



1. Introduction and Purpose of the Annual Report

- 1.1 The purpose of this report is to meet the statutory requirement established by the *IRO Handbook* (2010) that:

The [IRO] Manager should be responsible for the production of an annual report for the scrutiny of the members of the corporate parenting board. This report should identify good practice but should also highlight issues for further development, including where urgent action is needed (at para. 7.11)

- 1.2 The *Handbook* goes on to state that the Report should make reference to the following areas:

- procedures for resolving concerns, including the local dispute resolution process and it should include an analysis of the issues raised in dispute and the outcomes;
- the development of the IRO service including information on caseloads, continuity of employment and the make up of the team and how it reflects the identity of the children it is serving;
- the extent of participation of children and their parents;
- the number of reviews that are held on time, the number that are held out of time and the reasons for the ones that are out of time;
- outcomes of quality assurance audits in relation to the organisation, conduct and recording of reviews; and
- whether any resource issues are putting at risk the delivery of a quality service to all looked after children.

This Report is compliant with this statutory guidance.

- 1.3 However, the Report is also cognisant of the findings and recommendations of the OFSTED Thematic Report *Independent Reviewing Officers: Taking up the challenge?* (2013) which observed:

Too many [annual reports] were over-descriptive, concentrating on activity data and did not focus sufficiently on the progress that children make. They also lacked specific recommendations to the local authority in its role as a corporate parent (at para. 163)

Nearly all annual reports seen by inspectors would have been improved by a clearer analysis of challenges facing the services for looked after children and more explicit recommendations to improve children's outcomes (at para. 164)

Generally, the IRO Annual Report was a missed opportunity for IRO services to harness their knowledge about what is happening for looked after children to influence policy and challenge the local authority as corporate parent. Senior Managers or IRO managers were generally unable to provide examples of the annual report's impact upon service improvement (at para. 167)

In particular, the Thematic Report recommended that an 'effective' annual report should:

- Provide a clear description of the context in which the IRO's work, including information on IRO caseloads;
- Highlight the impact the IRO's had made in the previous twelve months;
- Identify areas of development for the following year;
- Demonstrate how the IRO Service priorities link to the needs of looked after children locally.

In both format and content, this report takes into account these recommendations.

- 1.3 Finally, it is noted that following presentation to the City of York Council Corporate Parenting Board, this Report, and a children and young people's version, will be placed on the City of York Council website as publically accessible documents.

2. Reporting Period

- 2.1 This Annual Report is the first to be produced and presented to the City of York Corporate Parenting Board since the *IRO Annual Report: April 2011 – March 2012*. As it is the clear intention of the *IRO Handbook* that a report is produced to reflect a twelve month period of activity, this Annual Report is based on activity between 01 January 2013 and 31 December 2013.
- 2.2 As this activity period is a variance with the national reporting cycle for Looked After Children, it is proposed that an Addendum to this Report for the period 01 January 2014 to 31 March 2014 be produced no later than 01 June 2014 to enable future reports to align with national reporting cycles.

3. The Legal, Statutory and National Context of the IRO Role

- 3.1 The appointment of an Independent Reviewing Officer (IRO) for a child or young person looked after by the Local Authority is a legal requirement under s.118 of the Adoption and Children Act 2002.
- 3.2 In March 2010 the *IRO Handbook* was issued, providing Local Authorities with statutory guidance on how the IRO's should discharge their duties. Significantly, the *Handbook* stated:

The IRO has a new role conferred upon them to monitor the child's case as opposed to monitoring the review, effectively monitoring the implementation of the Care Plan between reviews (at para. 3.74)

The *Handbook* goes on to state that the primary role of an IRO is:

To ensure that the care plan for the child fully reflects the child's current needs and that the actions set out in the plan are consistent with the local authority's legal responsibilities towards the child (at para. 2.10)

In discharging this role, the *Handbook* notes (at para. 2.14) that the IRO has a number of specific responsibilities, including:

- *promoting the voice of the child;*
- *ensuring that plans for looked after children are based on a detailed and informed assessment, are up to date, effective and provide a real and genuine response to each child's needs;*
- *making sure that the child understands how an advocate could help and his/her entitlement to one;*
- *offering a safeguard to prevent any 'drift' in care planning for looked after children and the delivery of services to them; and*
- *and monitoring the activity of the local authority as a corporate parent in ensuring that care plans have given proper consideration and weight to the child's wishes and feelings and that, where appropriate, the child fully understands*

- 3.3 Furthermore, the *Handbook* commented upon how Local Authorities should facilitate IRO's to fulfil their statutory responsibilities by observing:

The local authority should provide sufficient administrative support to facilitate the delivery of an efficient and effective review process (at para. 7.3)

The manager should ensure that the size of the caseloads enables each IRO to comply with primary legislation, the Regulations and relevant guidance in order to achieve the outcomes for every looked after child that a conscientious and caring parent would seek for their own children (at para. 7.9)

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 (at para. 7.15)

- 3.4 In June 2012, the case of *A and S v Lancs CC* [2012] EWHC 1689 (Fam) raised fundamental questions about the IRO role and purpose. An application was made by two brothers for a declaration that the council *and their IRO* had breached their human rights under European Convention of Human Rights. The court found the local authority's failings were primary failings in front line social work, compounded by abusive behaviour in two foster homes but the Judgment noted that a contributory factor was the inadequacy of the IRO system, which did not pick up on and remedy the primary problem. The IRO accepted that he had failed adequately to carry out his role in respect of the boys and accepted a number of specific shortcomings including that he had not addressed or monitored the repeated failures of social workers or promoted the rights of the boys. The IRO highlighted a number of difficulties which he faced including a caseload of three times the good practice guidance at times, a lack of training and the absence of access to legal advice. The IRO was found to have breached the boys' rights under Articles 8.
- 3.5 In June 2013, OFSTED published a thematic report in relation to an evaluation of the effectiveness of IRO's entitled *Independent Reviewing Officers: Taking up the challenge?* (2013). The Report concluded:

The pace of progress in IROs taking on the full scope of their enhanced responsibilities was too slow in most authorities visited by inspectors. IRO oversight of care plans was not consistently robust. IROs did not sufficiently challenge delays in the making of permanent plans for children's futures. The views of children were not always taken into full account. The IRO role in monitoring and challenging local authorities' overall performance as corporate parents was underdeveloped (page 4).

