

Fostering Rotherham

Fostering Panel Terms of Reference

Table of Contents

FOSTERING PANEL	2
Introduction.....	2
Establishment of Panels	2
Panel Functions	3
Panel Membership.....	4
Panel Composition	56
Independence	6
Conflict of Interest.....	8
Escalation Process.....	8
Key Roles and Responsibilities.....	9
Panel Chair	9
Panel Advisor.....	11
Panel Administrator	11
Agency Decision Maker (ADM).....	12
Medical and Legal Advice.....	1413
Terms of Approval	1413
Panel Meetings	1514
Circulation of Paperwork.....	1514
Attendance at Panel.....	1514
The Panel Meeting	1615
Panel Decision Making	1716
Panel Minutes.....	1817
Post Panel Process.....	1817
Carer Resignation	1918
Reconsideration of Agency Decisions.....	1918
Independent Review Mechanism (IRM).....	2019
Monitoring and Quality Assurance	2120
NATIONAL MINIMUM STANDARD 14	2221
Fostering Panels and the Fostering Service’s Decision Maker	2221

FOSTERING PANEL

Introduction

The Fostering Panel has a crucial role in the provision and monitoring of foster care for children and young people. As an independent body, the making of recommendations about approval, the terms of approval, matching, and assessing the continuing ability of Foster Carers to meet the needs of children is a central task focused on ensuring the child's welfare is paramount.

An effective Fostering Panel is an essential part of a high-quality fostering service and has a key role in quality assurance. Rotherham Fostering Service acknowledges the vital role that Fostering Panels play in supporting good outcomes for children placed through the Agency. This guidance clarifies roles and responsibilities in terms of the Panel and its members, as well as outlining the protocols and procedures for the effective management of Panel business.

Establishment of Panels

Underpinning Regulations and Standards:

- The Fostering Services (England) Regulations 2011
- National Minimum Standards for Fostering Services England 2011
- Children Act Guidance Volume 4: Fostering Services 2011
- Children and Young Person's Act 2008
- Care Planning, Placement and Case Review Guidance and Regulations (2010) England the Care Planning, Placement and Case Review and Fostering Services (Miscellaneous Amendments) Act 2013
- Assessment and approval of Foster Carers: Amendments to the Children's Act 1989 Guidance and Regulations
- Independent Review of Determinations (Adoption and Fostering) Regulations 2009
- The Care Planning and Fostering (Miscellaneous Amendments) (England) Regulations 2015
- Short Breaks: Statutory Guidance on how to Safeguard and Promote the Welfare of Disabled Children using Short Breaks (2010)
- Promoting the Education of Looked After Children: Statutory Guidance for Local Authorities (July 2014)
- Promoting the Health and Wellbeing of Looked After Children: Statutory Guidance for Local Authorities, Clinical Commissioning Groups and NHS England (March 2015)
- Working Together to Safeguard Children: A Guide to Inter-agency Working to Safeguard and Promote the Welfare of Children (March 2015)
- Family and Friends Care: Statutory Guidance for Local Authorities (2011)

Panel Functions

Rotherham Fostering Panel has the responsibility of considering matters brought before it and the responsibility to arrive at clear recommendations which will then go to the Agency Decision Maker for the agency decision (Qualifying Determination) with any recommendation by the Independent Review Mechanism (where involved). The Fostering Panel monitors the range and type of Foster Carers available to the Local Authority in comparison with the needs of children and plays a key role in the improvement of standards within the fostering service.

As part of this function, the Panel oversees fostering assessments and annual reviews of approved Foster Carers, advises on any relevant matters in relation to the fostering service and makes recommendations to Children's Services about quality issues and performance standards. In particular, the Panel makes recommendations as to the following:

- a) The suitability of applicants to act as Foster Carers and terms of their approval (including Connected Person Foster Carers)
- b) The continued suitability of the Foster Carers and whether the terms of the approval remain appropriate (after the first annual review of Foster Carers, any other review where significant changes or termination of approval is recommended and every third annual review as a matter of good practice)
- c) Any representations challenging a decision not to approve an applicant as suitable, or to terminate or revise the terms of a Foster Carer's approval where the applicant is not in agreement with such changes
- d) Extension to Regulation 24 (Connected Person) requests

