



Post Approval - Annual Reviews and Resignations

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1. Introduction and Legal Framework

The Fostering Regulations 2011 and the Statutory Guidance for Fostering require fostering services to review the approval of foster carer. The first review must take place not more than a year after approval and thereafter when the fostering service considers it necessary but at intervals of not more than a year.

In undertaking the review, the fostering service provider must

- Make enquiries and obtain information to review whether the foster carer and their household continue to be suitable
- seek and take into account the views of the foster carer and looked after children placed with the foster carer
- seek and take into account any placing authority which has placed a child with the foster carer in the preceding year which Worcestershire Fostering (WF) understands as the child's allocated social worker.

Following the gathering of this information a written report will be prepared by the foster carers' supervising social worker which sets out whether a foster carer remains suitable to foster and whether their terms of approval continue to be appropriate.

All first reviews should be presented at or reported to fostering panel and the fostering service may also refer subsequent reviews to fostering panel.

The National Minimum Standards for Fostering 2011 Standard 13 states that reviews of foster carers should be sufficiently thorough to allow the fostering service to satisfy itself about their carers ongoing suitability to foster. It also stresses the importance of identifying areas of concern or the need for additional support between reviews and addressing these at the time and not waiting for a review.

The Assessment and Approval of Foster Carers: Amendments to the Children Act 1989 Guidance and Regulations, Volume 4: Fostering Services (July 2013) clarified that the Agency Decision Maker (ADM) is responsible for deciding that a foster carer and their household remain suitable to foster and that their terms of approval are appropriate.

This policy sets out how WF meet the requirements set out above when undertaking reviews of foster carers.

2. Process for Reviews

2.1 Timing of reviews

WF will undertake the reviews of foster carers at least annually. Foster Carers' first reviews will be presented at Fostering Panel, subsequent reviews meeting will normally be chaired by a Team Manager.

In some circumstances an early review may need to be arranged and/or a subsequent review may need to be referred to fostering panel, for example:

- To monitor whether agreed action from the previous review have been completed
- Where there is new information from a DBS check relating to a foster carer or a member of their household
- Following a Section 47 investigation or a Position of Trust meeting
- If standards of care issues have arisen
- If there has been a significant change in the fostering household which may impact on their suitability to foster.
- Where there is a recommendation for a change in the foster carers terms of approval that they are not in agreement with
- At the request of the Registered Manager.

Where there has been a Position of Trust meeting which has recommended a Post Allegation Review this will always be presented to the fostering panel. The process to be followed in those circumstances can be found in WF's **Safeguarding Policy for Staff and Foster Carers**. In other circumstances the Agency Decision Maker will decide whether the matter should be referred back to panel.

Supervising social workers need to understand that the foster carers' review is a process which cumulates in a review meeting. The reflection with the foster carers on their last 12 months of fostering and the discussion with them about their future role and development needs is as important as the meeting itself.

On approval the Fostering Panel Business Support Officer (BSO) will set the date for the carers' first review at panel and thereafter the date of the review meeting at the completion of each review. The date set must be at least 4 weeks prior to the 12-month timescale in which reviews have to be held as this will allow the recommendation of fostering panel or of the review chair to go to the ADM for their decision.

The supervising social worker needs to allow themselves sufficient time to collect the information required for discussion with the foster carers and following this complete a report for presentation at fostering panel or the review meeting. Foster carers should be given a copy of the review report and time to comment on it before panel or the review meeting. It is recommended that the supervising social worker starts the process at least 10 weeks prior to panel or the review meeting and that foster carers are given a copy of their report 2 weeks before panel or the review meeting.

2.2 DBS and Medicals

DBS checks will be updated every 3 years on foster carers and any member of their household over 18 years of age.

Medicals with a GP are required every 3 years and a self-declaration is completed for the foster carer review in between. Foster carers are expected to keep their supervising social worker apprised of any health concerns.