In most local authorities visited, caseloads for IROs were higher than recommended in statutory guidance. This seriously reduced their capacity to undertake their roles effectively. Improvement is needed to ensure that IROs are sufficiently supported and challenged by leaders to undertake their role in driving effective improvement in services for looked after children (page 5).

- 3.6 The Report concluded (at pps. 6-7) with the following recommendations:

Local authorities should:

- *Take urgent action to implement in full the revised IRO guidance and ensure that:*
 - *IROs have the required skills, training, knowledge and time to undertake all elements of their role effectively, including ensuring that children's wishes and feelings properly influence the plans for their future*
 - *management oversight of IROs is sufficiently robust, which must include formal and rigorous challenge where there is delay in making permanent plans for their future; senior managers must assure themselves of the quality of the IRO service and manage its performance effectively; line managers must take prompt action to rectify poor IRO performance*

- *an annual report is produced by the IRO service in line with statutory guidance, setting out the quality of corporate parenting and care for looked after children; it should be publicly accessible and include information on IRO caseloads*
- *seek regular feedback from children, young people, families, carers and professionals about the difference the IRO has made to the lives of the children with whom they work. This evidence should be collated by the local authority and used to drive improvement*
- *prioritise and implement strategies that enable the most vulnerable looked after children, such as children with additional communication needs and children living away from their home local authority, to participate as fully as possible in the planning and reviews of their care.*

4. The City of York Council IRO Service

- 4.1 In common with services across the City of York Council, the IRO Unit has been subject to a number of changes in personnel and structure within the reporting period. The Unit currently comprises of three full-time, permanent Independent Reviewing Officers. All three are experienced and authoritative Social Work practitioners with management experience. Additionally, the Unit has, during the reporting period, relied upon additional sessional hours from two part-time Independent Reviewing Officers, affording the capacity of approximately one additional post.
- 4.2 All five IRO's working for the Unit are qualified Social Workers registered with the Health and Care Professionals Council and subjected to regular Disclosure and Barring Service enhanced checks. All have relevant and appropriate skills, bringing to the role specialist knowledge and experience including Children's Social Care safeguarding management, youth offending management, fostering and adoption work, work in therapeutic and third sector services, residential services management and performance management and quality assurance work. All have substantial experience of effective direct work with children and young people.
- 4.3 Whilst all five IRO's are currently female, the Unit takes issue of gender, culture and diversity fully into account in its provision of services.
- 4.4 All of the five IRO's are independent of City of York Children's Social Care and are not involved in preparation of children's care plans or the management of cases or have any control over resources allocated to a case.
- 4.5 All IRO's have access to independent legal advice upon request.
- 4.6 All IRO's are encouraged to participate in the Yorkshire and Humberside Regional IRO Practitioners Group for peer-support and sector-led improvement opportunities.
- 4.7 All IRO's access training opportunities, for example the one-day *Chairing Skills Course* provided by Reconstruct and hosted by Bradford MDC in November 2013.
- 4.8 During the reporting period, management of the IRO's has been subject to change. Since 19 August 2013 management has been provided on an interim basis by the Principal Advisor, a substantive post within Children's Social Care. The Principal Advisor is a qualified Social

Worker registered with the Health and Care Professionals Council, is subject to regular Disclosure and Barring Service enhanced checks and is an experienced Children's Social Care safeguarding manager. The Principal Advisor provides oversight, professional advice and management support to each IRO, including monthly Supervision and Team Meetings and works to ensure the IRO's access training appropriate to need.

- 4.9 Whilst the Principal Advisor is part of the Children's Social Care Management Group, this is a performance management and quality assurance role and does not involve operational management, the preparation of children's care plans, the management of individual cases or resource allocation. Should there be any potential conflict in the Principal Advisor supporting an IRO in dispute with Children's Social Care, provision is made for the Principal Advisor to 'step-out' of their Children's Social Care line-management arrangement.
- 4.10 The Principal Advisor is an active member of the Yorkshire and Humberside Regional IRO Managers Group. The Group meet on a quarterly basis to share information, report on common and emerging themes and priorities and provide peer support and sector-led improvement opportunities. The Group provides two Members to the National IRO Managers Group which has representation from the Department for Education.
- 4.11 During the reporting period, administrative support for the IRO's has been subject to change. In common with Council-wide changes, administrative staff have moved from supporting the IRO's as a dedicated team to a pooled resource with a wider range of responsibilities. This arrangement is under review.

5. IRO Caseloads and Unit Performance

Caseloads

- 5.1 In common with half of its regional peers, City of York Council IRO's have a dual function. As well as the independent review of looked after children, the IRO's provide independent Chairing of Child Protection Conferences, a separate statutory function under *Working Together* 2013 for which they are accountable to the Director of Children's Services. This arrangement supports an aligned single planning and review process when a child is looked after and subject to a Child Protection Plan. The arrangement also supports the maintenance of safeguarding competences by the IRO's. However, Chairing responsibilities are a very substantial additional task for the Unit.