In relation to points a-d above, the Fostering Panel is able to make one of three recommendations to the Agency Decision Maker. These are to:

- Approve
- Defer
- Not Approve

The Panel also:

- Receives notification of a Foster Carers resignation
- Monitors agreed exemptions of the limit to the number of children placed with Foster Carers
- Considers any changes in approval status of a foster carer that extend beyond 6 days
- Considers reports detailing disruptions/unplanned endings
- Considers any other special matters relevant to a Foster Carer which the Panel Advisor in conjunction with the Panel Chair considers appropriate to be referred.

The Panel will also:

- Monitor, review and advise on the standard and quality of reports submitted to the Panel. The Chair will communicate any issues of concern to the Panel Advisor who will share with the Fostering Service Manager.
- Take part in regular meetings with the Fostering Service Manager and Head of Service along with the Panel Advisor to review the Panel's functioning and report on the quality of work being presented to Panel, to ensure good standards are maintained
- Contribute to the setting of service standards, policies and practice guidance

Panel Membership

Rotherham Fostering Service endeavours to ensure that the composition of the Fostering Panel is such that it has sufficient members, and that those members have between them the experience and expertise necessary to effectively discharge the functions of the Panel. National Minimum Standard 14.8 requires that: *"The number, skills, knowledge and experience of persons on the central list are sufficient to enable the fostering service to constitute Panels that are equipped to make competent recommendations to the fostering service provider, taking into account the nature of the children and carers that the service caters for"*.

In order to ensure smooth effective Panel performance and to ensure a continuing fresh perspective, the Fostering Panel will be regularly reviewed as to its membership. This will normally take place during the annual appraisal process. In any event, the tenure of the membership of any Panel member will be reviewed three yearly via this mechanism.

The Fostering Panel operates a 'central list' of a maximum of 25 people, including the Chair.

The appointment of Panel members will be undertaken by the Fostering Panel Advisor in conjunction with the Fostering Panel Chair. Appointment of the Chair will involve the Agency Decision Maker (Head of Service), along with the Fostering Panel Advisor and another Fostering Team Manager.

Panel members will have an opportunity to speak with the Panel Chair and/or Panel Advisor to clarify their duties and responsibilities and will have an opportunity to observe at least one Panel meeting as part of their induction prior to taking on the full role of Panel member. The induction will provide information about the roles of other key individuals in the team around a looked after child and a foster carer e.g. child's social worker, IRO, supervising social worker and fostering IRO. The induction process will also provide some information about fostering processes that take place outside of Panel such as prospective carer assessments, the foster carer review process, and the LADO process. Within the induction a clear escalation process for any concerns a Panel Member may have will also be provided (see below in 'Escalation Process' for more information).

Panel members will also sign a confidentiality agreement and will resign this each year as part of their PDR. Panel member performance is continuously assessed through various feedback and evaluation forms as well as monitoring by the Panel Chair and the Panel Advisor.

The Panel Advisor will plan and co-ordinate formal annual reviews (appraisals) for Panel members and Chairs. For the Panel Chair, this is undertaken by the Agency Decision Maker and the Panel Advisor with information gathered by the latter. For Panel members, appraisals will be undertaken with the Panel Chair and Panel Advisor. If Rotherham Fostering Service consider any Panel member to be unsuitable to remain in office, the Panel member's appointment may be terminated by giving one month's notice in writing.

A Panel member may also resign at any time by giving 1 month notice in writing. Panel members are expected to attend a minimum of 8 panel meetings a year unless by prior agreement. All Panel members are offered at least one day of learning and development a year. In addition, the Panel Advisor will regularly share relevant legislative, policy and practice changes which impact on the Panel functions and business element of Panel agendas.

Confidentiality is key given the sensitive nature of the business discussed at panel. As such, in addition to signing the annual confidentiality agreement, a confidentiality statement will be read out at the start of each Panel meeting and each panel member will be required to verbally agree to this in order to continue with the meeting. These verbal agreements will be minuted.

