



Practice Concerns, Complaints and Allegations

A guide for Foster Parents



Introduction

ISP has a duty to investigate all concerns, complaints or allegations about foster parents that we receive. We may receive these from children and young people, agency staff, other foster parents, members of the public, local authority social workers or other outside agencies.

How we respond will depend upon the seriousness of the complaint or allegation. We will investigate all concerns with an open mind and this is particularly important when it is a child or young person who raises concerns of maltreatment. It is possible that their complaint is due to a misunderstanding; feelings of rejection, anger or jealousy; or a desire to leave the foster home and return home to live with their birth family. Sometimes, children who feel this way make false allegations, and the investigation will explore this possibility.

Please also read the following documents:

- *Fostering Services: National Minimum Standards (Standards 1-12)*
- *Foster Parent Charter and Professional Code of Conduct.*

Concerns, complaints and allegations are often raised in relation to an actual or perceived breach of these standards and expectations.



Definitions

CONCERNS: A dissatisfaction with a specific aspect of the care provided by a foster parent. These are usually minor issues which are addressed in supervision.

COMPLAINTS: A concern may be raised as a complaint, either orally or in writing. This usually happens when the complainant has a strong concern and wishes to ensure that it is addressed and that they receive a response. The complainant may request a particular outcome.

SERIOUS COMPLAINTS: If a complaint is sufficiently serious to question a foster parent's suitability to foster, we are required to notify Ofsted.

ALLEGATIONS: An allegation is a concern or disclosure that a foster parent has acted in such a way that caused (or could have caused) harm to a child, or committed a criminal offence against a child.



What happens when we receive a concern, complaint or allegation about a foster parent?

When an issue is raised to us, your Registered Manager will be informed. They will notify our Head of Safeguarding, discuss the issue with them, and make a decision about how to proceed:

- **The concerns may be managed through supervision;**
- **If the concerns have been raised as a complaint, these will be investigated through our agency complaints procedure;**
- **If your suitability to foster is in question, we will undertake a Standards of Care investigation;**
- **Allegations must always be referred to Children's Social Care and the police for investigation.**

This leaflet will explain each of the four procedures and possible outcomes.

Concerns managed through supervision

Some concerns that are raised do not involve harm or threat of harm to a child or young person, and do not call into question your suitability to foster. We will discuss these concerns with you in supervision and agree an action plan to resolve them.

We may ask you to attend a training course or provide additional support to help you manage a young person's challenging behaviour.

If concerns continue, your Registered Manager may request that your annual review of approval is brought forward, or they may initiate a Standards of Care investigation. Action will always be proportionate to the level of concern raised.

Procedure for the investigation and management of concerns

Concern referred to Supervising Social Worker (SSW).

Discussed in supervision

Actions and outcomes recorded in supervision record.



SSW notifies Local Authority Social Workers (LASWs) for children in placement of concern and how it is being managed.



SSW discusses the outcome with the Registered Manager (RM)



SSW updates the LASWs of the outcome.



If concerns persist, the RM may initiate an early Foster Parent Review or a Standards of Care Investigation.

Complaints

We will investigate any concerns raised as a complaint through our *Compliments, Complaints & Representations Procedure*. You can find this procedure in the *Foster Parent Handbook*.

The first stage of the investigation is completed by your local registration, and we aim to complete this within 10 working days.

If the complainant is not happy with the outcome of our investigation, they may ask to escalate their complaint to Stage 2 of the procedure. At this stage, the complaint is investigated by a manager from another ISP registration, or another Polaris agency. If the complainant remains unhappy with the outcome, and escalates their complaint to Stage 3, it will be looked at by a senior manager from within the Polaris group. Please see our *Compliments, Complaints and Representations Procedure* for more information, and the flow chart on the next page.

If, during the course of investigation, a complaint is found to include allegations of harm then the procedure will immediately change to that of an allegation.