Table 1: Average Total Unit Caseload

					12 Month Average Unit Caseload			
Total Caseload by Quarter 2013					2013	2012/13	2011/12	2010/11
	Quarter 4 Jan-Mar	Quarter 1 Apr-Jun	Quarter 2 Jul-Sep	Quarter 3 Oct-Dec				
LAC	243	238	230	225	234	243	256	237
CP	128	117	104	120	117	128	162	115
Total	371	355	334	354	354	345	418	352

Table 2: Actual allocated Caseloads on 31 December 2013 by Worker

IRO	CP	LAC	Total	
CM	44	67	111	Average 98
SO	41	58	99	
HB	31	54	84	
EC (Part time)	4	10	14	
MM (Part time)	0	45	45	

- 5.2 To contextualise the caseloads in Table 2, regional data has been made available through the Yorkshire and Humberside Regional IRO Managers Group as part of a national benchmarking exercise. It is noted however that comparison with regional peers should be regarded as illustrative only, due to the very different structures, roles and responsibilities across the region's Local Authorities. Within the region seven Local Authorities have a separate IRO and Conference Chair service whilst seven, including York, operate a dual role. It is noted that comparative data was only available for the 31 March 2013.

Table 3: Yorkshire and Humberside IRO Services allocated caseloads on 31 March 2013

Local Authority	LAC Only	CP and LAC
Hull City Council	-	104
Leeds City Council	62	-
North Yorkshire County Council	-	73
Sheffield City Council	61	-
Wakefield Metropolitan District	68	-
Kirklees	-	87
North East Lincolnshire	60	-
Bradford	86	-
East Riding	-	105
Calderdale	-	65
North Lincolnshire	57	-
York	-	82
Doncaster	53	-
Rotherham	-	78
Regional Average	55	85

- 5.3 Table 3 evidences that there is significant caseload variation within the Region. However, for the purposes of this Report it is noted that on 31 March 2013, York returned an average caseload of 82, marginally below the regional average. By 31 December 2013 York's average was 98, significantly above the regional average of 85.
- 5.4 As a consequence of the high caseloads, the Directorate Management Team agreed in January 2014 to the temporary increase of staff within the Unit by an additional 1.5 FTE IRO's, an additional capacity of 120 cases. This will ensure that in the subsequent reporting period projected average caseloads should not exceed 80 cases.

Number of Reviews

Table 4: Total Unit Activity – Reviews and Child Protection Conferences undertaken

Total Unit Activity 2013 by Quarter					Historical		
	Quarter 4 Jan-Mar	Quarter 1 Apr-Jun	Quarter 2 Jul-Sep	Quarter 3 Oct-Dec	2013	2011/12	2010/11
LAC	178	154	168	170	670	861	783
CP	62	51	56	64	233	312	199
Total	240	205	224	235	903	1173	982

- 5.5 Within the reporting period, between 01 January 2013 and 31 December 2013 the Unit have chaired a total of 670 Looked After Reviews (compared with 861 in 2011-12) and a total of 233 Child Protection Conferences (compared with 312 in 2011-12). This reduction in Unit activity is commensurate with the overall reduction in the numbers of children and young people Looked After by City of York Council and the number of children and young people subject to Child Protection Plans within York.

Timeliness of Reviews

Table 5: Percentage of LAC Reviews held within timescales

Reviews within timescales by Quarter 2013					Historical Performance		
	Quarter 4 Jan-Mar	Quarter 1 Apr-Jun	Quarter 2 Jul-Sep	Quarter 3 Oct-Dec	2013	2012/13	2011/12
Reviews	75%	78%	79%	83%	79%	75%	85%

- 5.6 Within the reporting period, the timely review of children and young people has been a challenge. From a review of the recorded reasons for a LAC Review going beyond the statutory time period, identified reasons include unplanned IRO and/or Social Worker sickness absence, miscommunication of the need for Review and lack of documentation to enable a Review to proceed. The timeliness of Reviews will be a Unit priority for 2014-15 and a performance target of 90% will be established. Furthermore, new codes have been introduced to better understand any themes and trends in late reviews to ensure that the Unit takes prompt preventative action.

Participation in Reviews

Table 6: Method and Percentage Looked After Children Participating in their Review

Code	Method	Number	Percentage
PN0	Child under 4 at time of Review	100	15%
PN1	Attends or speaks for him/herself	269	40%
PN2	Attends, views rep. by Advocate	11	2%
PN3	Attends, views conveyed non-verbally	0	0%
PN4	Attends but does not convey views	4	0.5%
PN5	Does not attend but briefs an advocate	48	7%
PN6	Does not attend but conveys in wri. etc	219	32.5%
PN7	Does not attend nor views conveyed	19	3%

Total		670	100%
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- 5.7 Within the reporting period, 97% of children and young people looked after by the City of York over the age of four contributed to the review of their care. However, of those children and young people, only half attended their Review and were facilitated to represent their own views and wishes. This level of participation through attendance is an area of concern to the Unit. In November 2013 IRO's attended the Show Me That I Matter Group to discuss with children and young people's participation in the review process and how it can be encouraged.
- 5.8 Of those children and young people who attended, there were very few who were facilitated to Chair or Co-Chaired their own Review. Whilst the *Handbook* does not expressly require Chairing or Co-Chairing by young people of their own Review to does however note:

It is hoped that for many older children and young people, especially as they begin to plan for independence, the IRO will hand over at least part of the chairing role to them so that they can take an increased ownership of the meeting (at para.3.37)

Table 7: Number of Looked After Children Chairing or Co-Chairing their own Review:

Chairing and Co-Chairing by a LAC by Quarter 2013					2013
	Quarter 4 Jan-Mar	Quarter 1 Apr-Jun	Quarter 2 Jul-Sep	Quarter 3 Oct-Dec	
Reviews	3	5	1	2	11

Whilst there will only ever be a minority of children or young people who wish to Chair or Co-Chair their review, the Unit will continue to encourage all children and young people to consider Chairing or Co-Chairing their review and ensure that they are supported to do so.