Panel Composition

The Fostering Panel will have within its membership:

- Social workers with at least 3 years relevant post qualifying experience
- A social worker or manager with expertise in the provision of a fostering service
- An independent member who is, or within the last two years has been, a foster carer for another fostering service or who has any relevant experience of fostering (e.g. adult member of fostering family)
- An independent member who has had experience of being in foster or residential care
- Members who have expertise in health, education or psychological services or any other relevant background

One of the Panel members will be appointed as Vice Chair to act as Chair in that person's absence

The Fostering Panel will have access to medical and legal advice as required.

Quoracy Regulation 24(1) requires that "no business may be conducted by a Fostering Panel unless at least the following meet as the Panel." These are:

- The Independent Chair or Vice Chair
- A social worker with at least three years relevant post qualifying experience
- At least three other members
- If the Chair is not present, there must be at least one independent member present, who could be the social work member if they are independent of the agency

The Panel Advisor will also be in attendance. The Panel Administrator will take the minutes at each Fostering Panel.

Independence

A Panel member cannot be defined as independent if they are a carer approved by Rotherham Council, an employee of the council, are part of the management structure within the council or are related to an employee or manager of the council. Fostering Panels are intended as multi-disciplinary bodies with a considerable element of independence from the fostering service.

A greater number of independent members can help to challenge practice where necessary; greater independence should mean that the Panel is fair and is seen to be so. Therefore, independent members play an important role in relation to Panel,

bringing a range of experiences, expertise and knowledge to the consideration of Panel business.

Conflict of Interest

There can be situations where a Panel member knows or has worked with the applicant or approved Foster Carer to be considered by the Panel. It is important that the Panel member declare an interest in such situations in a timely manner. The Panel member should consider whether they think this knowledge will prejudice their consideration of the case, and this should be discussed with the Panel Chair. If they think so, they should not participate in the discussion and should leave the room (virtual or otherwise). It will be the responsibility of the Panel Chair, in conjunction with the Panel Advisor to determine whether a conflict of interest exists and to make the final decision. It is important for Panel members to alert the Panel Advisor or Panel Chair as early as possible to avoid a possible problem over quoracy, but also to ensure that personal information is not shared unnecessarily. -

Where a Panel member receives the Panel pack and they believe in knowing the name, that there may be a need to declare an interest, they must not read the pack and must instead speak with the Panel Advisor or Panel Chair to determine the best way forward. Where an interest is declared but it is not considered a conflict of interest by the Fostering Panel Chair/Panel Advisor, it is good practice to confer with the applicant/carer to determine whether they would feel comfortable with the Panel member being part of the recommendation process. Declaration of interest will, however, be recorded in the Panel minutes in any event.

Escalation Process

Any concerns from Panel Members about issues pertaining to Panel matters should not be discussed with individuals outside of Panel and should be shared with the Panel Advisor and/or Panel Chair only in the first instance, who can then escalate these concerns accordingly if required.

If a concern is raised regarding both the Panel Advisor and/or Chair or the member feels their response regarding a concern is not sufficient, this should be discussed with the Fostering Service Manager.

Practice or service issues raised at Panel will be fed back to the fostering management team and Agency Decision Maker by the Panel Advisor through the Fostering Panel feedback form completed during every panel by the Panel Advisor. Actions from this feedback can then be determined along with appropriate timescales for completion. These forms will also be used to draw out common themes for both positive practice and areas for development which will be discussed at the regular panel business meetings between the Panel Chair, Panel Advisor, Fostering Service Manager and Agency Decision Maker.

Key Roles and Responsibilities

Fostering Panels need to be able to carry out their function as effectively as possible, and there are individuals on Panel who have key responsibilities in relation to this objective.

Panel Chair

The Panel Chair has the key responsibility for ensuring the meeting is conducted in a positive and supportive manner and that this will comply with Rotherham Fostering Service policy relating to the role.

