

CHILDREN AND FAMILIES OVERVIEW AND SCRUTINY COMMITTEE

7th September 2021

ANNUAL REPORT OF THE INDEPENDENT REVIEWING OFFICER

REPORT OF THE DIRECTOR OF CHILDREN AND FAMILY SERVICES

Purpose of report

1. The purpose of this report is to present the Annual Report of the Independent Reviewing Officer (IRO) with regard to children in care. The report evaluates the extent to which Leicestershire County Council has fulfilled its responsibilities to these children for the period 1 April 2020 – 31 March 2021, including its corporate parenting function.

Policy Framework and Previous Decisions

2. The IRO has a statutory role to ensure effective and improved care planning for children and young people, securing better outcomes, with their wishes and feelings being central and given full and due consideration. (IRO Handbook March 2010).
3. This Annual Report is a requirement of 'The IRO Handbook - Statutory guidance for Independent Reviewing Officers and Local Authorities on their functions in relation to case management and review of looked after children' (March 2010). The content and format follows the prescription set out in the guidance. The report complies with the expectation that it will be available for scrutiny by the Corporate Parenting Board, as well as being accessible as a public document and most importantly, communicated to Leicestershire's children in care in a child and young person friendly version. A plan on a page will be designed for children to identify what has worked well within the provision of IRO services to children, areas of improvement and proposed developments.

Background

4. The appointment of an IRO is a legal requirement under S118 of the Adoption and Children Act 2002, their role being to protect children's interests throughout the care planning process, ensure their voice is heard and challenge the local authority where needed in order to achieve best outcomes.
5. The IRO Service in Leicestershire is hosted within the Safeguarding and Performance Service, part of Children's Social Care (CSC), which sits within the Children and Family Services (CFS) department. Whilst part of CSC, it remains independent of the line management of resources for children in care and the

operational social work teams with managerial accountability sitting with the Head of Service: Safeguarding and Improvement.

6. The role of the Independent Reviewing Officer (IRO) is essential to the quality assurance and effectiveness of the looked after experience of children and young people, not just on an individual basis but collectively, with IROs having a key part to play in monitoring the performance of the Local Authority as a Corporate Parent; drawing out themes for improvement and development, providing challenge to help drive forward change and improvement both in respect of individual plans but more thematically in respect of the improvement plan.
7. The effectiveness of the role has rightly been subject to scrutiny since its inception and the legal framework and statutory guidance was revised in 2010 to support a strengthened position. This is set out in the Care Planning, Placement and Case Review (England) Regulations 2010 (amended 2015) and the IRO Handbook 2010.
8. The report is an opportunity to pinpoint areas of good practice and those in need of further development and improvement, providing information that can contribute to the strategic and continuous improvement plans of the local authority. It highlights emerging themes and trends, and details areas of work which the service has prioritised during the year.

Key themes within this report

The response to COVID19

9. The Coronavirus pandemic during 2020-2021 has presented a time of severe pressure across all of society, and it is known that this specifically presents a higher level of risk for some children. The department recognised it is especially important that children and young people across Leicestershire continued to receive the services and support that they need and are effectively safeguarded during this pandemic.
10. The Safeguarding and Performance Service rapidly adapted and changed the way it has delivered services to reflect the COVID19 circumstances. Within 24 hours the Service adapted from facilitation and delivery of face to face meetings, to all meetings being held virtually from March 2020.
11. Review of Arrangements (ROA) meetings have aligned to this approach, with the IRO ensuring prior contact with the child to gain their views and wishes regarding the facilitation of the meeting, including how they wish to be involved or have their views advocated on their behalf. Feedback from young people has been mixed, with some young people feeling more comfortable with the virtual format and others missing the direct face to face contact. All workers have shown inventive ways of engaging children such as using What's App and video calls. Moving forward, with COVID19 restrictions being lifted, IROs will begin completing the ROA to the preferred method of the child or young person. It is expected that IROs will contact the child prior to the ROA meeting taking place to gain their views on how they wish for their meeting to be facilitated. IROs are also resuming visits to children to gain their views face to face,

whereas during the pandemic this process was completed virtually or via What's App and video calling.