Consultation Prior to Reviews

- 5.9 There is a statutory expectation that children and young people are visited by the Independent Reviewing Officer and consulted with prior to their review. The *Handbook* does however acknowledge that there are circumstances where the IRO will exercise their discretion and determine whether this is necessary, for example where there is a strong relationship between the young person and the IRO, where there are no significant changes to the care plans or where the child is very young. Within the reporting period, this statutory requirement has proved extremely challenging to the Unit. Of all areas of Unit performance, it is submitted that the visiting and consultation of Looked After Children prior to their review has been most affected and impacted by the high caseloads. The Unit is committed to improving its performance and it is an acknowledged area of development for the service and a priority for 2014-15.

- 5.10 In particular, the Unit is actively considering the introduction of 'Viewpoint', a national web-based, child-focused interactive consultation tool which children and young people from the age of 4 to 18 can use to contribute to their Review. This will compliment rather than replace paper-based consultation, providing a greater diversity of consultation options. Following confirmation of funding and technical issues, the Unit will consult with Show Me That I Matter and I Matter Too Groups about implementation. The Unit will also seek lessons learnt about implementation from peer Local Authorities, including the IRO Unit Bradford MDC which has operated Viewpoint for a number of years.

Table 8: Percentage of Looked After Children seen prior to Review:

Percentage of LAC seen prior to Review by Quarter 2013					2013
	Quarter 4 Jan-Mar	Quarter 1 Apr-Jun	Quarter 2 Jul-Sep	Quarter 3 Oct-Dec	
Seen	7%	10%	13%	15%	11%
Not Seen	81%	55%	63%	60%	65%
Not applicable	4%	1%	0%	2%	2%
Not recorded	8%	34%	24%	23%	22%

Distribution of Review Records

- 5.11 The *Handbook* unambiguously requires that the record of the Review of a Looked After Child is distributed within *20 working days of the completion of the Review*. This facilitates and enables all those involved in the care of the child or young person to be informed of the decisions made at Review in writing, with timescales and responsibilities clearly communicated. Within the reporting period, this statutory requirement has proved extremely challenging to the Unit because under current processes it has been the responsibility of the IRO to record and type up the written record summarising the discussions that took place during the Review without recourse to Business Support colleagues. Given the high caseloads, the time available to undertake this task has been significantly reduced, with a deleterious impact upon performance. The Unit acknowledge the need to change its processes and is committed to improving its performance. This is an identified area of development for the service and a priority for 2014-15.

Table 9: Percentage of Records distributed within 20 working days of Review

Percentage of Records Distributed within 20 Working Days					2013
	Quarter 4 Jan-Mar	Quarter 1 Apr-Jun	Quarter 2 Jul-Sep	Quarter 3 Oct-Dec	
Within 20 Days	21%	15%	5%	7%	12%
More than 20 days	79%	85%	95%	93%	88%

6. Profile of Looked After Children in York

Number of Looked After Children

Table 10: Number of Children Looked After (excluding Short Breaks)

Number of Looked After Children 2013					Historical Performance			Comparators	
	Q4	Q1	Q2	Q3	2012/13	2011/12	2010/11	Regional	National
Number LAC	243	238	230	224	243	256	237	501	441
No. per 10000	68	66	64	62	68	73	67	67	59

- 6.1 Within the reporting period, the number of children and young people looked after by the City of York Council has decreased, although the number remains higher than the national and regional average. The decrease is consistent with Children's Social Care's determination to provide robust edge of care services to ensure that only those children and young people who absolutely need looking after are looked after, the shorter duration of public law care proceedings and the focus on ensuring that permanency by way of adoption is secured in a timely way. It is anticipated that over the next reporting period, the numbers of Looked After Children will continue to decrease.

Gender of Looked After Children

Table 11: Number of Children Looked After by Gender

Number of Looked After Children 2013					Historical Performance		
	Q4	Q1	Q2	Q3	2012/13	2011/12	2010/11
Number LAC	243	238	230	224	243	256	237
Male	132	129	124	118	132	147	132
Female	111	109	109	106	111	109	105

- 6.2 Within the reporting period, the numbers of male and female children and young people looked after by the City of York are broadly representative of the demography of York, with no notable over-representation.

Ethnicity of Looked After Children

Table 12: Percentage of Looked After Reviews held by Ethnicity of Looked After Child

Ethnicity		Reviews	Percentage
ABAN	Bangladeshi (Asian or Asian British)	3	0.5
AOTH	Any other Asian or Asian British Background	3	0.5
BCRB	Black or Black British - Caribbean	2	0.4
MOTH	Any other mixed background	4	0.6
MAWS	White and Asian	14	2.1
MWBC	White and Black Caribbean	3	0.5
OOH	Any other ethnic group	10	1.5
WBRI	White British	626	93
WIRI	White Irish	2	0.4
WOTH	Any other White background	3	0.5
		670	100%

- 6.3 Within the reporting period, the ethnicity of the children and young people looked after by the City of York is broadly representative of the demography of York with no notable over-representation.

Age of Looked After Children

Table 13: Number of Children by Age at Period End

	Number of Looked After Children by Age 2013				Historical Performance		
	Q4	Q1	Q2	Q3	2012/13	2011/12	2010/11
Under 1 year	5	8	6	6	5	9	13
1-4 years	38	32	34	32	38	51	40
5-9 years	46	47	45	43	46	54	46
10-15 years	102	104	100	98	102	101	98
Over 16 years	52	47	45	45	52	41	40

- 6.4 Within the reporting period, there has been a decrease in the number of very young children becoming looked after by the City of York. This is likely to be a result of greater exploration of alternative care by wider family members under the Public Law Outline, enabling care by way of family agreement as an alternative to accommodation.