The Panel Chair should ensure that:

- Panel keeps children's welfare paramount throughout Panel discussions
- Panel discussions operate effectively and fairly, and plan how the discussion will be conducted with applicants/carers and social worker
- All Panel members actively participate in Panel considerations and ensure Panel members have relevant and up to date expertise
- where Panel members have serious reservations, that the evidence base for these are recorded in the minutes of the Panel's meeting and are also attached to the Panel's recommendation which in turn is overseen by the Agency Decision Maker
- applicants/carers are made to feel welcome at the Panel and that it is run in a way which encourages their engagement and participation
- the Panel reaches clear, evidenced recommendations and that the minutes of the meeting are accurately recorded
- Panel's recommendations are clear with rationale to support the decision making
- All attending Panel including the applicants understand that the Panel makes recommendations only, and should give a timescale for the Agency Decision Maker's decision
- They check, amend and return the minutes so that they can be forwarded to the Agency Decision Maker within stipulated timescales
- Where appropriate, they consult with the Panel Advisor regarding Panel member performance and termination of appointment
- Where appropriate, they are involved in the appointment and induction of new Panel members
- In conjunction/liaison with the Panel Advisor, they ensure that the Panel carries out a quality assurance role in relation to the Panel process, paperwork completion and social work presentation
- Regular liaison with the Panel Advisor and the Panel Administrator takes place to ensure Panel dates are booked for the year ahead

- feedback on the Panel process is considered and acted upon by the Panel as required

The Panel Chair should be involved in:

- Consulting where appropriate with the Panel Advisor concerning the annual report
- Decisions regarding extra Panels
- Determining any escalations to the Service Manager and/or Agency Decision Maker
- Managing conflict of interest in a case
- Agreeing the attendance of observers at Panel
- Communicating immediate concerns, along with the Panel Advisor, to Rotherham Fostering

Panel Advisor

The Advisor to the Panel:

- Advises the Chair and members of the Panel on the relevant fostering policies, procedures and practice
- Is not a member of the Panel and does not take part in reaching a recommendation
- Has responsibility for ensuring that all Panel reports are comprehensive and of a suitable standard to be presented to the Panel and that post Panel paperwork is completed accurately and in a timely manner
- Oversees the administrative arrangements for Panel and ensures that it works effectively
- Will seek legal advice where the Advisor recognises the need, to support matters being deliberated by Panel
- Confirms that that statutory checks are completed prior to Panel and are recorded in the minutes
- Analyses the Panel evaluation forms in order to ensure continuing high standards
- Is to be available after the Panel to offer technical or regulatory advice to the ADM as required, as the Panel Advisor is not a member
- Must in no way share information about deliberations and discussions held by the Panel members. The ADM must use the information available to them by way of Panel paperwork and Panel minutes
- Relays decisions, actions and comments to the service management and/or Panel Chair regarding ADM decisions and comments
- Maintains and reviews the Central List, ensuring that there are sufficient members and that there is a balance of experience across the Central List and at Panel meetings.
- Is responsible for the recruitment of new members and review, with the Chair, of existing members.
- Maintains files on all Panel members, and ensuring DBS/disclosure checks, other checks and appraisals are up to date

Panel Administrator

Good administrative arrangements are essential for the effective functioning of Panel. The Panel Advisor will work closely with the Panel administration team on facilitating the process of Panel.

In general, Foster Panel administrators are involved in:

- Ensuring that Panel will be quorate and informing the Panel Advisor if there are any concerns around quoracy

- Ensuring the Panel Advisor is aware when the necessary electronic paperwork has been submitted for Panel
- The circulation of reports, documents and appropriate letters to relevant parties pre and post Panel in the required regulatory timescales – ADM decisions must be sent to applicants/foster carers in writing within 5 working days
- Taking minutes and submitting a draft to the Panel Advisor, Panel Chair and Panel members for checking
- Ensuring the ADM receives the minutes and ADM decision proforma and any other papers required to make a decision
- Maintaining records of Panel business and performance for monitoring and evaluation and use in the annual report
- Ensuring that final decisions regarding approval, terms of approval and termination of approval are recorded within the relevant database
- Ensuring that the relevant documentation needed for the Panel process is available
- Ensuring all relevant document is recorded onto the required system and is maintained

Agency Decision Maker (ADM)

The ADM is responsible for all Fostering Panel decisions, and provides an independent oversight of all Panel business, maintaining a focus on safeguarding for children and young people and monitoring the quality of care planning and decision making for children and young people in care. In order to carry out this role effectively, it is important that the ADM communicates and liaises regularly with the Fostering Service Manager and the Panel Advisor about the Panel process and quality as well as regulatory requirements.