12. Staff have been supported to maintain service delivery to children with support to implement home and remote working models. Staff have made good use of mobile technology to manage day-to-day communications with children and families and used virtual meetings through Skype/Microsoft Teams for key planning and decision-making meetings. This approach has also enabled staff to remain in close contact with their immediate teams and peers to prevent social isolation.
13. Corporate support for staff and managers has been strong throughout the pandemic with strong communication and support for staff wellbeing, funds for provision of working from home equipment and implementing safe working arrangements in key buildings where staff have continued to respond to service need.
14. Staff and leaders in Leicestershire have worked tirelessly during this period to support the most vulnerable children and have put arrangements in place to ensure scrutiny of the safety and well-being of children and young people the service supports and cares for.
15. The Corporate Parenting Team have been creative in ensuring children and young people's participation with many groups and activities taking place virtually, including the continuation of the Children In Care Council, Choir, Corporate Parenting Board as well as other fun activities.
16. Quality assurance and learning improvement activity has continued during the pandemic with all planned activity being delivered, to ensure senior management oversight of the quality of service being delivered. Audit activity has included writing to the child, IRO oversight and tracking, LAC health assessment and Placement Order audit. This is addition to the thematic audits completed by all CFS areas.

Timeliness

17. Performance in relation to timeliness of ROA meetings has been consistently strong over recent years, with improved performance over the past twelve months with the percentage of meetings taking place within timescales increasing by just over half a percent from 98.4% to 98.96%.
18. At the year ending 31 March 2021, the IRO Service had completed 1524 Review of Arrangement meetings for looked after children. Of these 1508 were within timescales, which equates to 98.96%.
19. A significant improvement during 2020/21 has been with getting records of Review of Arrangements written up and uploaded onto mosaic in a timely manner. In the previous year this was raised as a concern and a plan was developed to aim to have all records written and uploaded within twenty working days of the review with a minimum target of this being achieved in 95% of cases. This was seen as highly successful and has continued throughout 2020/21. At present, the service is awaiting tableau reporting against the timeliness, although the data collection used by the Business Support indicates this timescale is being met.

20. IROs now routinely upload all decisions and recommendations from ROAs within five working days. This is seen as an important part of the IRO role in ensuring the actions are progressed in a timely way to avoid any drift and delay in getting the right outcomes for a child or young person. Again, the Tableau report to monitor this has yet to be developed; however it has been monitored via management dip sampling cases which have had positive findings. In the most recent dip sample of cases from March 2021, eight out of ten cases sampled had the five-day decisions uploaded onto case notes within timescales, one was uploaded one day late. In one case there was a greater delay although it was still found that the full set of review of arrangement minutes were uploaded within the required timescale (20 working days).

Effective Care Planning

21. Statutory guidance for care planning states that there should be a permanence plan for all looked after children at the time of the second review of arrangements. In 2020/21 only 27% of children had an agreed permanence plan at second review which is slightly lower than in the previous year where 35% of second reviews included a permanence plan. Unfortunately, there are lots of reasons why permanence cannot be agreed at the second review, which may include further assessments needing to be carried out to identify if it is safe for a child to return to live with the parent or carer with whom they lived before coming into care and if this is not possible then what would be the best permanence option for their long-term care.
22. Permanence plans were evidenced in 72% of reviews subsequent to the second review, although this again is below the 80% figure of last year.
23. During the first part of the COVID19 pandemic, delays were seen in Court timetabling for care proceedings which would have also impacted on the IROs ability to ratify final care plans if assessments were still outstanding. As the country adapted to COVID19 restrictions and ways of working, these figures began to improve.