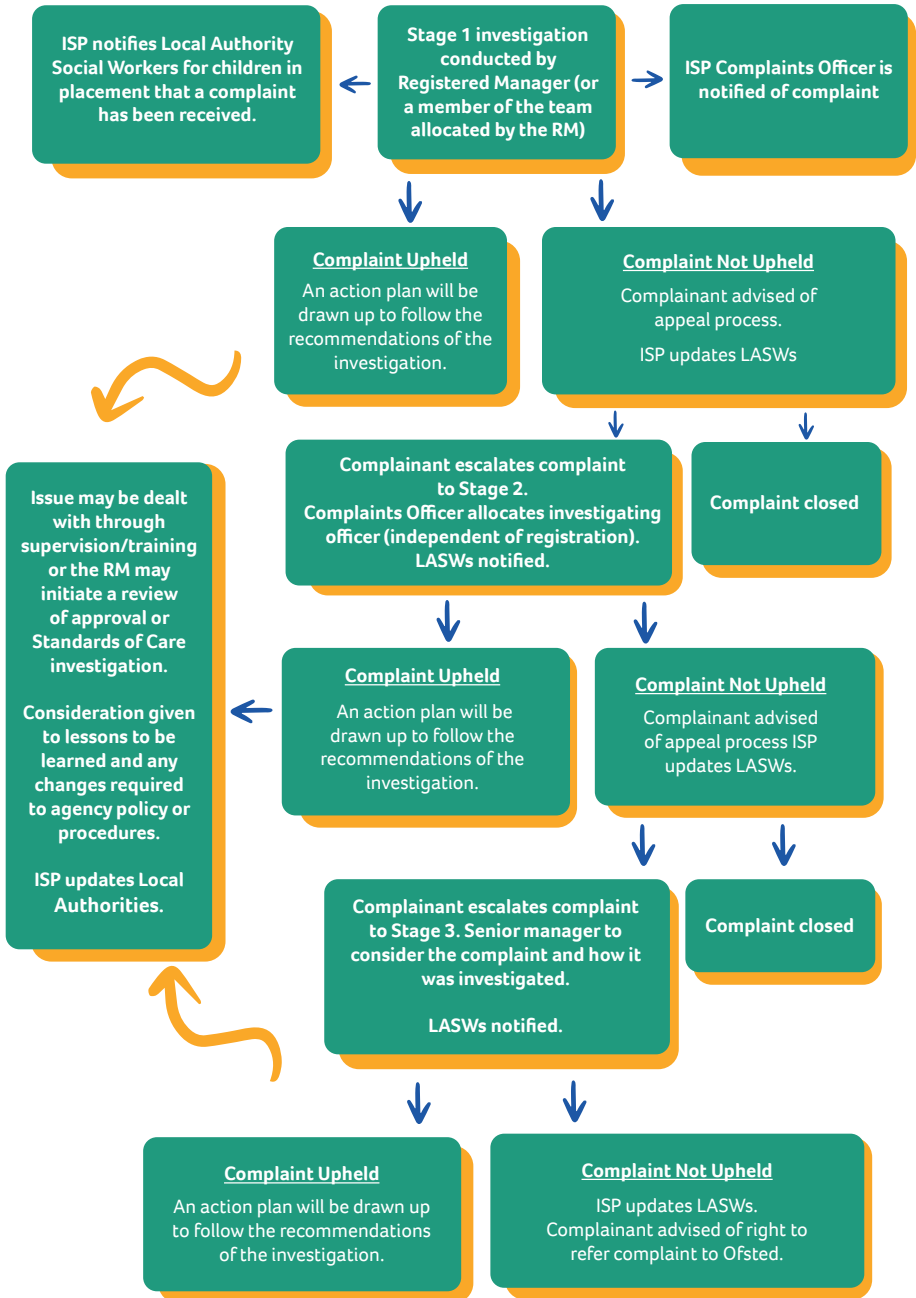
Possible outcomes

The investigation will consider whether the complaint is 'upheld' or 'not upheld'.

If the complaint is 'upheld', there are three possible outcomes, depending on the seriousness of the complaint:

1. **Management of the issue through supervision;**
2. **A Standards of Care investigation;**
3. **A full review of approval.**

Procedure for the investigation and management of complaints





ALLEGATIONS

We will investigate a concern using our allegations procedures if it is suggested that a foster parent has:

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

In the first instance, we will make a referral to the Local Authority Designated Officer (LADO) and request their advice. The LADO has responsibility for the management and oversight of allegations against people who work with children in their local area. We will also notify the local authority for every

child in placement. At this stage, we will discuss the child's welfare and protection and make a plan to ensure their physical and emotional safety and wellbeing. The plan may involve a visit by the child's local authority social worker.

If a child protection enquiry (S47) is launched then we will consider any necessary measures to protect children in placement. The child's local authority children's services department will decide whether the child needs to move to another foster home, and if this will be a placement within ISP. If the child moves to another ISP foster parent, no contact between the two fostering families would be permitted during the course of the enquiry in order to avoid any concerns of interference or collusion in the process.

We are required to notify Ofsted of child protection (S47) enquiries.