The Fostering Panel make recommendations and not decisions regarding cases presented to it, which are made by the ADM. The ADM's decision is known as the 'Qualifying Determination'. This is made by the ADM after they have considered the recommendations made by the Panel and the reasons for them. Following a Qualifying Determination being made, the applicant or Foster Carer has 28 days during which they can make representation to the Fostering Service or to the Independent Review Mechanism (IRM) if they do not agree with the ADM's decision. After the 28-day period, if no representation has been made, the Qualifying Determination becomes the final decision.

More than one ADM may be appointed, but they may not delegate their authority to another person. The ADM must be registered with Social Work England. NMS 23 sets out the qualifications, knowledge and experience required of the Decision Maker. Regulation 27 requires that the Decision Maker must take account of the Fostering Panel's recommendation and any recommendation made by the IRM before deciding whether or not to approve a person as a Foster Carer, and on what terms. Their decision

must be made within seven working days of receipt of the Panel's recommendation via the minutes.

Medical and Legal Advice

NMS 14.6 requires that "Fostering Panels have access to medical expertise and legal advice, as required." Rotherham Fostering Panel have access to legal advice through Rotherham Legal Services.

In general, the Medical Advisor will:

- Liaise with the applicant/s GP and approved carers under review when a medical issue concerning capacity to undertake the work of a carer has been raised and requires clarification
- Make contact with consultants or specialist in relation to medical issues raised
- Report any medical issues concerning applicants or approved carers under review, to the Fostering Panel
- Interpret medical information, concerning applicant and approved carers under review

Terms of Approval

Connected Person carers are approved for a specific child or children. In notifying the carer of the ADM decision, the full names and dates of birth of the child or children must be included in the correspondence and all other documentation relating to their care of the child or children.

Rotherham Fostering Service provides a number of different schemes within the wider fostering offer. In Rotherham, so that children have opportunity for continued stability practice is that all mainstream carers are approved for 0 – 18 unless they are smokers where their approval range will be restricted to 5 – 18 or unless they have been assessed to have a specific skill set or situation which means they are suited only to a particular age range. Carers may have an age preference within this range and this will inform the 'best assessed match'. Terms of approval will also include the number of children, and the type of care: task centred, long term, parent & child, emergency, second home care or families together care for children with disabilities. Foster Carers must also enter into a Foster Carer Agreement which will be sent out by Panel Administrators upon approval and after each review that comes to Panel (the Foster Carer Agreement should be sent out by Fostering Review Administrators where the review does not come to Panel).

Panel Meetings

Panels will normally meet twice per month. Panels will alternate between being held in person at Riverside House and being held on a virtual platform. They will be held on Mondays. Dates will be circulated on an annual basis in advance, to ensure sufficient notice, and will also be available to view through the Panel administration team. The Fostering Panel starts at 9.30am prompt and will usually be a full day. Whilst the aim will be for the Fostering Panel to complete business by 3:30 p.m., Panel members should ensure that should the Fostering Panel not finish until 4pm, that they are available for the full Panel. The Panel agenda will be circulated prior to Panel when the paperwork is also sent out, this will allow Panel members to see approximately how long the Panel will be.

Circulation of Paperwork

The Panel Administrator will circulate all paperwork electronically to Panel members at least 5 working days prior to the Panel meeting. A pack will also be sent to the ADM. Panel will provide feedback to the service in terms of quality assurance for each item presented. This will be circulated to the appropriate member of staff and their team manager following Panel via the Panel Advisor.

For virtual panels, Panel members will be expected to send their preparation sheets and questions to the Panel Administrator in advance of Panel to allow the Chair to collate the information ready for the Panel meeting. For in person Panels, members are expected to bring their preparation to the meeting and questions will be decided on the day.