Time in Care of Looked After Children

Table 14: Number of Children by Period of Care at Period End

	Number of LAC by Care length 2013				Historical Performance		
	Q4	Q1	Q2	Q3	2012/13	2011/12	2010/11
Less than 6mths	20	21	21	22	20	40	41
6-12mths	17	10	15	14	17	38	25
1-2 years	57	54	37	32	57	42	60
2-4 years	65	68	65	57	65	70	59
More than 4 yrs	84	85	92	99	84	66	52

- 6.5 Within the reporting period, there has been a decrease in the length of time in care for significant numbers of children and young people looked after by the City of York. This is likely to be a result greater focus on securing permanency by way of adoption, the reduction in the length of time for public law care proceedings and securing permanency by way of Special Guardianship under the Public Law Outline.

Legal Status of Looked After Children

Table 15: Legal Status of Looked After Children as Percentage of whole

	Percentage of LAC by Legal Status 2013				Historical		Comparators	
	Q4	Q1	Q2	Q3	2012/13	2011/12	Regional	National
Interim Care Orders	11.5%	9.7%	8.7%	10.7%	12%	24%	23%	20%
Full Care orders	49.4%	48.7%	50.4%	50.9%	49%	43%	44%	40%
Freed for Adoption	15.6%	16%	15.7%	13.8%	16%	10%	14%	11%
Accomm. S.20	22.2%	24.4%	24.8%	24.1%	22%	23%	18%	29%
YOT legal Statuses	0.4%	0%	0%	0%	0.4%	0%	0%	0%
Detain CP in LA Acc.	1.2%	1.3%	0.9%	0.4%	1.0%	0%	0%	0%

- 6.6 Within the reporting period, there has been a slight increase in the number of children and young people subject to Full Care Orders and subject to Placement Orders (freed for Adoption). The increase in Full Care Orders is likely to be a result in the national drive by Family Courts to decrease in the length of public law care proceedings, resulting in more Care Orders being granted when work to assess other permanent outcomes remains ongoing. Where this is the case, IRO's fulfil an important role in ensuring that the care planning progresses without delay and that the outcome secured is appropriate. In relation to the increase in Placement Orders for children (freed for Adoption), this too reflects national action towards increasing the number of children for whom permanency is to be secured by way of adoption. Where a child has a Placement Order the IRO has especial duties to ensure that the Local Authority proactively 'family find' without delay and that the plan remains right for the child. The Unit is aware of the contribution it can make in securing the right permanent outcome for children and young people.

Placement Stability of Looked After Children

Table 16: Percentage of LAC having 3 or more placement moves

Percentage of LAC with 3 or more Placement moves 2013					Historical Performance		
	Q4	Q1	Q2	Q3	2012/13	2011/12	2010/11
3+ Moves	-	2.5%	5.2%	7.1%	14%	16%	13%

- 6.7 It is noted that Table 16 is a cumulative return. Quarters 1-3 evidence 2-2.5% increments which if repeated in Quarter 4 would provide a return of approximately 10% - this would represent a very positive outcome for the stability of placements for children and young people looked after by the City of York. The Unit is aware of the contribution that it can make to the stability of care for children and young people and will subject care plans proposing changes in placement to detailed scrutiny to ensure that the change is in the best interests of a child or young person and any disruption, particularly to education, is minimised.

Placement Type of Looked After Children

Table 17: Placement Type of Looked After Children

Placement Type of Looked After Children 2013					Historical Performance		
	Q4	Q1	Q2	Q3	2012/13	2011/12	2010/11
Other	6	2	0	8	6	7	5
Residential Schools	1	2	2	2	1	3	6
Other Resi. Settings	3	3	2	2	3	1	1
Sec Uni/Hm/Host	17	16	17	19	17	14	8
Placed w Parents	26	25	27	25	26	26	26
Placed for Adopt	11	12	19	18	11	10	15
Foster Placement	179	174	154	156	179	195	180

- 6.8 Within the reporting period, and in common with previous reporting periods, the vast majority of children and young people are cared for in Foster Care placements. Of note, there continues to be a significant minority of children and young people cared for by their

parents whilst subject to Full Care Orders (Placed with Parents). The Unit is aware of the contribution that it can make to ensuring that where there is no longer a need for a child or young person to be subject to a Care Order that Children's Social Care seek discharge of the Order in a timely way.

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Placement Location of Looked After Children

Table 18: Number of Placements by Location of new Looked After Children

Placement Location of new LAC by Quarter 2013					Historical	
	Q4	Q1	Q2	Q3	2012/13	2011/12
New Placements in LA	6	10	9	15	38	79
New Placements outside LA	4	6	3	5	16	29
New Placements +20miles	2	2	0	4	14	10

- 6.9 Within the reporting period, the majority of children and young people who have started to be Looked After by the City of York have been placed within the Local Authority area. The Unit is aware of the contribution that it can make in ensuring placements are appropriate and that every effort is made by Children's Social Care to place as close to the child's home and community as possible so far as is consistent with their need to be safeguarded.

Health and Education of Looked After Children

Table 19: HA and Dental Checks, Under 5's Developmental Checks, SDQ Scores and PEPs

Health and Education Activity by LAC by Quarter 2013					Historical		Comparators	
	Q4	Q1	Q2	Q3	2012/13	2011/12	Regional	National
Health and Dental Checks	82%	74%	75%	83%	82%	84%	82%	84%
Under 5s Dev Checks	87%	84%	80%	74%	87%	29	89%	88%
Average SDQ Score	14.8	13.5	14.7	15.6	14.8	10	13.8	13.8
Up-to-date PEP in place	53%	52%	53%	64%	53%	84%	-	-

- 6.10 Health and education are two key dimensions within the developmental needs of children and young people looked after by the City of York. The Unit is aware of the contribution that it can make by monitoring multi-agency activities such as the Initial and Review Health Assessments and PEP meetings to ensure that Looked After Children are getting the help and support they need.

