



Fostering Panel Policy

SCOPE OF THIS POLICY

This policy explains the membership, purpose, functions and arrangements for meetings of both the Joint Fostering Panel and the Fostering Panel. It should be read in conjunction with the following procedures:

Assessing Prospective Foster Parents Procedure

Fostering Annual Review Procedure

Practice Complaints, Concerns & Allegations against Foster Parents procedure

This chapter is compliant with **The Fostering Services (England) Regulations 2011, Fostering Services National Minimum Standards - Standard 14 Fostering Panels.**

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.

UNDERPINNING LEGISLATION

Fostering Regulations:

- Reg. 23 - Constitution and membership of Fostering Panel;
- Reg. 24 - Meetings of Fostering Panel;
- Reg. 26 - Assessment of prospective foster parents;
- Reg. 27 - Approval of foster parents;
- Reg. 28 - Reviews and terminations of approval;
- **NMS Standard 14 - Fostering Panels and the Fostering Service's Decision Maker.**

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1. Membership

The Joint/Fostering Panel has a crucial role in the provision and monitoring of foster care for children and young people. The making of decisions about approval, the terms of approval and assessing the continuing ability of foster families to meet the needs of children is a sensitive and critical task in order that children's welfare is paramount.

ISP welcomes applications to foster from people from all backgrounds. It is our view that no person has a right to foster a child and the interests of the young people will always be the priority of the Panel.

In areas where there is a Joint Fostering Panel, this is constituted jointly by either two or three Fostering Registrations.

The membership of the Joint/Fostering Panel is drawn from a Central List of suitably qualified and experienced people, who come from a variety of backgrounds. There are fixed members that form a core membership to the Panel which offers continuity. In addition, members from the Central List will join Panel as required to ensure that there is a balance of experience and expertise for individual cases being presented at Panel. However, there is a quorum for meetings - **see Section 2, Meetings and Administrative Functions.**

The Central List must include at least one social worker who has at least 3 years' relevant post-qualifying experience. The social worker can be an employee (but if this is the case they should not be involved as a Panel member in matters that they have an involvement in).

The Central List must also include some people who are independent of the agency. Independent members of the Central List cannot be either foster parents or employees of the Agency.

The Panel Chair will be one of the independent members. The Panel Chair should be able to demonstrate a sound understanding of the fostering process; have the authority and competence to chair the meetings; and have the ability to be able to analyse and explain complex information. They are also required to be able to identify key issues, problems and solutions and have excellent interpersonal, oral and written communication skills.

The Agency Decision Maker or Panel Advisor/Manager must also appoint one or two Vice-Chairs; whose role is to take charge of the Panel when the Chair is unavailable.

The same members do not have to attend all Panel meetings. However, the Panel should have a core group of members who regularly attend, with others on the Central List attending meetings less regularly but who can, for example, provide specialist knowledge or experience.

All members of the Central List must have been the subject of satisfactory Disclosure and Barring Service (DBS) checks before taking up their appointment. Personal and work references will also be obtained in writing and must be satisfactory.

Each member must be provided with written information on appointment of their performance objectives, including their participation in induction and other training and safeguarding the confidentiality of records and information submitted to Panel. They will be asked to sign an agreement with the agency in relation to his or her membership of the List, covering the service expectations (including the requirement to report any involvement in criminal proceedings), confidentiality issues and commitment to anti-discriminatory practice.

As part of induction, panel members will be required to attend at least one Panel meeting as an observer. Induction should be completed within 10 weeks of being appointed to the Central List.

Members must also have access to appropriate training and skills development and have the opportunity to attend joint training with fostering staff at least annually.

The Chair and Panel Adviser will conduct an annual appraisal of each member. The performance review of the Chair can be conducted by the Agency Decision Maker based upon:

- Feedback from presenting social workers;
- Feedback from prospective foster parents attending Panel;
- Observation of the Chair at Panel.

Members of the Central List who no longer wish to fulfil the role need to give one month's written notice of their intention to leave.

Where there are concerns identified that a panel member is not performing to the required standard, this should be raised by the Chair with the Panel Advisor. In the case of a Joint Panel, the Panel Advisor will consult with each fostering registration and, with the agreement of all registrations, decide whether to end the appointment and if so, will advise the member in writing giving one month's notice, together with clear reasons for the decision.

In the case of a Single Panel the Panel Advisor will consult with the Registered Manager and decide whether to end the appointment and if so, will advise the member in writing giving one month's notice, together with clear reasons for the decision.