Attendance at Panel

Applicants, Approved Carers, and Social Workers must be given the opportunity to attend and be heard at Panels at which their approval is being discussed. They are also able to bring a supporter if they wish, the Panel Administrator should be advised no later than one week prior to Panel where a supporter will be in attendance. Whilst applicants and approved carers are not mandated to attend the Fostering Panel, they should be strongly encouraged to do so.

Rotherham Fostering views the attendance of applicants and approved carers at Panel very positively and recognises the Fostering Panel as an arena that welcomes their views. Where an interpreter is required, the presenting social worker will ensure that the Panel Administrator is informed at least one week prior to Panel so that they can ensure that adequate time is allowed.

The Panel Chair will explain the process to applicants, approved carers and social workers prior to being presented to Panel. Following the Fostering Panel

recommendation, the Panel Advisor will inform them of the recommendation and the role of the ADM.

Applicants, approved carers, and social workers will be given the opportunity to feed back on their experience of the Panel process via feedback forms.

The Panel Meeting

The way the Panel meeting is managed and conducted on the day will very much depend on the agenda and the Panel members present. However, Rotherham Fostering promotes the use of a number of key principles:

- The Panel Chair independently confirms the status of statutory checks for the minutes from the information presented to Panel
- Where a Panel member has direct knowledge of a case being presented, a conflict of interest may be present. Where possible, any potential conflict of interest should be explored prior to Panel to ensure confidential information is not shared unnecessarily, and that Panel remains quorate. In any event, where it is deemed that the Panel member has prior knowledge of, but has no conflict of interest, this will be minuted. Where it is determined that a Panel member has a conflict of interest, the Panel Chair in consultation with the Panel Advisor will decide whether the Panel member is to step down from the whole or just part of the Panel.
- The Fostering Panel should work to an ethos of transparency. Applicants and approved carers should be present in Panel for as much of the Panel process as possible, without compromising the integrity of the Fostering Panel.
- Attending Panel can be a daunting experience for applicants therefore every effort should be made to welcome them and make them feel at ease. Professional jargon should be avoided to ensure applicants are able to understand and participate in the Panel
- Assessing/supervising social workers should present their reports to Panel. Where complex issues are apparent, the social worker's team manager may also attend
- Presentation at Panel can be experienced as a daunting process for those presenting. Panel should make the experience as welcoming as possible, with respect and consideration of the views of those presenting at all times. However, this should not detract from robust enquiry and a spirit of professional curiosity, borne from learning coming from serious case reviews and research.
- Respectful uncertainty should ensure that panel paperwork is appropriately interrogated.
- Panel members should not feel restricted from sharing a view that may be in the minority. It is the role primarily of the Panel Chair to make a judgement about the validity and appropriateness of such views to the case in hand.
- Panel discussions are recorded fully, giving particular note of the recommendations reached and the reasons for reaching them. Where Panel

members are not in agreement, the minutes must accurately reflect the range of views expressed

Panel Decision Making

Following full discussion of the agenda item, the Fostering Panel may:

- Make a unanimous recommendation to the ADM
- Defer to a later date for further information and advice
- Make a split recommendation to the ADM

In such cases, the minutes must reflect the details of each Panel member's recommendations, along with their stated reasons for their recommendation. Where there is a split recommendation, the Panel Chair does not have the casting vote. The minutes of the Panel need to be plainly articulated and obvious as to the recommendation and reasons underpinning it as the ADM will not be party to the discussions held that inform the recommendation. It is imperative that it is clear that the ADM has come to an objective and independently informed decision, based on the information available and that they are not considered simply to have ratified the Fostering Panel recommendation.

In reaching a decision or Qualifying Determination, the ADM should consider *Hofstetter v LB Barnet and IRM (2009)* in which the court set out guidance for the way in which an Adoption Agency Decision Maker should approach a case, whether it is a decision based on the agency Panel's recommendation or the independent review Panel's recommendation. This applies equally to fostering decision makers.