S47 Child Protection Enquiry Procedures






Regional child protection procedures vary. However, the police, Children's Social Care and ISP all have a role to play in these investigations, and the safety and welfare of the child is the primary concern.

- **The police are concerned with whether or not a criminal offence has been committed. If a person is to be charged with an offence and taken to court, the case must be proven 'beyond reasonable doubt'.**
- **Children's Social Care is concerned with whether or not a child has suffered from harm. The standard of proof required is 'on the balance of probabilities'. It is therefore possible that Children's Social Care may have significant concerns even if the police conclude their investigations without any further action.**

The outcome is always decided by the police and/or Children's Social Care, and not by ISP.

The police and/or Children's Social Care investigation will make a judgement of whether the allegation has been *substantiated*, *unsubstantiated*, or if it appears to be *false/unfounded or malicious*.

When the police and Children's Social Care procedures have concluded, and we have received the outcome of their investigation, we will have to reach a decision as to your ability to meet the Fostering National Minimum Standards and whether you are suitable to foster.



POSSIBLE OUTCOMES

- If the allegation has been *substantiated* then we will conduct a full review of approval with presentation to the Fostering Panel. We aim to conclude this process within approximately 8 weeks.
- If the allegation was *unsubstantiated* then we will complete an internal investigation. We aim to complete this within approximately 3 weeks. The report will be presented to the Fostering Panel for their independent oversight. If your Registered Manager feels that the concern was sufficiently serious, or if there have been a series of unsubstantiated allegations then they may request a full review of approval instead.
- If the outcome is that the allegation was *false/unfounded/malicious* then no further action will be taken.



Procedure for the investigation and management of allegations

(Regional procedures may vary)

RM makes a referral to the LADO and Children's Services

ISP notifies the local authorities for all children in placement

Advice and recommendations received

S47 Child Protection enquiry launched by hosting local authority and/or other agencies

ISP notifies Ofsted

Plan to ensure safety and wellbeing of any children in placement.
Children may be moved to alternative placements.

LADO advice is followed.
This may involve a Standards of Care investigation or Full Review of Approval

Possible outcome:
Substantiated

Possible outcome:
Unsubstantiated

Possible outcome:
False/ malicious/ unfounded

Full Review of Approval with presentation to Panel (within approx. 8 weeks).

Internal investigation. Presented to Panel for independent oversight. RM may initiate Full Review of Approval if allegation was serious or part of a pattern of concerns.

No further action

Standards of Care Investigations

Investigations of concerns or complaints received may lead to a Standards of Care investigation if it is felt that your actions call into question your suitability to foster.

An ISP Fostering Social Worker, or social worker commissioned by ISP, will conduct the investigation on our behalf. We will inform the local authorities for any children in placement, and we may contact the LADO for advice.

The Standards of Care investigation may conclude that any concerns can be managed within supervision, or may recommend a full review of approval with presentation to the Fostering Panel. The outcome of a Standards of Care investigation is always presented to the Fostering Panel for their independent oversight.



Standards of Care Investigation

Local Authority Social Workers for children in placement notified of concern and the investigation.

Investigation by an ISP Forstering Social Worker or social worker commissioned by ISP .

Consult LADO for advice.

Possible outcome:
Standards of Care met.
No recommendations

Possible outcome:
Concerns that some Standards of Care have been breached.
Recommend managed through supervision/training

Possible outcome:
Some/all Standards of Care clearly breached.
Recommend Full Review of Approval and presentation to Panel.

ISP will notify the LASWs of the outcome and action taken.

RM to consider outcome and recommendations and take appropriate action.

Investigation and outcome to be presented to panel for independent oversight.



Support for foster parents

We understand that being subject to a complaint, allegation or Standards of Care investigation (and potentially a child protection enquiry) is an extremely stressful experience. Accordingly, we will always offer you a range of support options, both within ISP and from independent services.

We will keep you informed throughout our internal investigations, and as much as we are able when the investigation is being led by outside agencies. During the process of a child protection enquiry, we are not able to discuss the detail of any allegation without prior agreement from the local authority strategy meeting to do so. You will be informed of the nature of the allegation during the course of the local authority child protection enquiry/ investigation, usually during a meeting with the local authority social worker assigned to the investigation.





Support from your ISP team

Your Registered Manager (or another manager in the team) will be responsible for making sure that you receive all permissible information about any investigations in a timely manner, and support throughout the process.

They will identify a named person from within your ISP team to be your main point of contact throughout the investigation. This person will arrange regular meetings with you to discuss the progress of investigations and provide you with support.

