or partner agencies this should be raised with them in order for the issue to be resolved.

9. Learning lessons

At the conclusion of the process, Registered Manager and the Responsible Individual will review the circumstances of the case to determine whether there are any improvements to be made to the WF procedures or practices.

If a suspended person is to return to work, the employer should consider what help and support might be appropriate, for example a phased return to work and/or provision of a mentor, and also how best to manage the member of staff's contact with the child concerned, if still in the work place.