The court said it would be good discipline and appropriate for the decision maker to:

- List the material taken into account in reaching the decision
- Identify key arguments
- Consider whether they agree with the process and approach of the relevant Panel and are satisfied as to its fairness and that the Panel has properly addressed the arguments
- Consider whether any additional information now available to them that was not before the Panel has an impact on its reasons or recommendation
- Identify the reasons given for the relevant recommendation that they do or do not wish to adopt, and
- State (a) the adopted reasons by cross reference or otherwise and (b) any further reasons for their decision

Panel Minutes

Robust minutes are essential and the minute taker should ensure that the key issues and views are captured, and in particular, dissenting views and concerns. Those undertaking the minutes should be appropriately trained and supported to do so.

There is no prescribed format in which to write minutes and some may write in the first, or third person. The important note is to ensure the key points are recorded. Where there are dissenting views, these should be recorded along with the reasons for dissension.

Post Panel Process

The minutes should be distributed and received back from the Panel Chair and members within four working days of the Panel. These constitute the final set of minutes. In line with Fostering Regulations, the ADM should make their decision within 7 working days of receiving the final set of minutes. The ADM's decision should be communicated to the applicants/approved carers within two days of the decision being made (usually by the responsible social worker) and followed up in writing within five working days.

In making their decision, and in particular for complex cases, the ADM may access the Panel Advisor to clarify any issues arising from the Panel minutes. Any action points about an individual assessment or review should be noted by the ADM and fed back to the social worker and their team manager. The ADM will make note of any themes that would be considered useful to bring to the Fostering Panel quarterly business meeting. The ADM will satisfy themselves that the Fostering Regulations and Standards are being adhered to during their deliberations. On occasion, the ADM may feel unable to come to a decision without further information. In these instances, the social worker presenting the case should inform the applicant / approved carer of this.

Notwithstanding any further deliberations, the ADM will be mindful to come to a decision in a timely manner, especially in terms of the regulatory framework surrounding Connected Person's.

In line with National Minimum Standards, in coming to their decision the ADM will record notes detailing the process of decision making, the reasons for their decision and commenting on the functioning of the Fostering Panel. On return of the signed decision record, the Fostering Panel Administrator will send notification letters and associated Foster Care Agreements out to the applicant/approved carer.

The Panel Administrator will also add a copy of the minutes, ADM decision notice and decision letter on the carer's electronic file. Where the decision is not to approve, to not continue to approve, or to change the carer's terms of approval, the decision letter will also advise the recipient of their rights to review of the decision by either

Rotherham Fostering Panel or the IRM, but not both. The decision letter will be clear regarding the 28 day timescale for requesting a review of the decision.

Where a review of the decision is held, the ADM will be able to make their final decision following the conclusion of the review. In the meantime, where this applies to Connected Carer's, the Connected Carer remains temporarily approved. Mainstream carers remain 'under assessment'.

Carer Resignation

Where a carer has submitted a resignation, this cannot be retracted. The Fostering Panel Administrator will send a letter of acknowledgement from the Fostering Panel which will also advise the carer that their name will be taken off the Foster Carer register. The length of service will be acknowledged and celebrated accordingly. It is important that resignations are not delayed from being presented at Panel and should be presented within the notice period. Should a Foster Carer wish to foster again after resigning, they will be assessed in line with the 2011 Regulations.

The Fostering Panel Advisor will send Panel feedback to social workers that presented to Panel and to their managers. The Panel Administrator will send out feedback forms to those who attended Panel, to get an understanding of their experience. On return of these, they will be sent to the Panel Advisor for collation.

Reconsideration of Agency Decisions

The ADM must decide whether a Qualifying Determination is to be made. This is a determination that they:

- Propose not to approve the applicant as suitable to be a Foster Carer
- Are no longer satisfied that the approved carer is suitable to be a Foster Carer
- Propose to change the terms of the approved carer's existing approval

The determination letter gives the applicants or carers 3 options:

- Accept the proposal
- Submit a written representation within 28 calendar days of receipt of the determination letter being received, asking that the case be referred back to the Fostering Panel for reconsideration
- Apply to the IRM within 28 calendar days of receipt of the determination letter, to request an independent review

If the applicant/approved carer makes written representation within the 28 days to reconsider the Panel recommendation/ADM decision, the case shall be heard at the Fostering Panel for further discussion. It will then be considered by the ADM who will make their final decision taking any new information into account. If the

applicant/approved carer makes no representation to either Rotherham Fostering Panel, or the IRM within 28 days, the original decision of the ADM is final.