7. IRO impact on the outcomes for children and young people

Dispute Resolution and Escalation

- 7.1 One of the key functions of an IRO is to oversee the needs and rights of every young person in the care of the Local Authority. This responsibility is outlined in the Care Planning, Placement and Case Review (England) Regulations 2010 and *IRO Handbook 2010*. Every child looked after has an Independent Reviewing Officer appointed to ensure that their Care Plan fully reflects their needs and that the actions set out in the plan are consistent with the Local Authority's legal responsibilities towards them as a looked after child. An IRO will ensure that the wishes and feelings of the child are given due consideration by the Local Authority throughout the whole time the child is in care and will monitor the performance of the Local Authority in relation to the child's case. On occasions this means that it will come to the

attention of the IRO that there is a problem in relation to the care of a looked after child, for example in relation to planning for the care of the child, or the implementation of the plan or decisions relating to it, resource issues or poor practice by the Social Worker. When this happens the IRO is required to seek a resolution.

- 7.2 It is acknowledged that the resolution of disputes can be time consuming and can create tensions between the IRO and the Local Authority. Nevertheless, the child's allocated IRO is personally responsible for activating and seeking a resolution, even if may not be in accordance with the child's wishes and feelings if, in the IRO's view, it is in accordance with the best interest and welfare of the child, as well as his or her human rights. The *IRO Handbook 2010* requires a Local Authority to have a formal Dispute Resolution Process whilst acknowledging and giving primacy to informal resolution where possible.
- 7.3 Within the reporting period, the City of York Dispute Resolution Process was reviewed and revised following feedback that the process was overly bureaucratic and did not robustly hold Children's Social Care to account or facilitate the resolution of issues within defined timescales. Additionally, there was no process for recording the many informal interventions by IRO's that resulted in positive resolution. Accordingly, this Report does not tabulate a statistical return on the informal and formal resolutions achieved by the Unit in 2013 due to concerns about the validity and credibility of such data as there is. Instead, the Report identifies eight examples that are considered representative of the work of the Unit. Of all areas of Unit performance, it is submitted that the Unit has a high degree of confidence that it is performing well in resolving issues for children and young people and is committed to improving the recording of its performance for 2014-15 and subsequent Reports.
- 7.4 **Eight examples of the Unit making a real difference to the lives and outcomes of looked after Children and young people**

Case Example 1:

Parents represented to IRO that the allocated level of short-break provision fell short of their assessed need and what had been previously agreed. This was initially disputed by CSC - however, the IRO achieved an informal resolution in securing a reassessment - this ultimately led to increased provision that better met the child's needs

Case Example 2:

IRO achieved the reinstatement of direct contact between mother and her daughter following a divergence of professional opinion as to whether this was appropriate. IRO facilitated a number of mediatory meetings that established regular indirect contact as a building block to reinstatement of direct contact with the support of all parties

Case Example 3:

IRO successfully challenged CSC to reassess the viability of placing E with her sibling, given limited evidence that separate placements was meeting either child's needs, thereby championing both children's right to family life

Case Example 4:

M was subject to a Care Order. M's mother was reassessed with a view to M and her sister returning to her care. The assessment was positive and rehabilitation commenced. However M's behaviour became very concerning and she was displaying high levels of distress. M was found to be very ambivalent as to whether she wanted to go home. M was supported by her IRO to speak with the Children's Rights Officer and to obtain legal advice. The IRO was involved in determining that M wished to remain looked after. She was supported to be able to express to her mum that she loved her but that it would not work for her to return home. M was returned to foster care and her behaviour settled.

Case Example 5:

The IRO identified that there was no allocated Social Worker and this impacted G because there was a lack of progress in implementing Decisions from the review, particularly around CAMHS input. The IRO raised this with the Service Manager and a Worker was allocated and clear actions were agreed, including the need to secure timely CAMHS involvement.

Case Example 6:

Child A was accommodated due to mum's mental health needs but there was a lack of clear planning about the timescales for a return home, with a 'we will have to see how it goes' approach. The IRO insisted on a clear plan, including that the young person would remain looked after until the end of Year 11 giving her some much needed stability and security during an important year for her education

Case Example 7:

When a new Social Worker and new Service Manager increased the level of contact for S with their father and began to consider promoting staying contact, the IRO intervened. The IRO provided continuity of knowledge of the original assessments and Care Plan and through collaborative discussions clarified more appropriate and proportionate contact arrangements.

Case Example 8:

Following representations by Police that a young person who was placed in their area 'needed to move' Children's Social Care planned a move without a full consideration of the significant progress made by the young person in her placement in engaging with education in her Year 11 studies. The IRO, through informal resolution processes, stayed the move and triggered a more comprehensive needs-led consideration of the necessity of a move. The young person was also signposted by the IRO to advocacy enabling the young person's voice in care planning for her to be clearly heard and considered.

Quality Assurance Audits

- 7.5 As well as Chairing Looked After Reviews and monitoring cases on an ongoing basis, the Handbook notes that:

the IRO also has a duty to monitor the performance of the local authority's function as a corporate parent and to identify any areas of poor practice. This should include identifying patterns of concern emerging not just around individual children but also more generally in

relation to the collective experience of it's looked after children of the services they receive (at para. 2.13)

Given the challenging capacity pressures on the Unit, the Quality Assurance function of the Unit has been primarily achieved through the completion of a 'Monitoring Form' following a Looked After Review. The Unit is committed to making a meaningful contribution to 'improving the collective experience of looked after children and the services they receive' and increasing and developing the Quality Assurance activity of the Unit is a service priority and area for development in 2014-15.