2. Meetings and Administrative Functions

In accordance with Regulation 24 (1), no business may be conducted by the Fostering Panel unless at least the following meet as the Panel:

- i. Either the person appointed to Chair or, in the Chair's absence, Vice Chair. (If the meeting is conducted by a Vice Chair who is not an independent member, there must be at least one other independent member on the Panel);
- ii. A social worker; and
- iii. Three, or in the case of a Joint Panel, four other members. The Chair should ensure that there aren't so many people attending the meeting that it cannot fulfil its functions or intimidate applicants or foster carers.

In the case of a Joint Fostering Panel there is a quoracy of 6 Panel members. However, the agency will always aim to have 7 Panel members present (all of whom must be from the Central List):

In the case of a Single Fostering Panel there is a quoracy of 5 Panel Members. However, the agency will always aim to have 6 Panel members present (all of whom must be from the Central List):

Fostering Panel meetings are convened as and when required.

The Panel Administrator, with the Panel Advisor, will arrange additional meetings as necessary.

The Fostering Panel must have access to medical and legal advice when this is required, but there is not a necessity for the people providing this advice to be Panel members or for them to contribute to Panel in person.

The Panel Administrator, in consultation with the Panel Advisor / Manager and the Chair, prepares the agenda for each meeting and sends out the agenda to Panel members before the meeting. Panel members must have access to all the information (Including assessment reports and reviews) via the secure login using CHARMS, five working days before the Panel meets.

Applicants and carers will be invited to attend the Fostering Panel with a supporter if they so wish.

The Chair's role is to ensure that all members participate fully in the meetings (unless an interest has been declared), and that each member has an opportunity to raise questions or offer comments on each matter considered, that sensitive regard is paid to applicants and foster carers while keeping the child's welfare paramount, that consensus is achieved wherever possible and that the Panel has clear reasons for its recommendations.

Where there is a serious difference of opinion among members, the Chair may ask for more information to be made available to the Panel before a recommendation is made. Serious reservations expressed by individual Panel members about a particular recommendation must be recorded in the Panel minutes for consideration by the Agency Decision Maker.

The Panel Administrator will prepare the minutes in which the discussion by Panel members, the reasons for recommendations and any disagreements or dissent will be fully recorded. They will send the minutes to the Chair for approval of their accuracy within 4 working days following Panel (minutes will be agreed by all Panel members who participated in the meeting) and then submit them to the Agency Decision Maker within 3 working days.

The Agency Decision Maker will make a decision regarding the carer's approval status within 7 working days of receiving the final set of minutes of the Panel's recommendations. The Agency Decision Maker will ensure that applicants are informed verbally of the decision within 2 working days and then confirmed in writing within 5 working days.

Expenses for members' attendance at Panel meetings will be paid.

3. Purpose and Function

Joint and Single Fostering Panels are multi-disciplinary bodies that can act with independence from the agency.

The Panel cannot make decisions; its purpose is to advise the agency in relation to the issues listed below.

As part of this function, the Panel oversees the conduct of assessments carried out by the agency, advises on any relevant matters in relation to the agency and makes recommendations to the Agency Decision Maker about quality issues and performance standards.

In particular, the Panel makes recommendations as to the following:

- The suitability of applicants to act as foster carers, and if approval is recommended, the terms on which they should be approved (e.g. number and age of children to be placed);
- The continued suitability of the foster carers and whether the terms of approval remain appropriate (after the first review and any subsequent reviews referred to it by the fostering service where significant changes or termination of approval are recommended);
- Any other matters or cases referred to the Panel by the agency.

In addition, the Panel will receive information about exemptions to the limit on the number of children placed with foster parents.

The Panel will also receive and consider any representations challenging a decision not to approve an applicant as suitable, or a decision to terminate or revise the terms of a foster parent's approval.

The Panel will receive the agency report on the Panel's business at least annually, collated by the Panel Chair, including statistical information about approvals, reviews, termination of approvals, the number of children in placement, the overall attendance of Panel members and complaints received about foster parents during the preceding period.

The Chair will communicate any issues of concern to the Agency Director via the Panel Adviser and take part in twice yearly with him or her and the Vice Chair(s) to review the Panel's functioning and report on the quality of work being presented to Panel, to ensure good standards are maintained.

Good administrative arrangements are essential for the effective functioning of a Panel. There should be sufficient administrative support to ensure the performance of the Panel is achieved.

The Fostering Agency has a nominated Panel Administrator(s). It is this person's function to agree in advance the Panel meetings for the year, the likely length of the meetings and the format of the minutes.