Independent Review Mechanism (IRM)

The Independent Review Mechanism is managed by British Association for Fostering & Adoption (CoramBAAF). The cost of the review meeting is met by the fostering service. Travelling and other expenses are borne by individuals.

The function of the IRM is to:

- Review the suitability of an applicant to care for a child
- Review any proposed changes to the terms of approval
- Make a fresh recommendation to the fostering service on the suitability of a carer and the terms of approval, including for a specific child

When a fostering service is notified of an application to the IRM they are required to send in the following within 15 days:

- All original paperwork that was available to the Fostering Panel
- A copy of the qualifying determination letter and the Panel's reason for the recommendation. This is in addition to any other documents sent to the applicants/approved carers
- Any relevant information in relation to the individual which was obtained after the date on which the report was prepared or the documents circulated to Panel. The minutes from the Panel in which the case was heard are not sent to the IRM. This is to enable the IRM to take an objective view based on the information before them

If neither representation is made to the IRM or to the fostering service within 28 days, the ADM will be free to decide whether or not to approve the applicant as a Foster Carer (after a full assessment), continue the assessment (following a brief report) or amend their terms of approval.

Monitoring and Quality Assurance

As an independent body, the Fostering Panel has a key role in quality assurance alongside the robust scrutiny it applies to Panel business such as the assessment, reviews, and matches etc. Whilst Panel provides a supportive role to Rotherham Fostering Service, it is imperative that it is able to evaluate its effectiveness on a regular basis.

Panels are able to carry out their monitoring and quality assurance role through the following:

- Evaluation of reports presented to Panel and feedback to the service
- Monitoring the timeliness of items presented in terms of regulatory requirements
- Evaluation of feedback from applicants, carers, and presenting social workers regarding their Panel experience
- Regular 'business meetings' including representation from the ADM and Service Manager
- Appraisal of Panel members and Panel Chair, including actions plans reflecting roles and responsibilities where they fall short
- Completion of an annual report to the Service to share what has been learnt as a result of business presented to the Panel, and what Rotherham Fostering Service would benefit from reviewing in terms of issues that need to be addressed

NATIONAL MINIMUM STANDARD 14

Fostering Panels and the Fostering Service's Decision Maker

Outcome

The Fostering Panel and Decision Maker make timely, quality and appropriate recommendations/decisions in line with the overriding objective to promote the welfare of children in foster care.

14.1 The fostering service implements clear written policies and procedures on recruitment to, and maintenance of, the central list of persons considered by them to be suitable to be members of a Fostering Panel ("the central list") and on constitution of Fostering Panels.

14.2 Panel/s provide a quality assurance feedback to the fostering service provider on the quality of reports being presented to Panel.

14.3 All necessary information is provided to Panel members at least five working days in advance of the Panel meeting to enable full and proper consideration.

14.4 The Fostering Panel makes its recommendation on the suitability of a prospective Foster Carer within eight months of receipt of the prospective Foster Carer's application to be assessed.

14.5 Foster Carers and prospective Foster Carers are given the opportunity to attend and be heard at all Panel meetings at which their approval is being discussed and to bring a supporter to the Panel if they wish.

14.6 Fostering Panels have access to medical expertise and legal advice, as required.

14.7 The Panel chair ensures written minutes of Panel meetings are accurate and clearly cover the key issues and views expressed by Panel members and record the reasons for its recommendation.

14.8 The number, skills, knowledge and experience of persons on the central list are sufficient to enable the fostering service to constitute Panels that are equipped to make competent recommendations to the fostering service provider, taking into account the nature of the children and carers that the service caters for.

14.9 The fostering service provider's decision-maker makes a considered decision that takes account of all the information available to them, including the recommendation of the Fostering Panel and, where applicable, the independent review Panel, within seven working days of receipt of the recommendation and final set of Panel minutes.

14.10 The Foster Carer or prospective Foster Carer is informed orally of the decision maker's decision within two working days and written confirmation is sent to them within five working days.