- 7.6 Nevertheless, through the use of 'Monitoring Forms' the Unit has been able to challenge the completion and adequacy of Care Plan Documentation and the frequency of statutory visits to Looked After Children.

Table 20: Percentage of Care Plans judged of good quality

Percentage of Care Plans judged 'good' by Quarter 2013					2013
	Quarter 4 Jan-Mar	Quarter 1 Apr-Jun	Quarter 2 Jul-Sep	Quarter 3 Oct-Dec	
Care Plan judged Good	69%	65%	59%	65%	65%

Table 21: Percentage of LAC children visited by Social Worker within statutory frequencies

Percentage of LAC Children visited by Quarter 2013					2013
	Quarter 4 Jan-Mar	Quarter 1 Apr-Jun	Quarter 2 Jul-Sep	Quarter 3 Oct-Dec	
Stat Visits within time	90%	80%	81%	78%	82%

- 7.7 In both cases, quality assurance processes by the Unit have been able to identify patterns of concern and Senior Managers within Children's Social Care have been alerted. In relation to the quality of care plans, the Unit in consultation with Children's Social Care is working towards a revision of the document to support effective care planning. In relation to the percentage of children visited by Social Worker within statutory frequencies, Children's Social Care are reviewing their recording processes and ensuring that individual practitioners are aware of the visiting frequencies and requirements.

Referrals for Advocacy

- 7.8 The IRO Unit has an established and close working relationship with the Children's Rights and Advocacy Service. The Service offers advocacy to children and young people looked after and, if necessary, will support them through the City of York Corporate Complaints procedure. The Unit made 4 referrals for Advocacy in 2013 representing 17% of referrals to the Service.

7.9 The Children's Rights and Advocacy Service advise that the main themes of referrals to it by the Unit and others in relation to the concerns and views of City of York Looked After Children were as follows:

- 29% related to contact
- 21% related to unhappiness about their Social Worker
- 17% related to general support to express views
- 13% related to placement issues
- 8% related to disagreement about their overall Care Plan

The Unit greatly values the contribution of the Children's Rights and Advocacy Service to outcomes for children and young people. The Service regularly attends the Unit Team Meeting to update IRO's on emerging themes of concern raised by children and young people. Every IRO understands that it is their responsibility to make sure that a child or young person understands that advocacy is a right and an option for them and will explain how the advocate could help, providing age appropriate information to each looked after child about the City of York Advocacy Service.

8. Five Service Priorities 2014-15

One: Deliver the 'enhanced' IRO role for children and young people

How we will know we are succeeding:

- IRO's will have caseloads of no more than 80
- Other performance indicators will evidence positive improvement

8.1 In June 2013 OFSTED published a thematic report entitled *Independent Reviewing Officers: Taking up the challenge?* This report was a national evaluation of the effectiveness of IROs in discharging their responsibilities towards looked after children. Inspectors visited ten local authority areas (not York) and drew on evidence from over one hundred cases and from the views of children and young people, carers, and professionals from the local authorities and from partner agencies. The central conclusion of the Inspectors was as follows:

The pace of progress in IROs taking on the full scope of their enhanced responsibilities as outlined in the revised regulations was too slow in most authorities visited by inspectors (at p. 4)

8.2 From a robust appraisal of the performance of the Unit within the reporting period it can be argued that the conclusion reached by Inspectors of the local authorities visited would be a fair reflection of the City of York IRO Unit. It is clear that, apparently in common with many of its peers, there is more that the Unit needs to do to satisfactorily fulfil the duties placed upon it.

8.3 It is instructive that 'caseloads' were unambiguously identified as the most significant barrier to the provision of good quality independent review by Inspectors. They observed:

In most local authorities visited, caseloads for IROs were higher than recommended in statutory guidance. This seriously reduced their capacity to undertake their roles effectively. Difficulties were exacerbated in most areas by a variety of additional responsibilities for the IRO. Although a

lower caseload was not a guarantee of high-quality work, IRO input was likely to be more effective where caseloads were manageable; review recommendations were generally sharper, monitoring of cases was tighter and IROs' relationships with corporate parents were more assertive and challenging. IROs were better equipped to ensure that children were involved effectively in care planning (at p.5)

Of note, such a conclusion triggered an intervention from, Mr. Edward Timpson MP, Parliamentary Under Secretary for Children and Families who wrote to all Directors of Children's Services on 05 June 2013 and reminded them of the need for "IRO's to have manageable caseloads".

- 8.4 As stated at paragraph 5.4 of this Annual Report, the Directorate Management Team agreed in January 2014 to the temporary increase of staff within the Unit by an additional 1.5 FTE IRO's, an additional capacity of 120 cases. This will ensure that in the subsequent reporting period projected average caseloads should not exceed 80 cases. Upon appointment, the Unit is committed to fulfilling the enhanced role of the Independent Reviewing Officer's as articulated in the *Handbook* (at para. 7.14):

The provision of a quality service to each looked after child requires the IRO to have sufficient time to:

- *Consult with all the relevant adults, including foster carers, before each review;*
- *read all the relevant documentation before each review;*
- *meet with the child in a meaningful way before the review (this may involve meeting with the child on a different day in advance of the review);*
- *chair all meetings that make up the review;*
- *provide a full record of the review;*
- *complete quality assurance documentation;*
- *undertake any follow up work after the review;*
- *monitor drift;*
- *alert the local authority in writing of areas of poor practice;*
- *consult with the social worker and the child, following a significant change;*
- *resolve concerns informally, implementing the local dispute resolution process where necessary;*
- *travel to meetings; and*
- *undertake training and attend meetings for the purpose of consultation and professional development.*

Two: Change business processes to better support the IRO Role

How we will know we are succeeding:

- **At least 90% of Reviews within timescales;**
- **At least 50% Review Records distributed within 20 working days**

- 8.4 It is clear that many of the processes currently in use within the Unit require review. Within the reporting period, in common with Corporate colleagues, administrative staff have moved from supporting the IRO's as a dedicated team to being part of a pooled resource with a

wider range of responsibilities. The impact of this arrangement requires scrutiny, particularly the change from co-location to dispersal across the City.