2.3 Information needed to inform the review

The supervising social worker will make enquires with the following people and discuss the information they receive with the foster carers as part of the review process

- Any child in placement. Children in placement should be supported by their foster carers' supervising social worker to complete a feedback form for their foster carers' annual review. If of an appropriate age and understanding they should also be seen and spoken to alone about their experience of living with the foster carers and their family.
- Any child who has left placement in the last 12 months. WCC will be seeking the views of children and young people about their placements when they move. This feedback should be reflected in the foster carers' review.
- Other members of the foster carers' household (children and adults) should be encouraged to complete a feedback form for panel and should if of appropriate age and understanding be seen and spoken to alone as part of the review process.
- The allocated Social Workers of children in placement or who have been in placement in the preceding 12 months
- The Independent Reviewing Officers (IROs) for children in placement or who have been placed
- In discussion with the allocated social worker for the child in placement the child's parents if appropriate.

The supervising social worker will use the feedback received, the foster carers' supervision and training record and any other relevant information in discussion with the foster carers on their fostering in the previous 12 months. The discussion should look at the strengths and vulnerabilities of the foster carers and their household, reflect on their terms of approval and plan for the next 12 months. The foster carers' views of WF, the support provided to them and the appropriateness of the matches in terms of children placed should be sought. There should be an evaluation of the training completed since their last review and discussion on their ongoing learning and development needs.

On completion of this work the supervising social worker will complete WCC Foster Carers' Household Information\Review Form. This will include a recommendation on whether the foster carers and their household continue to be suitable to foster and whether their terms of approval are also suitable. This report should be given to the foster carers for their comments prior to panel or the review meeting.

2.4 Papers required for Panel\Review Meeting

The following papers should be sent to the Panel's Business Support Officer (BSO) to send to the fostering panel or review chair prior to panel or the review meeting.

- Household Information\Review Form
- Foster Carers' Chronology
- Foster Carers' Learning and Development Portfolio. (please+ refer to WF's **Training and Payment for Skills policy.**)
- Health and Safety, Pet and Gun Questionnaire
- Record of children placed with the foster carers
- Feedback received including foster carers feedback
- Safer Caring Policy\Risk Assessments

2.5 Reviews at Fostering Panel

For those reviews presented to fostering panel the foster carers and the supervising social worker should attend the panel meeting. The minutes and recommendation from panel on their suitability and terms of approval will be sent to the Agency Decision Maker (ADM) for their decision. The ADM will make their decision within 7 working days of receiving the minutes of panel.

2.6 Review Meetings

The Team Manager will meet with the foster carers and their supervising social workers and discuss with them their fostering role over the last 12 months and consider any training or support needs they may have over the coming 12 months. Following this discussion, the Team Manager will make a recommendation to the ADM on the foster carers suitable to foster and their terms of approval. The ADM will make a decision on this within 7 working days of receiving the record of the review meeting.

3. Outcomes of Reviews

Following the ADM decision, the foster carers will be informed in writing of the outcome of the review and a notification of their terms of approval will be sent to them.

All of the information presented to the fostering panel\review meeting, the minutes or record of the meeting and the letter to the foster carers will be uploaded into the foster carers electronic record.

It is anticipated that in the vast majority of cases there will be agreement between WF and the foster carers on the outcome of review. Where there is not, and this has not been able to be resolved during the review process the following procedures will apply.

3.1 Proposal to Terminate Foster Care's Approval

Where, as a result of a review, the ADM is proposing the termination of a foster carers' approval written notice of the proposal and the reasons must be sent to the foster carer within 7 days of the decision. The written notice will advise foster carers how to appeal if they wish to do so. There are two ways of appealing,

1. Foster carers will be advised they have a right to submit representations to the ADM within 28 days of the date of the written notice of the decision by the ADM. In those circumstances the ADM will refer the matter back to Fostering Panel asking them to review the recommendation taking into consideration the representations made by the foster carers.
2. Or, they may exercise the right to apply to the Secretary of State to request a review of the decision by an Independent Review Panel set up under the Independent Review Mechanism (IRM). Any such application must be made in writing within 28 days of the decision and supported by reasons. Foster carers will be advised in their written notice of the contact details of the IRM.

The foster carers will not have the right to request a review by an Independent Review Panel if he or she is regarded as disqualified as a result of a conviction or caution for a specified offence

Foster carers must choose between making representations to the ADM or applying to the IRM. They are not able to do both. Foster carers will also be given details of the Independent Advice and Mediation Worker who they can contact for support.