Participation

24. The child and young person's voice, their views and wishes are essential to the care planning. IROs continue to strive towards obtaining this and ensuring children and young people actively participate in the review process. However, due to the COVID19 restrictions during 2020/21 this is in no doubt a significant area that has been affected by the lockdown measures and the fact that most looked after reviews during this year have taken place virtually.
25. In every year it is acknowledged that not all children will want to attend their meeting and it will be necessary to support their participation in other ways. There has been a consistent pattern of children increasingly attending their ROAs up until this year. Although it is perfectly acceptable for children to participate in their reviews in any way they choose, such as via an advocate, sending their written views or asking their carers or social worker to speak on their behalf, nevertheless IROs always value seeing children and young people face to face and getting to know them and understanding the issues that are most important to them.

26. Despite an additional 57 children being in the care of the local authority, PN1 - Children who attend their reviews and speak for themselves, shows that 98 fewer children and young people attended their reviews and spoke for themselves in comparison to 2019/20. It is positive to see that there was only a small increase in the number of children who chose not to participate in their reviews (PN7) with the vast majority of children choosing to participate in other ways – an increase of 186.
27. Prior to COVID19, when completing reviews, children or young people may have chosen not to attend the whole meeting, but may have joined for part of it, often once they felt more comfortable with those present in the room; this was particularly the case for younger children and would have previously been recorded as the child having participated, if only for a short period. It is key to note that whilst children and young people have been given the opportunity to join their virtual meetings, for some, this may not be something they feel comfortable with. Therefore, they may have asked to speak to the IRO before the meeting to share their views and for these to be advocated on their behalf; this aligns closely with the increase of 186 of young people participating in other methods.

Impact of Quality Assurance

28. The quality assurance role of IROs is critical to the development and improvement of the intervention that is provided to children and families and the impact on the outcomes achieved. IROs have key duties that scrutinise and support the quality, safety and effectiveness of safeguarding practice and policy, care planning and permanence. IROs are central to identifying and sharing good practice and checking the quality and consistency of provision across Looked After Children.
29. IROs have a statutory role to quality assure the care planning and review process for each child in care and to ensure that his/her current wishes and feelings are captured clearly, central to planning and given full consideration. The Children and Young Persons Act 2008 extended the IROs responsibilities from monitoring the performance by the local authority of its functions in relation to a child's review to monitoring the performance by the local authority of its functions in relation to a child's case. Through these changes the IRO has an effective, independent and holistic oversight of the child's case and ensures that the child's interests are protected throughout the care planning process.
30. This oversight provides opportunity for independent challenge in decisions identified as not being in the best interests of the child or where drift or delay has an impact on outcomes. An effective IRO service will drive forward improved outcomes for children and young people and will ensure that his/her current wishes and feelings are given full consideration.
31. Significant work has been completed with the IRO service to develop a rigorous Quality Assurance process which identifies areas of concern as well as areas of good practice. This process is now fully incorporated into Mosaic and there is the additional benefit of Tableau reporting, which enables robust data analysis to identify themes across service areas where targeted work can be completed to address these.

32. This remains an area of further development to support wider services in understanding the significance of this part of the IRO, thus developing an acceptance of the process and how this aligns with the wider Leicestershire County Council's continuous improvement journey, to ensure the service is improving service delivery and outcomes for children and families.