If at any point you are unhappy with the support you are receiving, please contact your Registered Manager.

If you wish, you will be able to contact ISP's Head of Safeguarding regarding general queries or with concerns related to a specific investigation or S47 enquiry. You may also contact our Complaints Officer if you have questions about our complaints procedures.



INDEPENDENT SUPPORT

We will also provide you and your family with access to an independent support and advocacy service. This service can provide:

- **Information and advice about the process;**
- **Emotional support;**
- **Mediation between you and ISP;**
- **Advocacy (including attendance at meetings and Fostering Panel hearings).**

Where needed, we will also provide access to an independent counselling service. This service is available for staff members and foster parents and can be a helpful resource during a Child Protection process.

Foster parents also have access to the Foster Talk service (<https://fostertalk.org/>).



Payment to Foster Parents during an Allegation

If a child is suddenly moved from your home following an allegation against a member of your family, limited financial support may be available in some circumstances.

Any agreed payments would be limited to the foster parent fee for one child only. This is the amount you would receive if taking a period of respite (i.e. with the deduction of the 'child allowance').

Decisions to agree a request for financial support are at the discretion of the Registered Manager, and any one of the following reasons would terminate payment except in the most extraordinary circumstances:

- **The decision is made that the child/children will not return to your family. This decision may be made by you, the local authority, or by ISP;**
- **The child was due to leave your family for other reasons;**
- **In the Registered Manager's reasonable opinion, at least one serious allegation is proved on the balance of probabilities to be true;**
- **Any enquiry into the allegations has concluded, whether or not it has been able to make recommendations (e.g. final Child Protection Strategy Meeting);**
- **If you, or any member of your family, fail to co-operate with an investigation into the matters alleged;**
- **Twelve weeks have passed since any children were first removed;**
- **Children return to your family or new children are placed;**

To request financial support, please discuss this with the Registered Manager.

Circumstances that lead to termination of approval

If the outcome of an investigation is that the foster parent or adult member of the household is found to have committed a 'specified offence' against a child (see Fostering Services (England) Regulations; regulation 26), ISP must recommend to the Fostering Panel that the foster parent's approval be terminated. In these circumstances, foster parents do not have recourse to the Independent Review Mechanism.

In addition, there are circumstances where ISP will have the option of recommending to the Fostering Panel that a foster parent's approval be terminated:

- **If an allegation of abuse and/or neglect has been found to be substantiated;**
- **There have been a series of allegations, whether substantiated or unsubstantiated;**
- **A serious complaint has been upheld;**
- **A serious offence has been committed, or on the balance of probabilities has been committed;**
- **A breach of the Foster Parent Agreement has occurred;**
- **A series of standards of care concerns have arisen;**
- **The foster parent has failed to keep the child/young person safe from harm through non-compliance with health and safety requirements or the child's risk assessment;**
- **There are concerns in another setting or in the foster parent's private life (e.g. in the their place of work, online activity or as a result of a DBS update), which may indicate a risk to a child in placement;**
- **The foster parent has failed to follow agency policies and procedures;**
- **The foster parent has brought ISP's reputation into disrepute;**
- **The foster parent is unwilling or unable to change their practice following advice and guidance.**

Where termination of approval, or a change to approval category is recommended, and the Decision Maker agrees with the recommendation, the foster parent will receive a 'Qualifying Determination' (see Fostering Panel Policy & Procedures). This does not apply in cases where a specified offence has been committed.

If a foster parent submits their resignation during a process of investigation, the social worker conducting the investigation will consider the available evidence and record the recommendation that they would have made had the foster parent not resigned. This recommendation will be presented to the Fostering Panel for their independent oversight.



NOTIFICATION TO DBS SERVICE

ISP has a duty to refer a person to the DBS service when:

- **We have removed a foster parent from regulated activity due to concerns about their suitability to foster;**
- **We believe that the person has engaged in 'relevant conduct';**
- **We believe that there is a significant risk of harm;**
- **The person receives a caution or conviction for a 'relevant offence';**
- **We have terminated a foster parent's approval as the result of 'relevant conduct' or would have done had they not resigned.**

Relevant conduct involves that which:

- **Harms a child**
- **Causes a child to be harmed**
- **Puts a child at risk of harm**
- **Incites others to harm a child**
- **Involves sexual activity with a child**
- **Involves sexually explicit images/material relating to children**

For a full list of 'relevant offences' visit:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/157242/dbs-factsheet-05.pdf





fostering
therapeutically
SINCE 1987