If the Foster carers appeal to the ADM the Panel Adviser will arrange for the reports and other documentation to be reconsidered by the Fostering Panel, taking into account the foster carers written representations. Fostering Panel will make a new recommendation to the ADM.

The Panel Administrator will advise the foster carers of the date of the Panel meeting. It is expected that the foster carers will attend, and they can be supported by the Advice and Mediation Worker, friend or another supporter.

After considering the appeal, the Panel will make a recommendation, which the ADM will consider before a final decision is made.

If the decision remains to terminate the foster carers' approval, the ADM will arrange for the foster carers to be informed verbally within 2 working days. Written notice of the final decision, together with reasons, will be sent to the foster carers within 5 working days of the ADM decision. A copy of any report to the Panel, the Panel's recommendation and the decision, with reasons, must be retained on the foster carers' record.

If the foster carers decide to refer the matter to the IRM, the relevant Panel reports, any new information obtained since the Panel meeting, a record of the decision made and reasons, a copy of the written notification of the decision, if different, will be sent to the IRM within 10 working days of their written request.

The foster carers and if they wish the Advice and Mediation Worker, friend or supporter and two representatives of WF will be invited to attend the Independent Review.

After considering the representations, the Independent Review may make a recommendation, which the ADM will consider before a final decision is made.

Written notice of the final decision, together with reasons, will be sent to the foster carers within 7 working days of the receipt of the Independent Review recommendation.

If no written representations or notification of a request for a review are received within 28 days, the ADM can make a final decision to terminate the foster carers approval.

Where the termination of the approval of a foster carer is being considered, the supervising social worker will need to have an early discussion with the allocated social worker for any child in placement to enable planning for them to take place.

3.2 Proposal to Revise the Terms of the Foster Care's Approval

3.2.1 Where the Foster Carer is in Agreement

Where, as a result of a review, it is proposed to change the terms of the foster carers' approval, the Household Information\Review Form must consider if the foster carers or members of their household (including any children placed there) may have additional support needs as a result of the proposed change and, if so, how these will be met. In signing the Household Information\Review Form the foster carers are agreeing to the proposed change of terms.

3.2.2 Where the Foster Carer is not in Agreement

Where the foster carer does not agree in writing to the change of their terms of approval, then the representations/review procedure as set out above in **Section 3.1 Proposal to Terminate Foster Carer's Approval** will apply.

If there is no representation or referral to the IRM the foster carers within the 28 days, the foster carers will be deemed as having accepted the change to their approval terms.

4. Resignation by Foster Carers

Foster carers may give written notice at any time of their wish to resign from the role. Once written notice has been given, their approval will automatically be terminated 28 days after receipt of the notice. Foster carers cannot withdraw their notice once it has been received, nor can the Agency Decision Maker decline to accept the resignation.

If foster carers are indicating that they are considering resignation it is important that they are aware that they will be unable to withdraw their resignation once this has been submitted in writing. If they have concerns about WF or the support they are receiving it is important that the supervising social worker and their Team Manager works with the foster carers to resolve these and they should also be sign posted to the complaints procedure.

Should foster carers who have resigned subsequently wish to foster again, they will need to be assessed under the procedure set out in **Recruitment, Assessment and Approval of Foster Carers or Kinship Assessments**.

WF notify the fostering panel of all resignation from foster carers and the reasons for this so that they have oversight as part of their monitoring role.

5. Termination of approval when a resignation letter has not been received

If foster carers wishes to resign or agrees to cease fostering but has not sent a letter of resignation, their termination of approval would still need to go to the fostering panel.

The supervision social worker should complete a report setting out

- Details of the foster carers,
- Brief summary of their fostering career
- Why the foster carers are ceasing to foster

Foster carers should be sent a copy of the report and the date it will be presented at panel. If there is no further contact from the foster carers the ADM will terminate their resignation.

Notification of the termination will be sent to foster carers within 5 working days of the ADM decision with information on how foster carers can appeal the decision. If the foster carers wish to appeal the decision, they should follow the process set out in Section 3.1 above.