Corporate Parenting Service

33. The Children in Care Council (CICC) recently participated in the development of a Contact Expectations Statement and a Review of Arrangements Expectation Statement to improve the experiences of children who have contact and participate in their Review of Arrangement Meetings. These documents clearly identify the views, wishes and perspective of children and young people and have been welcomed by the workers to ensure they are reflected in contact with family members and Review of Arrangement Meetings.
34. Members of the Children in Care Council have also participated in the production of a young people's version of the Corporate Parenting Strategy. A video has been designed by members of the Children in Care Council. Young people were consulted on what the children's version of the strategy should look like and they were clear that they did not want it presented in a written form that looked like a leaflet or booklet so it was agreed to record it as an animated video. The young people were involved in every step of the design process. They were asked what they thought the most important elements of corporate parenting was and what did it mean to them. This generated a lot of ideas that were developed into statements and they were then asked via mentimeter to identify the most important ones which were then used for the basis of the script of the video.
35. This was launched at the Corporate Parenting Board in April 2021 and subsequently shown in several forums including the Child Care Managers Meeting. On every occasion the feedback has been positive and professionals have commented how powerful it is to hear the young people's comments.
36. The Children in Care Council has also been working with Leicestershire and Rutland Wildlife Trust to develop a number of different projects with a view to all the CICC members becoming Green Champions. One of the issues they are looking at currently is stopping the use of single use plastic in their own environment. During the summer they were part of a tree planting campaign, setting up bug hotels and a wildlife garden at County Hall. They are also planning an environment cleaning campaign, such as going to Bradgate Park to do a litter pick. The young people are also really keen to have the opportunity to do a beach clean, this is likely to be planned when further COVID restrictions are lifted.
37. Beacon Voice's looked after children's choir has continued to meet throughout lockdown, despite it not being possible to meet face to face and sing together. More recently they have been working with a new choir master to write a song they are looking forward to performing as soon as the COVID restrictions are lifted.

38. As it has not been possible to arrange face to face activities in the usual way during this year the Participation Team has been very creative in looking at other ways to engage children and young people including virtual art workshops. These have been arranged with two separate companies.

Service Development

39. In Leicestershire, IROs have had responsibility for both child protection and children in care functions, through their role in child protection conferences and processes, harmful sexual behaviours (HSB) work with children and young people and Looked After Reviews and care planning. All IROs have had a combination of Child Protection cases and Looked After Children.
40. Over the last few years the IRO service has significantly grown in capacity, this has been a result of the increase in children subject to Child Protection Plans and also Looked After Children.
41. In 2020, the average number of LAC children was 666, which was an increase from the average of 608 in 2019. A full time IRO held an average FTE case load of 78 cases totalling an average of 97.5 weighted cases. At present one LAC case is weighted as 1.5 given the extra requirements in relation to the IRO role for LAC, such as having to write the ROA record per child, whereas Child Protection conferences are supported with clerk capacity. This is considerably higher than the recommended caseload within the IRO handbook: "It is estimated that a caseload of 50 to 70 looked after children for a full time equivalent IRO, would represent good practice in the delivery of a quality service, including the full range of functions set out in this handbook. This range should reflect the diversity and complexity of cases across different local authorities".
42. As the service has grown, the need to reconsider the service structure became increasingly necessary, as well as to provide the opportunity to focus on the identified improvement needs. Therefore, it was agreed from May 2021, the service would have two focus teams, one on Child Protection and one on Looked After Children. This would enable the teams to become experts in the area of work, focus on driving forward the improvement plans and achieving positive outcomes for children. The two teams would also lead on their individual development plans (see below), resulting in a robust, efficient Independent Reviewing Officer Service. With the focus teams and invested growth in the IRO service, this will enable caseloads to be aligned with the IRO handbook recommendations.
43. The benefits of having IRO and CP Chairs would enable the service areas to drive forward the areas of improvement required and provide a highly effective, specialist service to children and families.
44. The roles within the Corporate Parenting Team have evolved since the job descriptions were first produced. As a result of the developments within the service, including the growth of the service and the roles and responsibilities, it was agreed an evaluation of the team was required and this was completed in summer 2021.

Resource Implications

45. None.

Circulation under the Local Issues Alert Procedure

46. None.

Equalities and Human Rights Implications

47. These are addressed throughout the report as the aim is to improve standards and outcomes for all children and young people in care, including disabled children, young children and those from minority and harder to reach groups. The IRO Service has a diverse compliment of staff with good representation across gender, age, sexual orientation as well as ethnicity.
48. The Safeguarding and Performance Service have an Equality and Diversity Action Plan in place which ensures that all staff are enabled to feel safe and supported within the Safeguarding and Performance Service, in addition to working towards a stronger, evidence-based approach to tackling inequalities - including relevant research, data, Quality Assurance activity and engagement with children, young people and families.

List of Appendices

Appendix 1 – Annual Report of the Independent Reviewing Officer 2020/21

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