- 8.5 Additionally, IRO's have not, to date, been fully supported with mobile working solutions such as 'tablets' that would allow for greater flexibility in the prompt recording of their work and e-communication with children and young people and their parents or carers.
- 8.6 Much of the performance information used in the production of this Annual Report is derived from data manually entered upon excel spreadsheets. This militates against tight performance management as there is little 'real time' data available to the IRO's or the Unit Manager and it is also an inefficient use of the limited business support available to the Unit.
- 8.7 There is consensus between the Unit and Children's Social Care that the documentation in use for children and young people looked after by the City of York requires change. The Unit will look to consult and support the amendment of documents such as the Placement Plan, Care Plan and Child Care Report Part 1 and 2.

Three: Increase the participation of children and young people in their Reviews

How we will know we are succeeding:

- **At least 10% more children attend their Review;**
- **There are more ways of children contributing to their Review;**
- **At least 25 children and young people Chair or Co-Chair their Review**

- 8.8 At the time of writing, the Unit is actively considering the introduction of 'Viewpoint', a national web-based, child-focused interactive consultation tool which children and young people from the age of 4 to 18 can use to contribute to their Review. It is intended that this will compliment rather than replace paper-based consultation, providing a greater diversity of consultation options. Following confirmation of funding and technical issues, the Unit will consult with Show Me That I Matter and I Matter Too Groups about implementation. The Unit will also seek lessons learnt about implementation from peer Local Authorities, including the IRO Unit Bradford MDC which has operated Viewpoint for a number of years.
- 8.9 Additionally, the Unit will consider how best to encourage more children Chairing or Co-Chairing their own review, looking nationally for examples of best practice.

Four: Ensure appropriate independent challenge to the City of York as Corporate Parent to improve outcomes for children and young people

How we will know we are succeeding:

- **The future of the Unit is resolved and permanent Management arrangements are determined**
- **The Unit provides regular Quarterly Reports to the City of York Safeguarding Children's Board and Corporate Parenting Panel;**
- **The Unit can report on its informal and formal dispute resolution activity and the outcomes it has achieved**
- **Quality Assurance work by the Unit informs and facilitates direct improvements in the care and care planning for children and young people**

- 8.10 As noted, during the reporting period management of the IRO's has been subject to change. Since 19 August 2013 management has been provided on an interim basis by the Principal Advisor, a substantive quality assurance and performance management post within Children's Social Care. This change of manager led to the Unit being 'decoupled' from the City of York Safeguarding Children's Board and its future management and reporting arrangements under review. This review will conclude by 01 June 2014.
- 8.11 Nevertheless, it is clear that whatever the arrangements for the Unit, it must continue to meaningfully contribute to improving outcomes for children and young people. The OFSTED thematic Report makes this point:

Inspectors found that senior leaders valued the quality assurance role of the IRO. Nearly all said that they would generally welcome more consistent, and stronger, challenge from IROs. Improvement is needed, however, to ensure that IROs are sufficiently supported and challenged by leaders to undertake their role in driving effective improvement in services for looked after children. Senior managers must regularly evaluate the value added by IROs and the extent to which plans and outcomes for looked after children improve as a result of their input (at p.5)

The investment in the Unit of additional capacity is evidence that Senior Leaders are committed to the Unit as a driver for improvement and the Unit must, over the reporting period, evidence its value.

Five: See more children and young people

How we will know we are succeeding:

- **At least 50% children and young people seen**

- 8.12 Of all areas of Unit performance, it is the improvement in the visiting and consultation with children and young people to which the Unit is most committed. The Unit is staffed by IRO's with substantial experience of effective direct work with children and young people and a strong desire to 'get out and see them'!

9. Summary

- 9.1 This is the first IRO Annual Report to be produced and presented to the City of York Corporate Parenting Board since the *IRO Annual Report: April 2011 – March 2012*. It has been produced in compliance with the statutory Guidance that:

The [IRO] Manager should be responsible for the production of an annual report for the scrutiny of the members of the corporate parenting board (at para. 7.11)

- 9.2 At the time of writing the Unit is subject to interim management arrangements, under review and subject to significantly higher than regionally average caseloads. Nationally, the role and purpose of Independent Reviewing Officers have been subject to significant scrutiny, the OFSTED thematic review adding a '?' to its report title '*Taking up the Challenge*' and concluding the pace of progress by IRO Units has been '*too slow*'. Nevertheless, within

York there are very real grounds for cautious optimism. Senior Leaders have agreed to increase the capacity of the Unit and despite the caseloads, York's IRO's have not stopped high quality independent challenge to ensure the best possible care and care planning for some of the most vulnerable children and young people in York. The Unit now has five Service Priorities and, shortly, the capacity to deliver them. It will seek in the Annual Report 2014-15 to report on the progress made against very clear targets and, ultimately, about the contribution of the Unit to improving the experiences and outcomes for looked after children.

10. Recommendations to the Corporate Parenting Panel

10.1 It is recommended that the City of York Council Corporate Parenting Panel consider the following:

1. Note the areas of positive performance referred to within the Annual Report, particularly evidence that the Unit has directly contributed to improving outcomes for children and young people through the early resolution of issues with Children's Social Care;
2. Note and support the Unit's commitment to better deliver its statutory responsibilities to children and young people and their parents or carers, in particular increased consultation, participation and challenge;
3. Use the annual reporting requirement of the Unit to inform the ongoing work of the Corporate Parenting Panel in raising outcomes for the children and young people Looked After by the City of York Council.

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20 February 2014