The main administrative functions are:

- Introduction of an annual schedule of meetings for approval by the Panel;
- Notification to social workers of the Panel schedule and deadlines;
- Arrangements for the accommodation for meetings with a private waiting area for prospective foster parents, foster parents and social workers;
- Preparation of agendas;
- Maintenance of records of Panel members, their tenure, **DBS** checks and Confidentially Agreement will be the responsibility of the HR Department who must be informed by the Panel Advisor / Administrator / Manager;
- Ensuring that social workers and the managers, carry out the requirements of the Panel and submit reports in good time;
- Receiving reports and identifying apparent gaps before they go to Panel will be the responsibility of the Registered Manager in liaison with the Panel Advisor;
- Ensuring relevant paperwork is available to Panel members; via secure CHARMS login, at least 5 days prior to Panel. Panel members to store any non-electronic papers confidentially and securely dispose of them after the meeting;
- Removal of Panel members' access to Panel paperwork on CHARMS following Panel meetings to ensure the strictest confidentiality of information;
- Ensuring that the Panel is quorate;
- Liaison with the Chair about requests for new Panel members to observe or be present.

At the Meeting

- Take minutes and record the recommendations made and the reasons given;
- Assist the Chair about any matters requiring the Chair Person's attention.

After the Meeting

- Drafting minutes, including recommendations made and the reasons given;
- Providing draft minutes for the Chair Person;
- Seeking the agreement of Panel members for the accuracy of the minutes prior to their submission to the Agency Decision Maker;
- Ensuring the Agency Decision Maker has the final set of minutes, agreed by all Panel members and any other required papers for him/her to make a decision within the required timescale;
- Maintain Panel business records;
- Assisting in maintaining statistical records for performance;
- Monitoring annual reports.

4. Conduct of Panel Business

The Fostering Panel is required to make recommendations to the Agency Decision Maker.

It is expected that Panel members will have read all reports and carefully evaluated the information to identify issues where further information or explanation is required, before the meeting takes place.

The Panel Chair will ensure that each Panel member is given the opportunity to raise comments and seek clarification about terminology in reports.

Applicants attending the Panel meeting where their application is being considered will also have the opportunity to make comments and seek clarification about the assessment or review process and any issues that may emerge. If they bring a supporter with them, the supporter will also be invited to speak on behalf of the applicant. The Panel's deliberations about an applicant's suitability will usually be done after the applicants have left.

The Panel is expected to try and reach a consensus of opinion discussing the strengths and concerns. All Panel members should be asked their views and no view should carry more weight than another. The Chair should not have a casting vote, where an even vote occurs it may be preferable to seek further information.

The Fostering Panel is required to make recommendations to the Fostering Service Provider. This can be done in three ways, making a positive recommendation, a negative recommendation or deferring a recommendation. Discussion from the group should be clearly recorded in the minutes which will be held on the applicant's or carer's CHARMS electronic file. All Panel business is also recorded and held on an electronic file.

The recommendations should be recorded having been previously summarised by the Panel Chair. Following the meeting, the Panel Chair will normally advise the applicant of the Panel's recommendations. The Agency Decision Maker will take account of the Panel's recommendation before proceeding to make a decision. The Agency Decision Maker can choose to make a decision different to the recommendation of the Panel.

The Panel Advisor will give advice on the Agency's policies and procedures. The Panel will act as a specialist forum for debating policy and practice issues.

The Panel will give advice and monitor the range of foster parents being approved in comparison to the needs of the children referred to the agency and to monitor how quickly applications are brought to Panel and the quality of preparation for applicants and opportunities for post approval training as well as the quality of the reports presented.

The Panel will provide an annual report of its work, the report will be available to agency staff, placing authorities, children's parents and the Regulatory Authority.

5. Conflicts of Interest

Panel members should consider any conflicts of interest in relation to Panel agenda items. A potential conflict arises if an interest may be seen to adversely affect a Panel member's capacity to act without prejudice or preference in a matter, for example because they know a person under consideration in a personal or professional capacity.

It is anticipated that in many circumstances there may be professional knowledge of a case which should be notified to the Chair but which will not affect a member's capacity to participate in the Panel. In other circumstances there may be a personal interest or connection which would require the Panel member to refrain from participation. It may be less clear in some cases when advice should be sought.

In the case of a potential conflict of interest where advice is required, Panel members should consult the Chair or Panel Adviser, giving as much advance notice as possible particularly having regard to the implications for the quorum.

6. Agency Decision Maker

The Fostering Panel is required to make recommendations to the Agency Decision Maker.

The recommendations should be recorded having been previously summarised by the Panel Chair. Following the meeting, the Panel Chair will normally advise the applicant of the Panel's recommendations. The Agency Decision Maker will take account of the Panel's recommendation before proceeding to make a decision. The Agency Decision Maker can choose to make a decision different to the recommendation of the Panel.

The Panel Chair will inform the applicants/foster parents (during the Panel meeting) that a recommendation is made by Panel and then shared with The Agency Decision Maker, and that they will receive formal written confirmation of this decision.

Panel administrators will ensure that The Agency Decision Maker has all relevant documentation that was made available to all Panel members, in order for them to make their decision. The Agency Decision Maker will provide their written decision within seven days of receiving Panel minutes and any additional documentation.

These Agency Decision Maker sheets will be shared with the Panel Chair for their information; this provides an understanding of the rationale relating to decisions made by the Agency Decision Maker; for example if they are in agreement with panel's recommendation, and if not, and if a differing decision to that of panel's recommendation has been made, the reasons for this decision.

7. Resignations and Termination of Approval of Foster Parents

The approval of foster parents can end in a number of ways.

Where the decision is made by the foster parents - for example, due to retirement, a career change, because the carer wishes to take a break or because they wish to move to another Fostering Agency, they must give twenty-eight days' notice to the agency and this will be reported to the next available Fostering Panel.

Occasionally it will be necessary for the agency to take action to terminate a carer's approval - where this is considered it should be presented to the Fostering Panel following a review of the foster parent's approval and the process is contained in the Fostering Annual Review Procedure.

8. Responsibilities of Agency Panel Members

- To advise the Chair of any potential conflicts of interest;
- To ensure that information discussed at Panel is not discussed outside the meeting;
- To act in accordance with the terms of reference and the agency's operational procedures;
- To read relevant documentation before the Panel meeting takes place;

- To identify all issues that need further exploration or explanation;
- To attend training arranged by the agency;
- To undergo Disclosure and Barring Service checks before commencing duties;
- To sign a confidentiality agreement;
- To consider all matters brought to the Panel and make a clear recommendation to the Agency Decision Maker;
- To ensure that all information brought before it is adequate, complete and that all assessments have been carried out using the BAAF Form F have been carried out thoroughly and comprehensively and meet the agency's policy and procedures requirements;
- To consider complaints and representations in respect of assessments and approval;
- Through participation, to ensure that good quality recommendations are made about the approval of foster parents in line with the overriding objective to promote and safeguard children in foster care;
- Each Panel member has a designated role and particular expertise, obligation to consider all Panel business in the context of their experience and expertise and to contribute actively and constructively to debate and deliberations;
- To give one month's notice in writing should they wish to resign;
- In the event of a concern about a Panel member's commitment, competence or effectiveness these matters will be dealt with by the Panel Chair.

9. Responsibilities of the Panel Chair and Vice Chair(s)

Panel Chair Responsibilities

- Ensure each Panel member has the opportunity to raise questions or offer comments;
- Facilitate participation for all Panel members
- Ensure that Panel members are able to seek and have clarification about terms used in written reports;
- Clarify issues raised from reading assessment report and any emergency issues that eliminate from discussions with the social worker;
- Seek feedback from the applicants about the recruitment process and preparation, and training;
- Ensure that before applicants are invited into a meeting, questions have been clearly identified about what questions will be asked of them and for what purpose;
- Ensure that it is clear who will ask particular questions;
- Summarise discussions to reach a tentative conclusion, check Panel members' agreement and frame the terms of approval;
- Ensure that the Panel Administrator has the reasons for Panel recommendations recorded;
- Contribute to the Annual Report of the work of the Panel.

Responsibilities of the Vice Chair Person(s)

To deputise for the Panel Chair and Chair the Panel in their absence, following the same roles and responsibilities.

When the Vice Chair is not an independent member of the Central List, there must be at least one independent person at the Panel meeting.

10. Monitoring and Quality Assurance

The Joint/Fostering Agency's Panel is required to oversee the conduct of social work assessments and to provide a quality assurance function in relation to the assessment process and to monitor and review the work of the assessors, to provide feedback, to identify problems and ensure that there is a consistency in approach in its assessment process across the service that is fair to all applicants. It is important that all this work is completed in a thorough and rigorous way.

The Joint/ Fostering Panel has a system in place that monitors the quality of reports and the work undertaken by the agency. The agency should have adequate reports; however, the timeliness and quality of assessments will be monitored as will the preparation support provided to the carers by the agency. The Panel is a forum where the views of assessing social workers are sought and feedback from foster parents and applicants about the process are sought.

The Panel must consider this information to assist the Agency in its development work with foster parents. An annual report must be completed detailing the work of the service. This will include a profile of foster parents and children including the number of children and foster parents, number of disruptions meetings, recruitment and retention strategies, training and support, strengths and achievements of the service, performance targets, assessments and future areas for development, number of notifications, complaints and their outcomes and referrals made to the agency.

The report should be presented to the Panel Chair and made available to the Panel members, applicants, parents, social work team, children and Ofsted.

The Panel should also allow time for business meetings to discuss areas of concern about the activity and development of the agency or matters specific to the Panel.

Fostering Panel / Agency Decision Maker

